AGENDA

CALL TO ORDER

APPROVAL OF MINUTES


PUBLIC HEARING ITEMS

1. Variance # 159 [Pages 5–68]
   APPLICANT: James & Deborah Ott
   ADDRESS: 2566 Seabrook Island Road
   TAX MAP NUMBER: 147-01-00-033 (LT 49, BLK 5)
   ZONING DISTRICT: SR Single-Family Residential
   PURPOSE: Applicant is requesting a variance from the 25-foot marsh setback requirement (§ 7.60.50) to construct a pool/swim spa, hot tub and brick paver patio/fire pit in the rear yard

2. Variance # 160 [Pages 69–124]
   APPLICANT: Clarkson & Judith McLean
   ADDRESS: 3009 Rascal Run
   TAX MAP NUMBER: 149-05-00-059 (LT 5, BLK 48)
   ZONING DISTRICT: SR Single-Family Residential
   PURPOSE: Applicant is requesting a variance from the 25-foot rear yard setback requirement (§ 7.60.20.30/7.60.50) to convert an existing enclosed sunroom into conditioned living space

ITEMS FOR INFORMATION / DISCUSSION

There are no Items for Information / Discussion

ADJOURN
MINUTES

Present: Walter Sewell (Chairman), Ava Kleinman, Bob Leggett (Arrived 3:10 PM), John Fox, Dick Finkelstein, Joe Cronin (Zoning Administrator)

Absent: None

Guests: Clarkson McLean, Deborah Ott, Chris Eller, David Rust

Chairman Sewell called the meeting of the Board of Zoning Appeals to order at 2:33 PM. Zoning Administrator Cronin confirmed that the requirements of the Freedom of Information Act were fulfilled, and the meeting was properly posted.

APPROVAL OF MINUTES

1. Board of Zoning Appeals Meeting: January 29, 2019: Mr. Fox made a motion to approve the minutes from the January 29, 2019, meeting as submitted. Mr. Finkelstein seconded the motion. The motion was APPROVED by a vote of 4-0.

ITEMS FOR INFORMATION / DISCUSSION

1. Update to Application Forms: Zoning Administrator Cronin provided members of the Board with a draft copy of the new variance application form. He reviewed the layout and content of the new form, and stated that once it was implemented, an applicant would now be able to download and complete the form electronically. He also reviewed the list of items which an applicant would be required to submit when making a request for a variance. Board members were satisfied with the new layout and thanked town staff for undertaking this effort. Ms. Kleinman noted that applicants would now be required to submit a letter of approval from any applicable property owners’ association and/or regime with their application. She added that SIPOA will sometimes hold off on approving a request until they knew whether a variance has been approved. Zoning Administrator Cronin recommended that the section be amended to require either a letter of approval or a letter of acknowledgement stating that the request was not prohibited by any covenants and restrictions, but that approval would not be granted until the outcome of the variance had been decided.
Chairman Sewell recommended that Board members review the draft form and be prepared to vote on its adoption when the Board meets again to review the minutes from the March 22nd meeting.

2. **Update on the Status of Previous Variances:** Zoning Administrator Cronin provided an update on the status of Variance #131, which was approved by the Board in 2004. He stated that the town was able to obtain copies of a permit from SCDHEC which authorized the owner of Cotton Island (Tax Map # 149-00-00-004) to install a septic system; however, it was still unclear at this point if that system was ever actually installed. He stated that the town has no record of a town permit ever being issued. He added that SCDHEC was still reviewing its records.

3. **Discussion of New Construction Permit Requirements:** Chairman Sewell reviewed the town’s “New Construction Permit Requirements” form and stated that he thought this document should be updated. He noted that handwritten sections made the document look unprofessional. Zoning Administrator Cronin agreed that the form needs to be updated as part of the town’s effort to modernize all of its forms; however, he also recommended that some of the policies referenced in the form should be updated as well. For example, one section requires an applicant to certify that they would not request a variance. He added that, in his opinion, the town could not preclude an applicant from requesting something that they have a legal right to request under state law. These types of changes will require amendments to the town’s Development Standards Ordinance. He stated that his intent was to amend the form once the town completes a comprehensive review and update of the ordinance.

Mr. Leggett arrived at 3:10 PM.

**SITE VISITS**

Zoning Administrator Cronin distributed copies of the following variance applications to members of the Board and provided a brief overview of each request:

- **Variance #159:** 2566 Seabrook Island Road (To reduce the 25’/15’ marsh setback requirement to allow installation of a pool/spa and paver patio/fire pit)

- **Variance #160:** 3009 Rascal Run (To reduce the 25’ marsh setback to allow for conversion of an existing enclosed sunroom into conditioned living space)

Prior to departing for the site visits, Zoning Administrator Cronin stated that public notice of the site visits had been provided, pursuant to the Freedom of Information Act. He stated that the agenda for today’s meeting contained the following provision: “These site visits will take place behind the Seabrook Island Property Owners Association security gate. Any individual wishing to observe one or both site visits who does not have access behind the security gate should contact (843) 768-5321 for assistance prior to the meeting.” He added for the record that one individual, Mr. McLean (applicant for 3006 Rascal Run), was present at the meeting and that no other individuals had requested access behind the security gate for the purpose of observing the site.
visits. Zoning Administrator Cronin noted that the purpose of each site visit was for observational purposes only, and no testimony would be heard pertaining to the variance application.

The meeting was recessed at approximately 3:43 PM. Board members then traveled individually to 2566 Seabrook Island Road. Staff members at Town Hall were notified that the Board was traveling to the sites, and anyone coming to Town Hall to observe one or both site visits should be directed to those locations.

1. **2566 Seabrook Island Road (Tax Map # 147-01-00-033 – Lot 49, Block 12):** The Board reconvened at approximately 3:54 PM at 2566 Seabrook Island Road. Board members observed the site, as well as neighboring properties in the vicinity of the site. Board members asked general questions regarding the proposed variance request; however, no testimony was received. Ms. Deborah Ott (owner), Mr. Chris Bonner and Mr. David Rust were present at the site and observed the site visit.

The meeting was again recessed at approximately 4:05 PM. Board members then traveled individually to 3009 Rascal Run to conduct the second site visit. Mr. Leggett and Mr. Finkelstein left the meeting at that time.

2. **3009 Rascal Run (Tax Map # 149-05-00-059 – Lot 5, Block 48):** The Board reconvened at approximately 4:17 PM at 3009 Rascal Run. Board members observed the site, as well as neighboring properties in the vicinity of the site. Board members asked general questions regarding the proposed variance; however, no testimony was received. Mr. Clarkson McLean (owner) was present at the site and observed the site visit.

Ms. Kleinman left the meeting at 4:21 PM.

There being no further business, the meeting was adjourned at 4:28 PM.

Minutes Approved:  

Joseph M. Cronin  
Zoning Administrator
MEMORANDUM

TO: Town of Seabrook Island Board of Zoning Appeals Members
FROM: Joseph M. Cronin, Town Administrator/Zoning Administrator
SUBJECT: Variance Application #159 – 2566 Seabrook Island Road (Lot 34, Block 52)
MEETING DATE: March 22, 2019

Variance Application #159

<table>
<thead>
<tr>
<th>Applicants:</th>
<th>James &amp; Deborah Ott (Owners)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location:</td>
<td>2566 Seabrook Island Road</td>
</tr>
<tr>
<td>Tax Map Number:</td>
<td>147-01-00-033 (Lot 49, Block 5)</td>
</tr>
<tr>
<td>Zoning District:</td>
<td>SR Single-Family Residential</td>
</tr>
<tr>
<td>Purpose:</td>
<td>Applicant is requesting a variance from the 25-foot marsh setback requirement (§ 7.60.50) to construct a pool/swim spa, hot tub and brick paver patio/fire pit in the rear yard</td>
</tr>
</tbody>
</table>

Overview

The Town has received a variance application from James and Deborah Ott, the owners of Charleston County Tax Map # 147-01-00-033, as well as their designated agent, Chris Bonner of b Studio Architecture (collectively, the “Applicants). The Applicants are requesting a reduction in the 25-foot marsh setback requirement to allow for the installation of a pool/swim spa and hot tub within an open deck (which is proposed to be expanded) at the rear of their existing single-family residence located at 2566 Seabrook Island Road (Lot 49, Block 5). The Applicants are also seeking approval to install a paver patio and fire pit within the rear yard.

The existing residence was constructed in 1999 and was purchased Mr. and Mrs. Ott in March of 2017. The Applicants are now seeking approval for three modifications to the property:

1) The existing open deck at the rear of the property will be enlarged to “square it off” and make better use of the space. The existing steps (which are currently non-conforming) will be moved to the right side of the deck (when viewed from the house toward the rear yard). Once modified, the enlarged deck will be located no closer than 15 feet from the OCRM Critical Line. Therefore, the deck plans have been found by the Zoning Administrator to conform to all requirements of the town’s DSO.

2) The Applicants are also seeking to install a pool/swim spa and hot tub within the enlarged deck. While the deck itself may be located within 15 feet of the OCRM Critical Line per § 7.60.50 of the DSO, it is the opinion of the Zoning Administrator that a pool/swim spa and
hot tub do not meet the definition of an “open deck” under the town’s DSO and, therefore, would be subject to a 25-foot marsh setback. As shown on the attached site plan, the pool/swim spa and hot tub will be located approximately 15 feet from the OCRM Critical Line.

a. **Code Reference** - Sec. 2-10(0): Deck. An open and uncovered horizontal surface, attached and accessible to and being a part of the primary structure, which is *constructed so that rain can pass directly through it to the ground beneath*. A deck having a roof or other covering of any kind is defined to be a porch.

3) Lastly, the Applicants are seeking to install a brick paver patio and fire pit in the rear yard. The patio will be 13 feet in diameter with a 4-foot fire pit in the center. Generally, a paver patio is considered to be a “pervious” improvement as long as there is no solid base or foundation. A fire pit, however, is typically considered to be a vertical improvement or “structure.” As shown on the proposed site plan, the patio and fire pit will be located approximately 5 feet from the OCRM Critical Line.

The property is currently zoned SR Single-Family Residential, and a single-family residence is a permitted use by-right.

The existing home complies with the town’s front, side and driveway setback requirements. A portion of the existing home encroaches into the 25-foot marsh setback for principal structures; however, the structure was conforming at the time it was built in 1999 and was only made non-conforming by subsequent changes to the OCRM Critical Line (see As-Built Survey from 1999). The steps from the existing deck encroach into the 15-foot marsh setback; however, these are proposed to be relocated to a conforming location as part of the proposed improvements.

