



## PUBLIC HEARING NOTICE

**TO:** Neighboring Property Owners  
**FROM:** Joseph M. Cronin, Town Administrator/Zoning Administrator  
**SUBJECT:** Variance Request for 2385 The Haul Over  
**DATE:** May 5, 2020

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Dear Property Owner,

The purpose of this letter is to notify you that the owners of **2385 THE HAUL OVER** 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 A PROPOSED SCREENED PORCH TO ENCROACH APPROXIMATELY 12 FEET INTO THE REQUIRED 25-FOOT REAR YARD SETBACK**. A copy of the variance application is enclosed for your information.

The Town's Board of Zoning Appeals has scheduled a **VIRTUAL 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. June 5, 2020  
**PUBLIC HEARING TIME:** 2:30 PM  
**PUBLIC HEARING LOCATION:** Live Stream on Town YouTube Page  
<https://www.youtube.com/channel/UCIkF87knEApHD1q0kGlaGZg>

Individuals who wish to submit a public comment on the variance request may do so in writing by 12:00 pm on Thursday, June 4, 2020, using one of the following options:

**ONLINE:** [www.townofseabrookisland.org/variance-165.html](http://www.townofseabrookisland.org/variance-165.html)  
**BY E-MAIL:** [jcronin@townofseabrookisland.org](mailto: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](mailto:jcronin@townofseabrookisland.org).

Sincerely,

Joseph M. Cronin  
Town Administrator/Zoning Administrator

**TOWN OF SEABROOK ISLAND, SC  
NOTICE OF PUBLIC HEARING**

The Town of Seabrook Island Board of Zoning Appeals will conduct a Virtual Public Hearing at 2:30 pm on Friday, June 5, 2020. During the meeting, the board will consider the following requests for variance from the Development Standards Ordinance for the Town of Seabrook Island:

**Application # 165**

APPLICANT: Robert M. and Lynn A. Miner (Owners)

LOCATION: 2385 The Haul Over

TAX MAP #: 147-03-00-020

ZONING DISTRICT: SR Single-Family Residential

VARIANCE(S) REQUESTED: To allow a proposed screened porch to encroach approximately 12 feet into the required 25-foot rear yard setback

Documents relating to the variance requests may be viewed on the town's website at [www.townofseabrookisland.org](http://www.townofseabrookisland.org).

Individuals who wish to submit a public comment on the variance requests may do so in writing by 12:00 pm on Thursday, June 4, 2020, using one of the following options:

ONLINE: [www.townofseabrookisland.org](http://www.townofseabrookisland.org)

EMAIL: [jcronin@townofseabrookisland.org](mailto:jcronin@townofseabrookisland.org)

MAIL: Town of Seabrook Island, 2001 Seabrook Island Road, Seabrook Island, SC 29455

The meeting will be live streamed on the town's YouTube channel at the following address:  
<https://www.youtube.com/channel/UCIkF87knEApHD1q0kGlaGZg>

For more information, please call (843) 768-9121.



**TOWN OF SEABROOK ISLAND**

2001 Seabrook Island Road  
 Seabrook Island, SC 29455  
 (843) 768-9121

**APPLICATION FOR VARIANCE**

Board of Zoning Appeals

Any applicant seeking a variance from the zoning requirements of the Town of Seabrook Island’s Development Standards Ordinance (hereafter, the “DSO”) must submit a written application, along with a \$150.00 application fee and all required supplemental information. Applications must be typed or written legibly in ink. Please attach an additional sheet of paper if more space is needed. If you need assistance filling out this application form, please contact the Zoning Administrator by phone at (843) 768-9121 or by email at [jcronin@townofseabrookisland.org](mailto:jcronin@townofseabrookisland.org).

**1. PROPERTY INFORMATION**

Please provide information regarding the property which is subject to the variance request.

Property Address	2385 The Haul Over Seabrook Island, SC 29455				
Tax Map Number	Tax Parcel No. 147-03-00-02	Block	28	Lot	23
Lot Size (Square Feet)	44901 Square Feet				
Is this property subject to an OCRM critical line? (eg. Marsh or Beachfront Lots)		Yes	✓	No	
Is this property subject to private restrictions or covenants? (eg. SIPOA or regime)	✓	Yes		No	

**2. APPLICANT(S)**

Please provide information regarding the individual(s) who is (are) submitting the variance request.

Applicant Name(s)	Robert Matthew & Lynn Ann Miner				
Applicant Address	2385 The Haul Over, Seabrook Island, SC 29455				
Applicant Phone Number	781-540-9043				
Applicant Email Address	lynn.miner@gmail.com, rmatthew.miner@gmail.com				
If the Applicant is <u>NOT</u> an owner of the property, what is the relationship to the Property Owner(s)?					


**3. PROPERTY OWNER(S)**

If the Applicant(s) is (are) NOT the property owner(s), please provide information for the property owner(s).

Owner Name(s)					
Owner Mailing Address					
Owner Phone Number					
Owner Email Address					
<b>Designation of Agent (Required if the Applicant(s) is(are) NOT a Property Owner):</b> I (we) hereby designate and appoint the above named Applicant(s) as my (our) agent(s) to represent me (us) in this application.					
Owner Signature(s)		Date	5/6/2020		
		Date	5-6-20		

**