<table>
<thead>
<tr>
<th>TYPE</th>
<th>REQUIRED PER DSO</th>
<th>DSO REFERENCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front (Principal Structure)</td>
<td>30 feet</td>
<td>§ 7.60.20.10</td>
</tr>
<tr>
<td>Side (Conforming Lot)</td>
<td>15 feet</td>
<td>§ 7.60.20.20</td>
</tr>
<tr>
<td>Marsh (Open Deck)</td>
<td>15 feet</td>
<td>§ 7.60.50</td>
</tr>
<tr>
<td></td>
<td>(Steps currently non-conforming; proposed to be moved)</td>
<td></td>
</tr>
<tr>
<td>Marsh (All Other Structures)</td>
<td>25 feet</td>
<td>§ 7.60.50</td>
</tr>
<tr>
<td></td>
<td>(House existing non-conforming; Pool/swim spa &amp; hot tub will be new non-conforming)</td>
<td></td>
</tr>
<tr>
<td>Driveway (Conforming Lot)</td>
<td>6 feet</td>
<td>§ 7.60.70.10</td>
</tr>
</tbody>
</table>

In order to allow for the installation of the pool/swim spa and hot tub, as well as the paver patio and fire pit, within the required marsh setback area, the Applicants are requesting a variance from the DSO to allow for the following encroachments:

<table>
<thead>
<tr>
<th>TYPE</th>
<th>REQUIRED PER DSO</th>
<th>VARIANCE (REQUESTED)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marsh (All Other Structures)</td>
<td>25 feet</td>
<td>Reduce the marsh setback to 15 feet to allow the pool/swim</td>
</tr>
</tbody>
</table>
In their application, the Applicants are requesting relief from the marsh setback requirements for the following reasons:

a) The existing home and deck were built by a previous owner, before current restrictions were in place, and in a manner that would not allow these features to be added in another location on the lot;

b) The unique shape of the lot and marsh location, the home’s placement on the lot, and the existing configuration of the home creates a specific hardship that is not found on neighboring property;

c) The strict application of the ordinance would restrict the homeowners’ ability to utilize their rear deck space and access the non "built on" portion of the lot for relaxation and recreational purposes that other properties are able to utilize; and

d) The granting of the Variance will allow similar uses that neighboring properties are able to enjoy currently. The spa feature will be minimally visible with open decking below; and a low, permeable area, made of natural materials for a fire pit will be well shielded by vegetation.

**Staff Comments**

As a matter of practice, the town’s Zoning Administrator does not typically provide a recommendation in favor of – or in opposition to – a variance application. In our opinion, these requests are best left to the Board of Zoning Appeals following a thorough review of the relevant facts, including the receipt of testimony from interested parties during the required public hearing.

In granting a variance, state law permits the Board of Zoning Appeals to attach such conditions as the Board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare.

Should the Board vote to approve the variance request, staff would recommend in favor of attaching the following conditions:

- The approved variance shall apply to the building layout as shown on the site-specific plan prepared by the applicant and reviewed by the Board on March 22, 2019. Any modification to this site-specific plan prior to the issuance of a zoning permit, with the exception of minor corrections and/or modifications which conform to the requirements of the town’s DSO, shall require further review and approval by the Board of Zoning Appeals prior to permitting.
The variance shall expire on September 25, 2022 (five years from the date of the current OCRM Critical Line Certification) if no zoning permit has been issued by the town on or before that date.

Respectfully submitted,

[Signature]

Joseph M. Cronin
Town Administrator/Zoning Administrator
Criteria for Review

Pursuant to Section 6-29-800(A)(2) of the SC Code of Laws, the Board of Zoning Appeals has the power to hear and decide appeals for variance from the requirements of the zoning ordinance when strict application of the provisions of the ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the board makes and explains in writing the following findings:

(a) there are extraordinary and exceptional conditions pertaining to the particular piece of property;

(b) these conditions do not generally apply to other property in the vicinity;

(c) because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and

(d) the authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

The board may not grant a variance, the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a nonconforming use of land or to change the zoning district boundaries shown on the official zoning map. The fact that property may be utilized more profitably, if a variance is granted, may not be considered grounds for a variance. Other requirements may be prescribed by the zoning ordinance.

In granting a variance, the board may attach to it such conditions regarding the location, character, or other features of the proposed building, structure, or use as the board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare.
The following supplemental items have been attached for review:

<table>
<thead>
<tr>
<th>Application &amp; Property Information</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>1  Variance Application</td>
<td>p. 11-13</td>
</tr>
<tr>
<td>2  Site Plan</td>
<td>p. 14-19</td>
</tr>
<tr>
<td>3  Architectural Elevations</td>
<td>p. 20-22</td>
</tr>
<tr>
<td>4  Pool &amp; Spa Specifications</td>
<td>p. 23-32</td>
</tr>
<tr>
<td>5  Property Survey (2017)</td>
<td>p. 33-34</td>
</tr>
<tr>
<td>6  Subdivision Plat (1974)</td>
<td>p. 35-36</td>
</tr>
<tr>
<td>7  Property Photos</td>
<td>p. 37-41</td>
</tr>
<tr>
<td>8  Zoning Map</td>
<td>p. 42-43</td>
</tr>
<tr>
<td>9  Aerial Image</td>
<td>p. 44-45</td>
</tr>
<tr>
<td>10 FEMA Base Flood Elevations (Current &amp; Preliminary)</td>
<td>p. 46-47</td>
</tr>
<tr>
<td>11 Title to Real Estate</td>
<td>p. 48-53</td>
</tr>
<tr>
<td>12 Property Information Card</td>
<td>p. 54-55</td>
</tr>
<tr>
<td>13 Public Hearing Notice – Letter to Neighboring Property Owners</td>
<td>p. 56-57</td>
</tr>
<tr>
<td>14 Public Hearing Notice – List of Neighboring Property Owners</td>
<td>p. 58-59</td>
</tr>
<tr>
<td>15 Public Hearing Notice – U.S.P.S. Certified Mail Receipts</td>
<td>p. 60-62</td>
</tr>
<tr>
<td>16 Public Hearing Notice – Post and Courier Legal Ad</td>
<td>p. 63-64</td>
</tr>
<tr>
<td>17 Public Hearing Notice – Property Posting</td>
<td>p. 65-66</td>
</tr>
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<table>
<thead>
<tr>
<th>Other Information</th>
<th>Pages</th>
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<tbody>
<tr>
<td>18 As-Built Survey (1999)</td>
<td>p. 67-68</td>
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<table>
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<tr>
<th>Written Correspondence Regarding the Proposed Variance Request</th>
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</thead>
<tbody>
<tr>
<td>---</td>
<td>No correspondence received to date</td>
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ATTACHMENT #1

Variance Application
Notice of Appeal - Form 1
Board of Zoning Appeals

Date Filed: _______________ Permit Application No. ____________ Appeal No. ____________

Instructions
This form must be completed for a hearing on appeal from action of a zoning official, application for a variance or application for special exception. Entries must be printed or typewritten. If the application is on behalf of the property owner(s), all owners must sign. If the applicant is not an owner, the owner(s) must sign the Designation of Agent. An accurate, legible plot plan showing property dimensions and locations of structures and improvements must be attached to an application for variance or special exception.

THE APPLICANT HEREBY APPEALS [indicate one]:

☐ from action of a zoning official as stated on attached Form 2
☒ for a variance as stated on attached Form 3.
☐ for a special exception as stated on attached Form 4.

APPLICANT(S) [print] Chris Bonner - b Studio Architecture
Address: 582 Rutledge Ave
Telephone: 843.608.1858 [work] ___________________________ [home]
Interest: Owner(s): ___________________________ Adjacent Owner(s); Other: Architect

OWNER(S) [if other than Applicant(s)]: James & Deborah Ott
Address: 2566 Seabrook Island Road
Telephone: ___________________________ [work] (570) 840-7435 [home]

PROPERTY ADDRESS:
Lot 49 Block 5 Subdivision Seabrook Island
Tax Map No. 147-01-00-033 Plat Book AD Page 95
Lot Dimensions: 122' x 195'
Area: 23,802 S.F.
Zoning District: SFR

DESIGNATION OF AGENT [complete only if owner is not applicant]: I (we) hereby appoint the person named as Applicant as my (our) agent to represent me (us) in this application.

Date: 1/30/19

☐ Signature(s)

I (we) certify that the information in this application and the attached Form 2, 3 or 4 is correct.

Date: 1/30/19

☐ Signature(s)
Variance Application - Form 3
Board of Zoning Appeals

Date Filed: ____________ Permit Application No. ____________ Appeal No. ____________

1. Applicant hereby appeals to the board of zoning appeals for a variance from the strict application to the property described in the Notice of Appeal [Form 1] of the following provisions of the zoning ordinance:
   Section 7.60.50 & 9.40- Owner requests relief of 25' setback requirement for Spa & Paver /Fire Pit area.
   so that a zoning permit may be issued to allow use of the property in a manner shown on the attached plot plan, described as follows: Owner requests to reconfigure existing deck to add concealed spa inside new deck structure & add "Masonry Fire Pit" w/permeable pavers inside setback.
   for which a permit has been denied by a zoning official on the grounds that the proposal would be in violation of the cited section(s) of the zoning ordinance.

2. The application of the ordinance will result in unnecessary hardship, and the standards for a variance set by state law and the ordinance are met by the following facts:
   a. There are extraordinary and exceptional conditions pertaining to the particular piece of property as follows: The existing home and deck were built by a previous owner, before current restrictions were in place, and in a manner that would not allow these features to be added in another location on the lot.
   b. These conditions do not generally apply to other property in the vicinity as shown by: The unique shape of the lot and marsh location, the homes placement on the lot, and the existing configuration of the home creates a specific hardship that is not found on neighboring property.
   c. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property as follows: The strict application of the ordinance would restrict the homeowners ability to utilize their rear deck space and access the non "built on" portion of the lot for relaxation and recreational purposes that other properties are able to utilize.
   d. The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance for the following reasons: The granting of the Variance will allow similar uses that neighboring properties are able to enjoy currently. The spa feature will be minimally visible with open decking below; and a low, permeable area, made of natural materials for a fire pit will be well shielded by vegetation.

3. The following documents are submitted in support of this application:
   Documents, including a plot plan labeled A100-104, A201, A310  [A plot plan must be submitted.]

Date: 1/30/19

Applicant signature
ATTACHMENT #2

Site Plan
EXISTING DECK SUPPORTS, EXTERIOR LOUvre WALLS, AND STRUCTURE TO BE REMOVED
LOCATION AND SIZE OF EXISTING FOOTERS IS UNKNOWN

Client: Chris Bonner, Architect
582 Rutledge Ave
Charleston SC, 29403
843.608.1858
www.bStudioArchitecture.com

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Scale
Date
Drawn By

Scale

A101
DEMO FOUNDATION PLAN

1/4" = 1'-0"
NEW DECK PLAN

2566 Seabrook Island Road
Seabrook Island, SC

1/4" = 1'-0"

A104

NEW DECK PLAN

HOUSE NOT IN SCOPE

6" EDGE
NEW CABLE RAIL
STONE SURROUND
NEW DECKING
NEW DECKING

5' OCRM SETBACK
25' OCRM SETBACK

15' OCRM SETBACK
25' OCRM SETBACK

CLIENT:
Chris Bonner, Architect
582 Rutledge Ave
Charleston SC, 29403
843.608.1858
www.360Architecture.com

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SCALE
DATE
DRAWN BY

FULL SIZE - 22" X 34"
HALF SIZE - 11" X 17"
ATTACHMENT #3

Architectural Elevations
ATTACHMENT #4

Pool & Spa Specifications
Build Your 1303B

MODEL DETAILS

<table>
<thead>
<tr>
<th>Series</th>
<th>1303</th>
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<tbody>
<tr>
<td>Total Jets</td>
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<tr>
<td>Power North</td>
<td>17HP (3x 4HP Viper Pumps + 5HP Super Flow)</td>
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<td>Power Int'l</td>
<td>20HP (4x 5HP SuperFlow)</td>
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<tr>
<td>Seats</td>
<td>NA</td>
</tr>
<tr>
<td>Brand</td>
<td>Swim Collection</td>
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<tr>
<td>Style</td>
<td>Swim Spa</td>
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SPECIFICATIONS METRIC

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<tr>
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<td>5320</td>
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<tr>
<td>Dry Weight (kg)</td>
<td>998</td>
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<tr>
<td>Wet Weight (kg)</td>
<td>6315</td>
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SPECIFICATIONS IMPERIAL

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<tr>
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<td>1405</td>
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<tr>
<td>Dry Weight (lbs)</td>
<td>2200</td>
</tr>
<tr>
<td>Wet Weight (lbs)</td>
<td>13929</td>
</tr>
</tbody>
</table>

ENERGY USAGE estimated per month*

| Warm 75°F | 24°C | $37.71 |
| Cool 45°F | 7°C  | $83.82 |

FEATURES

- Touchscreen Controls Wellness
- Extreme XL Water Diverters
- Air Controls
- Trillium Stainless Steel Massage Jets | 31
- River Jets (Swim Resistance Jets) | 31
- Levitator Jets (Swim Bouyancy Jets) | 4
- Streaming Water Ropes - Laminars
- Hydro Cyclonic Filtration System® - 175 sq ft Dual Core Filter
- Smartphone Remote Control Compatible
- Swim Tether Anchor Plate
- Swim Tether
- Exercise Bands and Row Bars

SPA COMFORTS

- Plush Headrests
- Beverage Holders
- Anti-Slip Textured Floor
- Ergonomic Seating
- Multi-Level Seating
- Programmable Filtration
- Stainless Steel Oversized Monster™ Skimmer
- Freeze Protection
- Formed Equipment Enclosure
- Owens Corning® Fiberglass Shell with 1 1/4" Steel Reinforcement
- Steel Reinforced Spa Acrylic Pressure Treated Frame
- Quick Access Gate Valves
- Titanium Heater
- Recessed Floor Drain
- Recessed Thread-In Jet-Pockets™
- Super-Sealed™ Barb & Clamp Plumbing

* Energy usage is estimated using average global energy rates and based on hot tubs with average filtration cycles and common daily usage. For general reference only. Spa equipment, features, upgrades, environment, insulation variations along with duration/frequency-of-use can alter provided estimated energy costs.
Build Your Own 1303B & Get Pricing Information

Choose from a wide selection of optional features for the 1303B model. Clicking on '...more' will give you additional information on each feature. Once you've made your selections you can submit your build for a hassle-free quotation using the form at the bottom of the page.

All listed features and information are subject to change without notice. Images provided may not accurately represent the current offering. Please check with your local Authorized Coast Spas Dealer for current standard and optional features and availability.
Lighting

- **7” Stainless Steel Frosted Light Dome**
  Long lasting, bright and ...more

- **MultiColor LED Spa Light Upgrade (28 LED)**
  Switch out the single col ...more

- **Waterline Multicolor LED Gem Lighting Package**
  LED lighting that runs ar ...more

- **Xtreme Multicolor LED Gem & Control Lighting Packa**
  Visually stimulating ligh ...more

- **Xtreme Multicolor LED GLO Jet & ChromoZone Lighting**
  ...more

Acrylic and Cabinet Finish

**ACRYLIC SELECTION**
- Sterling Marble
  see large swatch
- Neptune Blue
  see large swatch

**CANADIAN CEDAR**
- Unstained Canadian AAA-Grade Cedar
  see large swatch
- Clear Satin Canadian AAA-Grade Cedar
  see large swatch

**DURABLE SYNTHETIC**
- Teak 9” Wideboard Synthetic Cabinet
  see large swatch
- Grey 9” Wideboard Synthetic Cabinet
  see large swatch
- Black 9” Wideboard Synthetic Cabinet
  see large swatch
- Grey 9” Wideboard Synthetic Cabinet w/ Carbon Fiber Corners
  see large swatch
- Teak 9”
- Black 9”
- Coastal Smoke 9”

Above is a representation of your color selections only and does not necessarily reflect the model or additional features you've selected. The spa shown above is part of the Curve Series by Coast Spas.
### Wideboard Synthetic Cabinet w/ Carbon Fiber Corners
- See large swatch

### LUXURY SLATE
- Desert Sand Natural Slate Cabinet
- Mountain Grey Natural Slate Cabinet
- Obsidian Natural Slate Cabinet
- Stone Brown Natural Slate Cabinet

### CABINET ACCESSORIES
- **Coast Cubby - Warm Storage Compartment**
  - Store your items in a pro ...more

- **Coast WaterVac™ Powered Drain System**
  - Quickly drain your hot tu ...more

- **Coast WaterVac™ - Stowaway Shrink Hose 25 ft**
  - No need to get the househ ...more

- **Coast Status**
  - Know the status of your C ...more

### Cover
- **5x3" Ash Thermal-Sealed™ Ultra Locking Cover**
  - Energy efficient and safe ...more

- **5x3" Oxen Thermal-Sealed™ Ultra Locking Cover**
  - Energy efficient and safe ...more

- **5x3" Briar Brown Thermal-Sealed™ Ultra Locking Cover**
  - Energy efficient and safe ...more

- **Designer Cover Color Upgrade - Black**
  - Your Coast Spas Hot Tub c ...more

- **Designer Cover Color Upgrade - Rust**
  - Your Coast Spas Hot Tub c ...more

### Exercise Equipment

---

**Exercise Equipment**
Authorized Coast Spas® Dealership

Carolina Spa Company

1145 SC Highway 41, Unit A, Mount Pleasant SC 29466
843-936-3196
sales@carolinaspacompany.com

Discover More

ABOUT COAST SPAS
SPA BENEFITS
BUYER'S GUIDE
OWNER'S MANUALS
CONTACT US

Hot Tubs & Swim Spas

TRADITIONAL COLLECTION
CURVE COLLECTION
INFINITY COLLECTION
SWIM COLLECTION
NORTHWIND HOT TUBS

Map

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# Build Your Horizon

## MODEL DETAILS

<table>
<thead>
<tr>
<th>Feature</th>
<th>VE II Series</th>
</tr>
</thead>
<tbody>
<tr>
<td>Series</td>
<td>VE II Series</td>
</tr>
<tr>
<td>Total Jets</td>
<td>47</td>
</tr>
<tr>
<td>Power North America</td>
<td>10HP (2x 5HP SuperFlow)</td>
</tr>
<tr>
<td>Power International</td>
<td>10HP (2x 5HP SuperFlow)</td>
</tr>
<tr>
<td>Seats</td>
<td>6-7 Adults</td>
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<tr>
<td>Brand</td>
<td>Coast Spas</td>
</tr>
<tr>
<td>Style</td>
<td>Infinity Edge</td>
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## SPECIFICATIONS

### METRIC

<table>
<thead>
<tr>
<th>Feature</th>
<th>Value</th>
</tr>
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<tbody>
<tr>
<td>Dims (cm)</td>
<td>211 x 234 x 82 (116 at back)</td>
</tr>
<tr>
<td>Capacity (l)</td>
<td>1340</td>
</tr>
<tr>
<td>Dry Weight (kg)</td>
<td>385</td>
</tr>
<tr>
<td>Wet Weight (kg)</td>
<td>1725</td>
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### IMPERIAL

<table>
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<tr>
<th>Feature</th>
<th>Value</th>
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</thead>
<tbody>
<tr>
<td>Dims (in)</td>
<td>83.25 x 92 x 32.5 (46 at back)</td>
</tr>
<tr>
<td>Capacity (us gal)</td>
<td>354</td>
</tr>
<tr>
<td>Dry Weight (lbs)</td>
<td>849</td>
</tr>
<tr>
<td>Wet Weight (lbs)</td>
<td>3803</td>
</tr>
</tbody>
</table>

## ENERGY USAGE

*Estimated per month*

- Warm 75°F | 24°C: $8.84
- Cool 45°F | 7°C: $19.64

*Energy usage is estimated using average global energy rates and based on hot tubs with average filtration cycles and common daily usage. For general reference only. Spa equipment, features, upgrades, environment, insulation variations along with duration/frequency-of-use can alter provided estimated energy costs.

## FEATURES

- Touchscreen Controls
- Extreme XL Water Diverters
- Air Controls
- Trillium Stainless Steel Massage Jets | 47
- Volcano Jet with Dedicated Hand Control |
- Exclusive 24" Adjustable Waterfall (Stainless Steel)
- Streaming Water Ropes - Laminars
- Hydro Cyclonic Filtration System® - 175 sq ft Dual Core Filter
- Self-Cleaning Sweeper Jet™
- Smartphone Remote Control Compatible
- Patented Infinity Edge Technology and Design
- Raised Curve Back - Wind Shield and Privacy Wall
- No Bobbing Weir Skimmer
- Largest Skimmers
- Self-Purging
- Digital Float and Fill Gauge
- The Coast Guard System® - Hardened Ground-Shield Barrier

## SPA COMFORTS

- Plush Headrests
- Beverage Holders
- Anti-Slip Textured Floor
- Ergonomic Seating
- Multi-Level Seating
- Large Footwells
- Programmable Filtration

## BUILT TO LAST

- The Coast Guard System® - Hardened Corner Bottoms
- Freeze Protection
- Owens Corning® Fiberglass
- Shell with 1 1/4" Steel Reinforcement
- Steel Reinforced Spa Acrylic
- Pressure Treated Frame
- Quick Access Gate Valves
Titanium Heater
Recessed Floor Drain
Recessed Thread-In
Jet-Pockets™
Super-Sealed™ Barb & Clamp
Plumbing

Build Your Own Horizon & Get Pricing Information

Choose from a wide selection of optional features for the Horizon model. Clicking on ‘...more’ will give you additional information on each feature. Once you’ve made your selections you can submit your build for a hassle-free quotation using the form at the bottom of the page.

All listed features and information are subject to change without notice. Images provided may not accurately represent the current offering. Please check with your local Authorized Coast Spas Dealer for current standard and optional features and availability.
Lighting

- **5" Safety Light**
  Allows safety and comfort ...more

- **MultiColor LED Spa Light Upgrade (28 LED)**
  Switch out the single col ...more

- **Waterline Multicolor LED Gem Lighting Package**
  LED lighting that runs ar ...more

- **Xtreme Multicolor LED Gem & Control Lighting Packa**
  Visually stimulating ligh ...more

- **Xtreme Multicolor LED GLO Jet & ChromoZone Lighting**

Acrylic and Cabinet Finish

**ACRYLIC SELECTION**

- **Sterling Marble**
  see large swatch

- **Crimson Night**
  see large swatch

- **Snow White**
  see large swatch

- **Storm Cloud**
  see large swatch

- **Tuscan Sun**
  see large swatch

- **Midnight Canyon**
  see large swatch

- **Whispering Winds**
  see large swatch

- **Kalahari**
  see large swatch

- **Smokey Mountain**
  see large swatch

**CANADIAN CEDAR**

- **Unstained Canadian AAA-Grade Cedar**
  see large swatch

- **Clear Satin Canadian AAA-Grade Cedar**
  see large swatch

**DURABLE SYNTHETIC**

- **Grey 9" Wideboard Synthetic Cabinet**
  see large swatch

- **Teak 9" Wideboard Synthetic Cabinet**
  see large swatch

- **Black 9" Wideboard Synthetic Cabinet**
  see large swatch

- **Coastal Smoke 9" Wideboard Synthetic Cabinet**
  see large swatch

Above is a representation of your color selections only and does not necessarily reflect the model or additional features you've selected. The spa shown above is part of the Curve Series by Coast Spas.
ATTACHMENT #5

Property Survey (2017)
ATTACHMENT #6

Subdivision Plat (1974)
Property Photos
Zoning Map
ATTACHMENT #9

Aerial Image
2566 Seabrook Island Road

Parcel ID: 1470100033  
OWNER: OTT JAMES H  
ACREAGE: 0.55  
PLAT_BOOK_PAGE: AC-139  
DEED_BOOK_PAGE: 0627-905  
Jurisdiction: TOWN OF SEABROOK

Note: The Charleston County makes every effort possible to produce the most accurate information. The layers contained in the map service are for information purposes only. The Charleston County makes no warranty, express or implied, nor any guaranty as to the content, sequence, accuracy, timeliness or completeness of any of the information provided. The County explicitly disclaims all representations and warranties. The reader agrees to hold harmless the Charleston County for any cause of action and costs associated with any causes of action which may arise as a consequence of the County providing this information.
ATTACHMENT #10

FEMA Base Flood Elevations
(Current & Preliminary)
ATTACHMENT #11

Title to Real Estate
STATE OF SOUTH CAROLINA  
COUNTY OF CHARLESTON  

KNOW ALL MEN BY THESE PRESENTS that I, JAMES E. ORR, JR. (hereinafter referred to as "Grantor"), in the State aforesaid, for and in consideration of the sum of EIGHT HUNDRED SIXTY THOUSAND FIVE HUNDRED AND NO/100 ($860,000.00) DOLLARS, to her in hand paid at and before the sealing of these presents by JAMES H. OTT and DEBORAH J. OTT (hereinafter referred to as "Grantees"), in the State aforesaid, the receipt whereof is hereby acknowledged, and subject to the easements, restrictions, reservations and conditions set forth on the attached Exhibit "A" ("Exceptions") has granted, bargained, sold and released, and by these Presents does grant, bargain, sell and release unto the said Grantees, as joint tenants with rights of survivorship (not as tenants in common), the following real property, to-wit:

AS DESCRIBED ON EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY EXPRESS REFERENCE.

BEING the same property conveyed to JAMES E. ORR, an undivided one-half (1/2) interest, by deed of BETTY B. ORR, dated August 11, 2009 and recorded August 12, 2009 in Book 0074 at Page 745 in the Charleston County RMC Office; further conveyed to JAMES E. ORR, JR., an undivided one-half interest, by deed of distribution dated in the Estate of Betty Barton Orr, dated August 10, 2012 and recorded August 10, 2012 in Book 0275 at Page 571 in the Charleston County RMC Office.

The property described herein may be subject to taxation during the next tax year at a value that reflects its fair market value.

TOGETHER with, all and singular, the Rights, Members, Hereditaments and Appurtenances to the said Premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the said Premises before mentioned, subject to the Exceptions, unto the said Grantees, as joint tenants with rights of survivorship (not as tenants in common), their Heirs and Assigns forever.

TMS# 147-01-00-033
GRANTEE'S ADDRESS: 1139 Acacia Dr, UNIT 5

SUBJECT TO the Exceptions, I do hereby bind myself and my Successors and Assigns, to warrant and forever defend, all and singular, the said Premises unto the said Grantees, as joint tenants with rights of survivorship (not as tenants in common), their Heirs and Assigns forever, against myself and my Successors and Assigns, and against every person whomsoever lawfully claiming, or to claim the same or any part hereof.
WITNESS our Hands and Seals this 27th day of March, in the year of our Lord, two thousand seventeen and in the two hundred and forty-first year of the Sovereignty and Independence of the United States of America.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

[Signatures]
Witness #1
Maudey Clements
Witness #2
Francisco M. Betancourt

STATE OF Georgia
COUNTY OF Hall

The foregoing instrument was acknowledged before me this 27th day of March, 2017, by
JAMES E. ORR, JR.

[Seal]
Rebecca Marie O'Leary (Seal)
SIGNATURE OF NOTARY PUBLIC
NOTARY PUBLIC FOR: Hall County, Georgia
MY COMMISSION EXPIRES: February 26, 2021
EXHIBIT "A"

ALL that certain lot, piece or parcel of land, situate, lying and being on Seabrook Island, Charleston County, South Carolina, and known and designated as LOT 49, BLOCK 5, on a plat by E.M. Seabrook, Jr., CE & LS, dated November 27, 1972 and recorded in the Charleston County RMC Office in Plat Book AB, Page 122, and as further shown on a Plat recorded in Plat Book DB at Page 147.

Said lot having such size, shape, dimensions, buttins and boundings, more or less, as are shown on said plat, which is specifically incorporated herein by reference.

THIS CONVEYANCE IS SUBJECT TO the Covenants, Conditions, Restrictions, Limitations, Affirmative Obligations and Easements of record and more particularly set forth in instruments duly recorded in the RMC Office for Charleston County, as follows: Book N-10, Page 296; as amended by instrument recorded in Book Y-110, Page 143; and Second modification thereto dated March 26, 1985 and recorded in Book J-144, Page 67; Third Modification of Protective Covenants dated April 24, 1987 and recorded in Book J-164, Page 487; Also, Second restated and amended By-Laws dated October 18, 1984 and recorded in Book B-141, Page 267; as amended by instrument dated March 26, 1985 in Book J-144, Page 59; Third Restated and Amended By-Laws of the Seabrook Island Property Owners Association dated August 1, 1989 and recorded in the RMC Office for Charleston County in Book L-186, Page 718; and Amendment filed in Book K-215, Page 001; Restatement and Fourth Modification of Protective Covenants for Seabrook Island Development dated August 1, 1989, and recorded in the Charleston County RMC Office in Book L-186, Page 697; Restatement and Fifth Modification recorded in Book K215, Page 23.
STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

AFFIDAVIT FOR TAXABLE OR EXEMPT TRANSFERS

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on this Affidavit and I understand such information.

2. The property is being transferred is located at 2566 Seabrook Island Road, Seabrook Island bearing Charleston, County Tax Map Number 147-01-00-033, was transferred by James E. Orr, Jr. to James H. Ott and Deborah J. Ott on March 31, 2017.

3. Check one of the following: The deed is
   (a) X subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
   (b) __ subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as distribution to a trust beneficiary.
   (c) __ exempt from the deed recording fee because (See Information section of affidavit): ________________ (If exempt, please skip items 4-7, and go to item 8 of this affidavit.)

If exempt under exemption #14 as described in the Information section of this affidavit, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty? Check Yes ___ or No ___

4. Check one of the following if either item 3(a) or item 3(b) above has been checked (See information section of this affidavit):
   (a) X The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of $860,000.00
   (b) ___ The fee is computed on the fair market value of the realty which is $______________
   (c) ___ The fee is computed on the fair market value of the realty as established for property tax purposes which is $______________

5. Check YES ___ or NO X ___ to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. (This includes, pursuant to Code Section 12-59-140(E)(6), any lien or encumbrance on realty in possession of a forfeited land commission which may subsequently be waived or reduced after the transfer under a signed contract or agreement between the lien holder and the buyer existing before the transfer.) If "Yes," the amount of the outstanding balance of this lien or encumbrance is: ________________________

6. The deed recording fee is computed as follows:
   (a) Place the amount listed in item 4 above here: 860,000.00
   (b) Place the amount listed in item 5 above here: ________________________
   (c) Subtract line 6(b) from Line 6(a) and place result here: 860,000.00

7. The deed recording fee due is based on the amount listed on Line 6(c) above and the deed recording fee due is: 3182.00

8. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as: Legal Representative

9. I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.

__________________________
Legal Representative
BUIST, BEAKS & TAYLOR, LLC

Sworn to before me this ___ day of March, 20___
Notary Public for South Carolina
My Commission Expires: 

KIRSTIN M. BRADSHAW
Notary Public, South Carolina
My Commission Expires
August 19, 2024
ATTACHMENT #12

Property Information Card
# Charleston County, South Carolina

## Current Parcel Information

<table>
<thead>
<tr>
<th>Owner</th>
<th>OTT JAMES H OTT DEBORAH J</th>
<th>Property Class Code</th>
<th>101 - RESID-SFR</th>
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</thead>
<tbody>
<tr>
<td>Owner Address</td>
<td>1139 ACACIA DR UNIT 5</td>
<td>Acreage</td>
<td>.0000</td>
</tr>
<tr>
<td>Legal Description</td>
<td>Subdivision Name -SEABROOK ISLAND Description -LT 49 BLK 5 PlatSuffix AC-139 PolTwp 009</td>
<td></td>
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## Historic Information

<table>
<thead>
<tr>
<th>Tax Year</th>
<th>Land</th>
<th>Improvements</th>
<th>Market</th>
<th>Taxes</th>
<th>Payment</th>
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<td>2018</td>
<td>$254,000</td>
<td>$606,000</td>
<td>$860,000</td>
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## Sales Disclosure

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<td>ORR JAMES E JR</td>
<td>0627 905</td>
<td>3/31/2017</td>
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<td>$860,000</td>
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<td>Multiple Owners</td>
<td>0275 571</td>
<td>12/31/2011</td>
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<td>ORR BETTYE B</td>
<td>0074 745</td>
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<td>$5</td>
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<td>WALWORTH EDWARD H JR</td>
<td>U282 328</td>
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<td></td>
<td>J110 064</td>
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## Improvements

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<td>R01</td>
<td>DWELL</td>
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<td>1999</td>
<td>1.5</td>
<td>04</td>
<td>3,256</td>
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ATTACHMENT #13

Public Hearing Notice:
Letter to Neighboring Property Owners
Dear Property Owner,

The purpose of this letter is to notify you that the owners of 2566 SEABROOK ISLAND ROAD have requested a VARIANCE from the zoning requirements of the Town’s Development Standards Ordinance (DSO). The purpose of the variance request is to REDUCE THE 25-FOOT MARSH SETBACK REQUIREMENT FOR THE PURPOSE OF CONSTRUCTING A SPA AND PAVER PATIO/FIRE PIT (§ 7.60.50). A copy of the variance application is enclosed for your information.

The Town’s Board of Zoning Appeals has scheduled a PUBLIC HEARING, during which time the Board will hear testimony from any individual who wishes to speak regarding the variance request. This notification is being provided to you pursuant to Section § 19.30.20.30 of the DSO.

PUBLIC HEARING DATE: Fri. March 22, 2019
PUBLIC HEARING TIME: 2:30 PM
PUBLIC HEARING LOCATION: Seabrook Island Town Hall
2001 Seabrook Island Road
Seabrook Island, SC 29455

In addition to attending the public hearing, interested parties may submit written comments in advance of the public hearing, as follows:

BY E-MAIL: jcronin@townofseabrookisland.org
BY MAIL: Town of Seabrook Island, Attn: Zoning Administrator
2001 Seabrook Island Road, Seabrook Island, SC 29455.

If you have any questions about the contents of this letter, please feel free to contact me by phone at (843) 768-9121 or by email at jcronin@townofseabrookisland.org.

Sincerely,

Joseph M. Cronin
Town Administrator/Zoning Administrator
Public Hearing Notice:
List of Neighboring Property Owners
Variance Notification List
2566 Seabrook Island Road

<table>
<thead>
<tr>
<th>Property Address</th>
<th>Owner(s) of Record</th>
<th>Mailing Address</th>
<th>City</th>
<th>State</th>
<th>Zip</th>
</tr>
</thead>
<tbody>
<tr>
<td>2546 Seabrook Island Road</td>
<td>Craig &amp; Nancy Hanson</td>
<td>120 Tradd Street</td>
<td>Charleston</td>
<td>SC</td>
<td>29401</td>
</tr>
<tr>
<td>2556 Seabrook Island Road</td>
<td>Sandra E Maccoss Rev Trust</td>
<td>2556 Seabrook Island Road</td>
<td>Seabrook Island</td>
<td>SC</td>
<td>29455</td>
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<tr>
<td>2576 Seabrook Island Road</td>
<td>Robin Hanscum</td>
<td>2576 Seabrook Island Road</td>
<td>Seabrook Island</td>
<td>SC</td>
<td>29455</td>
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<tr>
<td>2586 Seabrook Island Road</td>
<td>Edward &amp; Andrea Brett</td>
<td>2780 Manor Bridge Drive</td>
<td>Alpharetta</td>
<td>GA</td>
<td>30004</td>
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<tr>
<td>2545 Seabrook Island Road</td>
<td>Paul Corkish Rev Trust &amp; Deborah Corkish Rev Trust</td>
<td>2545 Seabrook Island Road</td>
<td>Seabrook Island</td>
<td>SC</td>
<td>29455</td>
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<tr>
<td>2555 Seabrook Island Road</td>
<td>Mark &amp; Debra Smith</td>
<td>309 Alfandre Street</td>
<td>Gaithersburg</td>
<td>MD</td>
<td>20878</td>
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<tr>
<td>2565 Seabrook Island Road</td>
<td>Andrew &amp; Kimberly Flad</td>
<td>233 Sedgewick Circle</td>
<td>St. Charles</td>
<td>IL</td>
<td>60174</td>
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<tr>
<td>2575 Seabrook Island Road</td>
<td>Ronald &amp; Luann Sweeney</td>
<td>90 Cole Road</td>
<td>Whitehouse Station</td>
<td>NJ</td>
<td>08889</td>
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<tr>
<td>2585 Seabrook Island Road</td>
<td>Michael &amp; Peggy Jones</td>
<td>2585 Seabrook Island Road</td>
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<td>SC</td>
<td>29455</td>
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<tr>
<td>147-00-00-027</td>
<td>Seabrook Island Property Owners Association</td>
<td>1202 Landfall Way</td>
<td>Seabrook Island</td>
<td>SC</td>
<td>29455</td>
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<tr>
<td>147-00-00-029</td>
<td>Marshland Trust Inc</td>
<td>3657 Robinia Hill Road</td>
<td>Moravia</td>
<td>NY</td>
<td>13118</td>
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<td>Property Owners Association</td>
<td>Seabrook Island Property Owners Association</td>
<td>1202 Landfall Way</td>
<td>Seabrook Island</td>
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<td>29455</td>
</tr>
<tr>
<td>Regime</td>
<td>Not Applicable</td>
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* Duplicate
Public Hearing Notice:
U.S.P.S. Certified Mail Receipts
Public Hearing Notice:
Post & Courier Legal Ad
AFFIDAVIT OF PUBLICATION

The Post and Courier

State of South Carolina
County of Charleston

Personally appeared before me the undersigned advertising clerk of the above indicated newspaper published in the city of Charleston, county and state aforesaid, who, being duly sworn, says that the advertisement of

appeared in the issues of said newspaper on the following day(s):

03/05/19 Tue PC
03/05/19 Tue CNW

at a cost of $135.98
Account# 108294
Order# 1769241
P.O. Number:

Subscribed and sworn to before me this 5th day of March, 2019

______________________________
Advertising Clerk

______________________________
Notary Public, SC
My commission expires 09/24/2023
Public Hearing Notice:
Property Posting
NOTICE
Board of Zoning Appeals Hearing

PUBLIC INVITED

Property owner or permittee is hereby advised that the Board of Zoning Appeals will conduct a hearing on the application of [Applicant Name] for a [Type of Permit], to be held on [Date] at [Time] at the [Location].

On or after the filing of the notice, it shall be unlawful to remove, alter, or deface any part of this notice.

[Notice shall not be removed or altered under penalty of law]
ATTACHMENT #18

As-Built Survey (1999)
CERTIFICATIONS

1. I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARD MANUAL FOR THE PRACTICE OF LAND SURVEYING IN S.C. AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS A SURVEY AS SPECIFIED HEREIN ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.

2. I CERTIFY THAT THE PROPERTY SHOWN HEREON IS IN A SPECIAL FLOOD HAZARD ZONE ACCORDING TO F.E.M.A. FLOOD HAZARD BOUNDARY MAPS.

LEGEND

I.O. INDICATES IRON PIPE, OLD
L.N. INDICATES IRON PIPE, NEW
R.O. INDICATES R.O., OLD
R.N. INDICATES R.O., NEW
C.M.O. INDICATES CONCRETE MONUMENT, OLD

NOTES

1. AREA = 0.55 ACRES
2. REF.: PLAT BOOK AD, PAGE 97
3. PRESENTLY OWNED BY JAMES F. ORR
4. THE ADDRESS IS 2266 SEABROOK ISLAND RD.

PLAT
LOT 49, BLOCK 5,
TOWN OF SEABROOK ISLAND.

SCALE : 1" = 40'
DATE : APRIL 12, 1999

CHARLESTON COUNTY
SOUTH CAROLINA

ANDERSON & ASSOCIATES
LAND SURVEYING AND PLANNING, INC.
P.O. BOX 803, SEABROOK ISLAND, CHARLESTON COUNTY, SOUTH CAROLINA 29457
PHONE (843) 881-0800

DRAWING NO. 4155A
MEMORANDUM

TO: Town of Seabrook Island Board of Zoning Appeals Members
FROM: Joseph M. Cronin, Town Administrator/Zoning Administrator
SUBJECT: Variance Application # 160 – 3009 Rascal Run (Lot 5, Block 48)
MEETING DATE: March 22, 2019

Variance Application #160

<table>
<thead>
<tr>
<th>Applicants</th>
<th>Clarkson &amp; Judith McLean (Owners)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location</td>
<td>3009 Rascal Run</td>
</tr>
<tr>
<td>Tax Map Number</td>
<td>149-05-00-059 (LT 5, BLK 48)</td>
</tr>
<tr>
<td>Zoning District</td>
<td>SR Single-Family Residential</td>
</tr>
<tr>
<td>Purpose</td>
<td>Applicant is requesting a variance from the 25-foot rear yard setback requirement (§ 7.60.20.30/7.60.50) to convert an existing enclosed sunroom into conditioned living space</td>
</tr>
</tbody>
</table>

Overview

The Town has received a variance application from Clarkson and Judith McLean, the owners of Charleston County Tax Map # 149-05-00-059. The applicants are requesting a reduction in the 25-foot rear/marsh setback requirement to allow an unheated sunroom to be converted into conditioned living space at the rear of their existing single-family residence located at 3009 Rascal Run (Lot 5, Block 48).

The existing residence was constructed in 1986, which was prior to the town’s incorporation. The property was purchased by Mr. and Mrs. McLean in July of 2018. In October of 2018, the applicants (through their contractor, Harper Construction) applied for and received a zoning permit from the town to enclose 2 openings in their “hot tub porch” and replace the remaining 5 windows with impact resistant glass (Permit #15267). The permit application did not include a request to install ductwork, which would thereby convert the existing “porch” into conditioned living space. The project scope was subsequently modified to add ductwork and vents without review and approval from the town. Because the existing residence encroaches approximately 5.1 feet into a required rear yard setback, this modification would result in the expansion of an existing non-conforming dwelling. It should be noted, however, that while the heated square footage of the non-conforming residence would increase, the footprint of the existing building would not change, as no walls, roofing or other structures would further encroach into the required setback.

The property is currently zoned SR Single-Family Residential, and a single-family residence is a permitted use by-right.
The existing home complies with the town’s front, side and driveway setback requirements. The existing “porch” encroaches approximately 5.1 feet into the rear/marsh setback. As mentioned above, the applicants are not proposing the increase the footprint of the existing non-conformity.

<table>
<thead>
<tr>
<th>TYPE</th>
<th>REQUIRED PER DSO</th>
<th>DSO REFERENCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front (Principal Structure)</td>
<td>30 feet</td>
<td>§ 7.60.20.10</td>
</tr>
<tr>
<td>Side (Non-Conforming Lot)</td>
<td>12.5 feet</td>
<td>§ 7.60.20.40</td>
</tr>
<tr>
<td>Rear (Principal Structure)</td>
<td>25 feet (Nonconforming)</td>
<td>§ 7.60.20.30</td>
</tr>
<tr>
<td>Marsh (Open Deck)</td>
<td>15 feet</td>
<td>§ 7.60.50</td>
</tr>
<tr>
<td>Marsh (All Other Structures)</td>
<td>25 feet</td>
<td>§ 7.60.50</td>
</tr>
<tr>
<td>Driveway (Conforming Lot)</td>
<td>6 feet</td>
<td>§ 7.60.70.10</td>
</tr>
</tbody>
</table>

In order to allow the “porch” area to be converted into conditioned living space, the applicants are requesting a variance from the DSO to allow for the following encroachment:

<table>
<thead>
<tr>
<th>TYPE</th>
<th>REQUIRED PER DSO</th>
<th>VARIANCE (REQUESTED)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rear Yard / Marsh (All Other Structures)</td>
<td>25 feet</td>
<td>Allow encroachment of up to 5.1 feet into the required rear/marsh setback so an existing non-conforming porch may be converted into conditioned living space.</td>
</tr>
</tbody>
</table>

In their application, the applicants have stated their intent in seeking a variance is to better use and enjoy their property without increasing the footprint of the existing structure. The applicants further argue:

a) The existing home was built in 1986 (prior to the town’s incorporation) under different zoning requirements than existing today;

b) Had it been built under the town’s current zoning requirements, the existing home would meet or exceed the 25-foot setback;

c) The existing porch area is already fully enclosed with a roof, walls and windows, and the applicant is only seeking to install HVAC ducts to condition - though not expand the footprint of - the existing space;

d) The modification will not be of substantial detriment to neighboring properties, the public good or the character of the district as no exterior modifications will be made to the existing structure. (ie. No visible changes to the building footprint, walls, roofline, etc.)

**Staff Comments**

As a matter of practice, the town’s Zoning Administrator does not typically provide a recommendation in favor of – or in opposition to – a variance application. In our opinion, these
requests are best left to the Board of Zoning Appeals following a thorough review of the relevant facts, including the receipt of testimony from interested parties during the required public hearing.

In granting a variance, state law permits the Board of Zoning Appeals to attach such conditions as the Board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare.

Should the Board vote to approve the variance request, staff would recommend in favor of attaching the following conditions:

- The approved variance shall apply to the building layout as shown on the site-specific plan prepared by the applicant and reviewed by the Board on March 22, 2019. Any modification to this site-specific plan prior to the issuance of a zoning permit, with the exception of minor corrections and/or modifications which conform to the requirements of the town’s DSO, shall require further review and approval by the Board of Zoning Appeals prior to permitting.

- The variance shall expire on July 13, 2023 (five years from the date of the current survey) if no zoning permit has been issued by the town on or before that date.

Respectfully submitted,

Joseph M. Cronin
Town Administrator/Zoning Administrator
Criteria for Review

Pursuant to Section 6-29-800(A)(2) of the SC Code of Laws, the Board of Zoning Appeals has the power to hear and decide appeals for variance from the requirements of the zoning ordinance when strict application of the provisions of the ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the board makes and explains in writing the following findings:

(a) there are extraordinary and exceptional conditions pertaining to the particular piece of property;

(b) these conditions do not generally apply to other property in the vicinity;

(c) because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and

(d) the authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

The board may not grant a variance, the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a nonconforming use of land or to change the zoning district boundaries shown on the official zoning map. The fact that property may be utilized more profitably, if a variance is granted, may not be considered grounds for a variance. Other requirements may be prescribed by the zoning ordinance.

In granting a variance, the board may attach to it such conditions regarding the location, character, or other features of the proposed building, structure, or use as the board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare.
The following supplemental items have been attached for review:

<table>
<thead>
<tr>
<th>Application &amp; Property Information</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Variance Application p. 74-77</td>
</tr>
<tr>
<td>2</td>
<td>Property Survey (2018) p. 78-79</td>
</tr>
<tr>
<td>3</td>
<td>Subdivision Plat (1982) p. 80-81</td>
</tr>
<tr>
<td>4</td>
<td>Property Photos p. 82-87</td>
</tr>
<tr>
<td>5</td>
<td>Zoning Map p. 88-89</td>
</tr>
<tr>
<td>6</td>
<td>Aerial Image p. 90-91</td>
</tr>
<tr>
<td>7</td>
<td>FEMA Base Flood Elevations (Current &amp; Preliminary) p. 92-93</td>
</tr>
<tr>
<td>8</td>
<td>Title to Real Estate p. 94-99</td>
</tr>
<tr>
<td>9</td>
<td>Property Information Card p. 100-101</td>
</tr>
<tr>
<td>10</td>
<td>Public Hearing Notice – Letter to Neighboring Property Owners p. 102-103</td>
</tr>
<tr>
<td>11</td>
<td>Public Hearing Notice – List of Neighboring Property Owners p. 104-105</td>
</tr>
<tr>
<td>13</td>
<td>Public Hearing Notice – Post and Courier Legal Ad p. 109-110</td>
</tr>
<tr>
<td>14</td>
<td>Public Hearing Notice – Property Posting p. 111-112</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Other Information</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>15</td>
<td>Renovation Permit (2018) p. 113-121</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Written Correspondence Regarding the Proposed Variance Request</th>
<th></th>
</tr>
</thead>
</table>
ATTACHMENT #1

Variance Application
Notice of Appeal - Form 1
Board of Zoning Appeals

Date Filed: 11/14/2019  Permit Application No.  Variance  Appeal No. 160

Instructions
This form must be completed for a hearing on appeal from action of a zoning official, application for a variance or application for special exception. Entries must be printed or typewritten. If the application is on behalf of the property owner(s), all owners must sign. If the applicant is not an owner, the owner(s) must sign the Designation of Agent. An accurate, legible plot plan showing property dimensions and locations of structures and improvements must be attached to an application for variance or special exception.

THE APPLICANT HEREBY APPEALS [indicate one]:

☐ from action of a zoning official as stated on attached Form 2
☐ for a variance as stated on attached Form 3.
☐ for a special exception as stated on attached Form 4.

APPLICANT(S) [print]  Clarkson and Judith McLean
Address: 2480 Cat Tail Pond Rd, Seabrook, South Carolina 29940
Telephone: 704-906-6544 [work] or 704-906-6891 [home]
Interest: Owner(s): X  Adjacent Owner(s); Other:

OWNER(S) [if other than Applicant(s)]:
Address:
Telephone: [work] [home]

[Use reverse side if more space is needed.]

PROPERTY ADDRESS: (3009 Rascal Run)
Lot 5 Block 18 Subdivision: Seabrook Island
Tax Map No. 149-05-00-059 Plat Book 5-10 Page 0014
Lot Dimensions: 50 x 150 Survey Attached Area: 14,455.2
Zoning District: Zoning Map Page: 

DESIGNATION OF AGENT [complete only if owner is not applicant]: I (we) hereby appoint the person named as Applicant as my (our) agent to represent me (us) in this application.

Date: 11/14

Owner signature(s)

I (we) certify that the information in this application and the attached Form 2, 3 or 4 is correct.

Date: 11/11/19

Applicant signature(s)
Variance Application - Form 3
Board of Zoning Appeals

Date Filed: 1/12/19  Permit Application No. ____________  Appeal No. ____________

1. Applicant hereby appeals to the board of zoning appeals for a variance from the strict application to the property described in the Notice of Appeal [Form 1] of the following provisions of the zoning ordinance:

   Sec 7.60.20 25 ft rear setback
   Sec 7.60.50 25 ft front setback

   so that a zoning permit may be issued to allow use of the property in a manner shown on the attached plot plan, described as follows: Add 2 HVAC vents to master bedroom sunroom

   for which a permit has been denied by a zoning official on the grounds that the proposal would be in violation of the cited section(s) of the zoning ordinance.

2. The application of the ordinance will result in unnecessary hardship, and the standards for a variance set by state law and the ordinance are met by the following facts:

   a. There are extraordinary and exceptional conditions pertaining to the particular piece of property as follows: Existing homes built 1986 under different zoning requirements.

   b. These conditions do not generally apply to other property in the vicinity as shown by: All homes built after 1981 (Town Incorporation) have been subject to 25 ft rear setback.

   c. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property as follows: Sunroom is enclosed with roof, ceiling, walls, and a window/wall. HVAC is now available by opening interior doors - see narrative attached.

   d. The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance for the following reasons: Sunroom will not be altered by changing roofline or footprint of home - see narrative.

3. The following documents are submitted in support of this application: survey/plot attached  [A plot plan must be submitted.]

   Date: 1/12/19  
   
   Applicant signature
   
   [Signature]

   For 4
Narrative

The master bedroom sunroom was intended to be used as a living space when the home was constructed, as the roof and walls, including a full window wall, utilized the roof structure and framework of the dwelling. The sunroom can be opened to the interior space either through the master bedroom, the great room or both.

The sunroom was constructed without hvac vents, but shares the conditioned space as described above.

We are requesting the variance in order to add two hvac vents/ducts in the sunroom ceiling, connected to the existing bedroom zone to this master sunroom in order to better balance the hvac system and so that it is more efficient to heat and cool the space.

This is an interior only change—there is no change to the structure of the house, the roofline or footprint. However, since the room slightly encroaches on the setback line (see survey/plat) this variance is requested.
Property Survey (2018)
LOT 5 BLOCK 48
SEABROOK ISLAND
TOWN OF SEABROOK ISLAND
CHARLESTON COUNTY SOUTH CAROLINA

DATE: JUNE 27, 2018 SCALE: 1" = 30'
REVISED: JULY 13, 2018 (REAR SETBACK)

SURVEYOR'S CERTIFICATION

I hereby state that to the best of my knowledge, information, and belief, the survey shown herein was made in accordance with the requirements of the Standards of Practice Manual for Surveying in South Carolina, and meets or exceeds the requirements for a Class 9 survey as specified therein. Also there are no visible encroachments or projections other than shown.

KEVIN M. SCHWACKE, SR. PLS
S.C. Registration Number 20668

CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS. THIS PLAT IS COPYRIGHTED AND IS INTENDED ONLY FOR THE ENTITY OR PERSON(S) SHOWN HEREIN. THIS PLAT REPRESENTS A SURVEY BASED ON THE LISTED REFERENCES ONLY AND IS NOT THE RESULT OF A TITLE SEARCH.
Subdivision Plat (1982)
ATTACHMENT #4

Property Photos
ATTACHMENT #5

Zoning Map
Aerial Image
3009 Rascal Run

Parcel ID: 1490500059
OWNER: MCLEAN CLARKSON B
ACREAGE: 0.34
PLAT_BOOK_PAGE: AU-101
DEED_BOOK_PAGE: 0733-766
Jurisdiction: TOWN OF SEABROOK

Note: The Charleston County makes every effort possible to produce the most accurate information. The layers contained in the map service are for information purposes only. The Charleston County makes no warranty, express or implied, nor any guaranty as to the content, sequence, accuracy, timeliness or completeness of any of the information provided. The County explicitly disclaims all representations and warranties. The reader agrees to hold harmless the Charleston County for any cause of action and costs associated with any causes of action which may arise as a consequence of the County providing this information.
ATTACHMENT #7

FEMA Base Flood Elevations
(Current & Preliminary)
FEMA Base Flood Elevation (Current)
AE-13

FEMA Base Flood Elevation (Preliminary)
AE-12
ATTACHMENT #8

Title to Real Estate
STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

The designation Grantor and Grantee as used herein shall include the named parties and their
heirs, successors and assigns and shall include singular, plural, masculine, feminine or neuter
as required by context.

KNOW ALL MEN BY THESE PRESENTS, that Warren H. Pyle and Frances S. Urban,
(hereinafter "Grantor") in the State aforesaid, for and in consideration of the sum of NINE
HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS ($950,000.00), the receipt and
sufficiency of which is here acknowledged, has granted, bargained, sold and released, and by
these presents do grant, bargain, sell and release unto the said:

Clarkson B. McLean and Judith B. McLean

as Joint Tenants with Right of Survivorship and Not as Tenants in Common (hereinafter
"Grantee") Grantee's successors and assignees forever all Grantee's right, title and equitable or
legal interest in and to:

See Exhibit "A" attached hereto and made a part hereof.

Charleston County Tax Map No.: 149-05-00-059

Common Address: 3009 Rascal Run, Seabrook Island, SC 29455

Grantor Address: 480 Cat Tail Pond Rd, Seabrook Island, SC 29455

TOGETHER with all and singular, the rights, members, hereditaments and appurtenances to
the said premises belonging or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular the said premises before mentioned unto the said
Grantee, Clarkson B. McLean and Judith B. McLean, as joint tenants with rights of survivorship
and not as tenants in common.

AND GRANTOR DOES hereby promise, for themselves and Grantor's heirs, successors,
assigns, and representatives, to warrant and forever defend the above premises unto the
Grantee, Grantee's heirs and assigns, against the Grantor and Grantor's heirs, successors,
assigns, and representatives and against every person whomsoever lawfully claiming, or to
claim, the same or any part thereof.

Buist, Byars & Taylor, LLC
130 Gardener's Circle, PMB #138
Johns Island, SC 29455
325-9.00D.5
WITNESS the Hand and Seal of Warren H. Pyle and Frances S. Urban this 11th day of July 2018 and in the Two Hundred Forty-Third (243rd) year of the Sovereignty and Independence of the United States of America.

Signed, Sealed and Delivered
in the presence of:

[Signatures]
Witness No. 1
Witness No. 2 (NOTARY)

STATE OF MA
COUNTY OF Middlesex

I, the undersigned, a Notary Public for the County of Middlesex and State of Massachusetts, do hereby certify that Warren H. Pyle and Frances S. Urban personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 11th day of July, 2018.

[Signature]
Notary Public

My Commission Expires: 04/02/2021

(Seal)
ALL that certain lot, piece or parcel or land, situate, lying and being on Seabrook Island, Charleston County, State of South Carolina, and known and designated as “LOT 5, BLOCK 48 3009 RASCAL RUN” on a plat entitled, “A PLAT OF THE ADJUSTMENT OF PROPERTY LINES BETWEEN LOTS 4 & 5 BLOCK 48 SEABROOK ISLAND TOWN OF SEABROOK ISLAND CHARLESTON COUNTY, SOUTH CAROLINA” prepared by Thomas & Hutton Engineering Co., dated October 12, 2009, last revised May 12, 2010, and recorded June 2, 2010, in Plat Book S10 at Page 0116, in the RMC Office for Charleston County, South Carolina.

THIS CONVEYANCE IS SUBJECT TO the Covenants, Conditions, Restrictions, Limitations, Affirmative Obligations and Easements of record and more particularly set forth in instruments duly recorded in the RMC Office for Charleston County, as follows: Book N-100, at Page 296; as amended by instrument recorded in Book Y-110, at Page 143; and Second Modification thereto dated March 26, 1985 and recorded in Book J-144, at Page 67; Third Modifications of Protective Covenants dated April 24, 1987 and recorded in Book J-164, at Page 487; Also, By-Laws of Association of record in Book S-109, Page 2; Second restated and amended By Laws dated October 18, 1984 and recorded in Book B-141, at Page 267; as amended by instrument dated March 26, 1985 and recorded Book J-144, at Page 59; Third Restated and Amended By-Laws of the Seabrook Island Property Owners Association, dated August 1, 1989, and recorded in the RMC Office for Charleston County in Book L-186, Page 718; and Amendment filed in Book K-215, Page 001; Restatement and Fourth Modification of Protective Covenants for Seabrook Island Development, dated August 1, 1989, and recorded in the Charleston County RMC Office in Book L-186, Page 697; Restatement and Fifth Modification recorded in Book K-215, Page 23.

THIS BEING the same property conveyed to the Grantor(s) by Deed of Carolyn M. Ferguson dated July 8, 2005 and recorded on July 14, 2005 in Book E-545 at page 069 in the RMC Office for Charleston County, South Carolina.
STATE OF SOUTH CAROLINA  
COUNTY OF CHARLESTON  

AFFIDAVIT FOR TAXABLE OR EXEMPT TRANSFERS

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on this affidavit and I understand such information.

2. The property was transferred by Warren H. Pyle and Frances S. Urban to Clarkson B. McLean adn Judith B. McLean on July 17, 2018.

3. Check one of the following: The deed is
   (A) ☑ subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
   (B) ☐ subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as distribution to a trust beneficiary.
   (C) ☐ exempt from the deed recording fee because (See Information section of affidavit): (Explanation required)

   If exempt under exemption #14 as described in the Information section of this affidavit, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty?
   Check Yes ☐ or No ☑

4. Check one of the following if either item 3(a) or item 3(b) above has been checked. (See Information section of this affidavit):
   (A) ☑ The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of $950,000.00
   (B) ☐ The fee is computed on the fair market value of the realty which is ____________________________
   (C) ☐ The fee is computed on the fair market value of the realty as established for property tax purposes which is ____________________________

5. Check YES ☑ or NO ☐ to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. If "YES," the amount of the outstanding balance of this lien or encumbrance is ____________________________

6. The deed recording fee is computed as follows:
   (A) Place the amount listed in item 4 above here: $950,000.00
   (B) Place the amount listed in item 5 above here: $0.00
   (If no amount is listed, place zero here.)
   (C) Subtract Line 6(b) from Line 6(a) and place the result here: $950,000.00

7. The deed recording fee is based on the amount listed on Line 6(c) above and the deed recording fee due is:

    $3,515.00

8. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as: Closing Attorney

9. I understand that a person required to furnish this affidavit who willingly furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.

   [Signature]

   [Print or Type Name Here]

   Sworn this 17th day of July 2018

   Notary Public In
   My Commission Expires:

   [Notary Public Stamp and Signature]

   [Notary Public Signature]

   [Notary Public Date and Signature]

   [Notary Public Date and Signature]

   [Notary Public Date and Signature]
RECORDED

Date: July 18, 2018
Time: 10:39:03 AM

Book  Page  DocType
0733  766  Deed

Elaine H. Bozman, Register
Charleston County, SC

# of Pages: 5
Recording Fee $ 10.00
State Fee $ 2,470.00
County Fee $ 1,045.00
Extra Pages $ -
Postage $ -
Chattel $ -
TOTAL $ 3,525.00

Auditor Stamp Here
RECEIVED From ROD
Jul 26, 2018
Peter J. Tecklenburg
Charleston County Auditor

PIO VERIFIED BY ASSESSOR
REP: MKD
DATE: 07/26/2018

0733  07/18/2018  5
Book  Recorded Date  # Pgs

766  07/18/2018  5
Original Page  Recorded Date  # Pgs

0733  D  10:39:03
Original Book  Doc Type  Recorded Time
Property Information Card
Charleston County, South Carolina

<table>
<thead>
<tr>
<th>Property ID (PIN)</th>
<th>Alternate ID (AIN)</th>
<th>Parcel Address</th>
<th>Data refreshed as of</th>
<th>Assess Year</th>
<th>Pay Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>14905000059</td>
<td></td>
<td>3009 RASCAL RUN, SEABROOK ISLAND</td>
<td>3/11/2019</td>
<td>2018</td>
<td>2018</td>
</tr>
</tbody>
</table>

**Current Parcel Information**

- **Owner**: MCLEAN CLARKSON B MCLEAN JUDITH B
- **Property Class Code**: 101 - RESID-SFR
- **Acreage**: .3400
- **Owner Address**: 2480 CAT TAIL POND RD, JOHNS ISLAND SC 29455
- **Legal Description**: Subdivision Name -PART SEABROOK ISLAND Description -LOT 5 BLK 48 PlatSuffix AU-101 PolTwp 009

**Historic Information**

<table>
<thead>
<tr>
<th>Tax Year</th>
<th>Land</th>
<th>Improvements</th>
<th>Market</th>
<th>Taxes</th>
<th>Payment</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>$411,795</td>
<td>$418,400</td>
<td>$830,195</td>
<td>$11,236.49</td>
<td>$11,236.49</td>
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<tr>
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<td>$411,795</td>
<td>$418,400</td>
<td>$830,195</td>
<td>$10,929.33</td>
<td>$10,959.33</td>
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<td>$418,400</td>
<td>$830,195</td>
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<td>$830,195</td>
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</table>

**Sales Disclosure**

<table>
<thead>
<tr>
<th>Grantor</th>
<th>Book &amp; Page</th>
<th>Date</th>
<th>Deed</th>
<th>Vacant</th>
<th>Sale Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>PYLE WARREN H</td>
<td>0733 766</td>
<td>7/17/2018</td>
<td>Ge</td>
<td></td>
<td>$950,000</td>
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<tr>
<td>FERGUSON CAROLYN M</td>
<td>E545 069</td>
<td>7/11/2005</td>
<td>Ge</td>
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<td>$1,200,000</td>
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<tr>
<td>FERGUSON ROBERT A</td>
<td>M395 290</td>
<td>1/21/2002</td>
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<td>$5</td>
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<tr>
<td>NOT SUPPLIED</td>
<td>N128 393</td>
<td>5/24/1982</td>
<td>Ge</td>
<td></td>
<td>$88,800</td>
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<tr>
<td></td>
<td>XXX S10011</td>
<td>1/1/1900</td>
<td>Ma</td>
<td></td>
<td>$0</td>
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**Improvements**

<table>
<thead>
<tr>
<th>Building</th>
<th>Type</th>
<th>Use Code Description</th>
<th>Constructed Year</th>
<th>Stories</th>
<th>Bedrooms</th>
<th>Finished Sq. Ft.</th>
<th>Improvement Size</th>
</tr>
</thead>
<tbody>
<tr>
<td>R01</td>
<td>DWELL</td>
<td>Dwelling</td>
<td>1986</td>
<td>1.5</td>
<td>03</td>
<td>3,173</td>
<td></td>
</tr>
</tbody>
</table>
Public Hearing Notice:
Letter to Neighboring Property Owners
TO: Neighboring Property Owners  
FROM: Joseph M. Cronin, Town Administrator/Zoning Administrator  
SUBJECT: Variance Request for 3009 Rascal Run  
DATE: February 20, 2019

Dear Property Owner,

The purpose of this letter is to notify you that the owners of 3009 RASCAL RUN have requested a **VARIANCE** from the zoning requirements of the Town’s Development Standards Ordinance (DSO). The purpose of the variance request is to **ALLOW AN EXISTING SUNROOM WHICH ENCOREACHES INTO A 25-FOOT MARSH SETBACK TO BE CONVERTED INTO HEATED LIVING SPACE (§ 7.60.50). THERE WILL BE NO CHANGE IN BUILDING FOOTPRINT.** A copy of the variance application is enclosed for your information.

The Town’s Board of Zoning Appeals has scheduled a **PUBLIC HEARING**, during which time the Board will hear testimony from any individual who wishes to speak regarding the variance request. This notification is being provided to you pursuant to Section § 19.30.20.30 of the DSO.

**PUBLIC HEARING DATE:** Fri. March 22, 2019  
**PUBLIC HEARING TIME:** 2:30 PM  
**PUBLIC HEARING LOCATION:** Seabrook Island Town Hall  
2001 Seabrook Island Road  
Seabrook Island, SC 29455

In addition to attending the public hearing, interested parties may submit written comments in advance of the public hearing, as follows:

**BY E-MAIL:** jcronin@townofseabrookisland.org  
**BY MAIL:** Town of Seabrook Island, Attn: Zoning Administrator  
2001 Seabrook Island Road, Seabrook Island, SC 29455.

If you have any questions about the contents of this letter, please feel free to contact me by phone at (843) 768-9121 or by email at jcronin@townofseabrookisland.org.

Sincerely,

[Signature]

Joseph M. Cronin  
Town Administrator/Zoning Administrator
Public Hearing Notice:
List of Neighboring Property Owners
Variance Notification List
3009 Rascal Run

<table>
<thead>
<tr>
<th>Property Address</th>
<th>Owner(s) of Record</th>
<th>Mailing Address</th>
<th>City</th>
<th>State</th>
<th>Zip</th>
</tr>
</thead>
<tbody>
<tr>
<td>3006 Rascal Run</td>
<td>Scott &amp; Robyn Humphries</td>
<td>4303 Calvet Court</td>
<td>Charlotte</td>
<td>NC</td>
<td>28210</td>
</tr>
<tr>
<td>3016 Rascal Run</td>
<td>Seabrook Island Property Owners Assoc.</td>
<td>1202 Landfall Way</td>
<td>Seabrook Island</td>
<td>SC</td>
<td>29455</td>
</tr>
<tr>
<td>3017 Rascal Run</td>
<td>Barry &amp; Stacia Cranfill</td>
<td>123 Russell Road</td>
<td>Roswell</td>
<td>GA</td>
<td>30075</td>
</tr>
<tr>
<td>3013 Rascal Run</td>
<td>Jeffrey Knowles</td>
<td>6126 Ramshorn Drive</td>
<td>McLean</td>
<td>VA</td>
<td>22101</td>
</tr>
<tr>
<td>3005 Rascal Run</td>
<td>Richard &amp; Christine Baeder</td>
<td>321 Gano Road</td>
<td>Adbury</td>
<td>NJ</td>
<td>8802</td>
</tr>
<tr>
<td>3011 Marsh Haven Rd.</td>
<td>Benjamin &amp; Shannon Kleiber</td>
<td>1810 Jefferson Street</td>
<td>Madison</td>
<td>WI</td>
<td>53711</td>
</tr>
<tr>
<td>3012 Marsh Haven Rd.</td>
<td>Robinco LLC</td>
<td>636 Ascot Ridge Road</td>
<td>Rock Hill</td>
<td>SC</td>
<td>29730</td>
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<td>147-00-00-002</td>
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<tr>
<td>Property Owners Assoc.</td>
<td>Seabrook Island Property Owners Assoc.</td>
<td>1202 Landfall Way</td>
<td>Seabrook Island</td>
<td>SC</td>
<td>29455</td>
</tr>
</tbody>
</table>

Regime: Not Applicable

* Duplicate

* Duplicate

* Duplicate

* Duplicate
Public Hearing Notice:
U.S.P.S. Certified Mail Receipts
Public Hearing Notice:
Post & Courier Legal Ad
AFFIDAVIT OF PUBLICATION

The Post and Courier

State of South Carolina
County of Charleston

Personally appeared before me the undersigned advertising clerk of the above indicated newspaper published in the city of Charleston, county and state aforesaid, who, being duly sworn, says that the advertisement of

appeared in the issues of said newspaper on the following day(s):

03/05/19 Tue PC
03/05/19 Tue CNW

at a cost of $135.98
Account# 108294
Order# 1769241
P.O. Number:

Subscribed and sworn to before me this 5th day of March, 2019

A.D.

NOTARY PUBLIC, SC
My commission expires 09/24/2023
Public Hearing Notice:
Property Posting
NOTICE
Board of Zoning Appeals Hearing

The Board of Zoning Appeals of the Town of Seabrook Island, SC will hold a public hearing at 2:30 PM on 3/22/19 at Town Hall.

PUBLIC INVITED

Property Owner is seeking variance from Section 7.6 of the Zoning Ordinance.

VARIANCE IS TO ALLOW: An existing sunroom which expands into the 25’ marsh setback to be converted into heated living space. (No change to building roofline).

Documents related to this appeal may be viewed at the Town of Seabrook Town Hall.

THIS NOTICE SHALL NOT BE REMOVED OR DEFACED UNDER PENALTY OF LAW.
ATTACHMENT #15

Renovation Permit (2018)
Town of Seabrook Island - Zoning Permit

Permit Date: 10/29/2018   Permit #, Town: 15267   License #: 20180454
Paid Date: 10/29/2018   App Fee: $100.00   Cash: No   Check #:

Applicant Name: Harper Construction   Phone: 843-737-4745
Contact Name: Christopher Harper
App Address1: 3714 Betsy Kerrison Pkwy Ste F
App Address2:

App City: Johns Island   St: SC   Zip: 29455

Property Owner: McLean
Owner Address1: 3009 Rascal Run
Owner Address2:

Owner City: Seabrook Island   St: SC   Zip: 29455

TMS Number: 149-05-00-059   Thru: Lot: 05   Block: 48

Property Address: 3009 Rascal Run

Purpose: Install storm windows in sunroom, install impact glass in screened porch, enclose 2 windows with siding


Architectural Review Board: KB 10-26-2018

Comments: The applicant must obtain a Charleston County permit

Amendment:

This Zoning Permit is valid for six (6) months. The action for which this permit was obtained must be taken within that time period.

If this zoning permit is for issuance of a building permit, such building permit is valid for a period of one (1) year as described in the town code. Any extensions, alterations, or amendments must be approved in writing by the Town of Seabrook Island Zoning Administration.

I hereby certify that the above information and any plan or drawing submitted herewith are true and accurate indications of existing or proposed improvements to the above identified property.

Owner/Applicant's Signature   Zoning Administrator
11/5/2018   11/5/2018

*No change to building footprint permitted.*
TOWN OF SEABROOK ISLAND
2001 Seabrook Island Road
Seabrook Island, SC 29455
843-768-9121 (phone)
843-768-9830 (fax)

ZONING PERMIT APPLICATION

<table>
<thead>
<tr>
<th>Fee Schedule</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permit for New Construction, Single Family</td>
</tr>
<tr>
<td>Permit for Remodeling, Addition, etc.</td>
</tr>
<tr>
<td>Building, HVAC, Roofing, Plumbing, etc.</td>
</tr>
<tr>
<td>Permit for New Construction, Multi-Family</td>
</tr>
<tr>
<td>Multiple Bldg Permit, Comm./Multi Family</td>
</tr>
</tbody>
</table>

Date: 10/24/18  TMS #: _______________________

Applicant’s Name: Chera Moore

Name of Business Contact: Harper Construction

Address: 3810 Bonbright Dr.  Phone: _______________________

City: Johns Island  State: SC  Zip: 29455

Property Owner’s Name: Judy McLean

Address: 3009 Rascal Run  Phone: _______________________

City: _______________________

State: _______________________

Zip: _______________________

Property Location Address: _______________________

Lot: _______  Block: _______  Base Flood Elev.: _______  Zone: _______

Purpose of Permit: Install storm windows  in sunroom, install glass in screened porch, close off master bath

Value of Construction: $[REDACTED]  POA Approval: _______________________

Applicant’s Signature: [Signature]

**This is an application only. The permit will be issued upon approval by the Town of Seabrook Island.**
Request for Exterior Alteration/Improvement Conditional Approval

The following is to be completed and signed by the Property Owner. This form must be accompanied by all information as outlined in the Review Process for Exterior Alterations to Existing Dwellings procedure (see SIPOA Policies and Procedures §III.A).

Construction Location:

Block: 48 Lot: 05 TMS #: 144-05-00-059

Property Address: 3009 Rascal Run

Property Owner: Judy Mclean

Contractor: Harper Construction

Address: 3690 Bohicket Rd Stil L.P

Telephone #: 843-478-0120

Email: jen.harperconstruction@gmail.com

Application Date: 10/18/18

Proposed Work & Information Required (check all that apply)

- Deck (site plan & material information)
- Demolition (completion timetable)
- Dock Construction (site plan & dock plan)
- Driveways/Walks (material information)
- Handicap Access (site plan & description)
- Landscape/Removal (site/landscape plan)
- Lighting (locations & cut sheets of fixtures)
- Paint (brand name, product #, & color)
- Patio (site plan & material information)
- Porch Enclosure (window details)

- Recreational Equipment (location & photo)
- Roofing (brand & color)
- Room Addition (site plan & elevations)
- Rot Repair (location & material information)
- Screened Porch (site plan & description)
- Siding (type & material, color)
- Swimming Pool (site plan, product, fencing)
- Tree Trimming/Pruning (describe below)
- Window Replacement (window details)
- Other (describe below)

Description: close off masterbath window & side to match existing. Sunroom replace 2 windows as storm glass- (same size/shape). Hot tub porch 7 openings total- we want to enclose 2 of them and side to match and 5 of them we want to install glass.

Estimated Cost of Project: [Redacted]
Request for Exterior Alteration/Improvement Conditional Approval, page 2 of 2:

As the Property Owner of the above referenced Property, I hereby request that the SIPOA Architectural Review Staff review this application and any attached drawings for exterior alteration/improvement.

AUTHORIZATION TO ENTER PROPERTY: I/we hereby authorize ARC members and SIPOA and/or ARC agents and employees to enter upon the Property from time to time during the entire course of the Design Review Process.

DESIGNATION OF AGENT: I/we, the Owner[s] of the above referenced property, designate the following individual[s] to act for me/us during the Architectural Review Committee application and/or construction process.

Agent Name: Jennifer Brown
Agent Address: 3690 Bohicket Rd Ste 1P
Agent City/State: Johns Island SC 29455
Agent Telephone#: 843-478-0100 Agent Email: Jen.harper.construction@gmail.com

Property Owner

Property Owner

Property Owner’s Agent

Fee Required: $000
 Fee Submitted: $200.00 Date: 10/26/2018

Digitally signed by Katrina Burrell
DN: cn=Katrina Burrell, o=SIPOA,
ou=ARC, email=kburrell@sipoa.org,
cn=us

10/26/2018

Conditions:

Deposit Required: $ __________ Deposit Paid: $ __________ SS#/EIN:

NOTE: Approval by the Architectural Review Committee (ARC) certifies that the plan meets the ARC standards regarding appearance and in no way certifies the quality, strength, accuracy, etc., of the building design. This approval is valid for 6 months from date of ARC approval. Application must be made to the Town & Charleston County for any required permits prior to commencing construction or other activity. Alterations to multi-family dwellings must be approved by the Property Manager prior to requesting ARC approval.
### Item 0001
- **Qty:** 3
- **Item Size (Operation):** APW 3' 0 1/4" x 6' 2" - APW 3' 0 1/4" x 6' 2" (F-F-F)
- **Location:** 9' 3" W x 6' 2" 3 3/4" H
- **Unit Size:** 9' 2 1/4" W x 6' 2" H
- **Zone:** South-Central
- **U-Factor:** 0.28
- **SHGC:** 0.21
- **ENERGY STAR® Certified:** Yes

#### Item Details
- **Location:** Factory (Direct), Mull Type: 3/4" 4 9/16" Fiberglass Reinforced Joining, Mull Priority: Vertical

### Item 0002
- **Qty:** 5
- **Item Size (Operation):** APW 3' 2" x 6' 2" (F)
- **Location:** 3' 2 3/4" W x 6' 2" 3/4" H
- **Unit Size:** 3' 2 W x 6' 2" H
- **A Series:
- **Zone:** South-Central
- **U-Factor:** 0.28
- **SHGC:** 0.21
- **ENERGY STAR® Certified:** Yes

**Total Subtotal:** $772.83
HARPER CONSTRUCTION INC  
3690 BOHICKET ROAD, SUITE 1D  
JOHNS ISLAND, SC  29455  
(843)737-4745  
harperchris09@gmail.com

BILL TO  
Judy Mclean  
3009 Rascal Run

<table>
<thead>
<tr>
<th>ACTIVITY</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Services</td>
<td></td>
</tr>
<tr>
<td>Install storm windows in sunroom, and install glass in screened in porch, close off masterbath window</td>
<td></td>
</tr>
</tbody>
</table>

Thank You for choosing Harper Construction!

| TOTAL DUE |        |
Written Correspondence:
Letter from Scott Humphries (Mar. 7, 2019)
Heather Springs

From: Scott Humphries <scotthumphries@carolina.rr.com>
Sent: Thursday, March 7, 2019 3:30 PM
To: Heather Springs
Subject: RE: Town of Seabrook Island

Heather,

Thanks. Robyn and I have no objection to the variance referenced.

All the best,

scott

Scott Humphries

Cell: 704/996-4262

From: Heather Springs [mailto:hsprings@townofseabrookisland.org]
Sent: Thursday, March 7, 2019 8:38 AM
To: Scott Humphries <scotthumphries@carolina.rr.com>
Subject: RE: Town of Seabrook Island

The letter sent to you was concerning a Board of Zoning Appeals about one of your neighboring property. I’ve attached the letter to this email for your convenience. If you have any questions about the contents of the packet, please email our Town Administrator, Joe Cronin, at jcronin@townofseabrookisland.org.

I’ve also put a note on your license account that you are no longer renting your property effective this year!

Hope you had a great trip! Hopefully the warmer weather follows you back soon!

Heather Springs
Administrative Assistant
Town of Seabrook Island
2001 Seabrook Island Rd.
Seabrook Island, SC 29455
Office: 843-768-9155
www.townofseabrookisland.org

From: Scott Humphries <scotthumphries@carolina.rr.com>
Sent: Wednesday, March 6, 2019 4:21 PM
To: Heather Springs <hsprings@townofseabrookisland.org>
Subject: RE: Town of Seabrook Island

Heather,
Well, I did spend a few minutes explaining the situation, no matter.

I returned from the Galapagos Islands to three notices that I’ve missed a registered letter from the Town of Seabrook. My first guess is that it’s because we’re no longer renting our home at 3006 Rascal Run and didn’t renew the business license. I don’t really have a second guess, but I’ve missed the letter, and reached out.

All the best,

scott

Scott Humphries

Cell: 704/996-4262

From: Heather Springs [mailto:hsprings@townofseabrookisland.org]
Sent: Wednesday, March 6, 2019 9:25 AM
To: scotthumphries@carolina.rr.com
Subject: Town of Seabrook Island

Good Morning,

I returned to work this morning to a sticky note with your email address but no further information written. How can I help you?

Thanks,

Heather Springs
Administrative Assistant
Town of Seabrook Island
2001 Seabrook Island Rd.
Seabrook Island, SC 29455
Office: 843-768-9155
www.townofseabrookisland.org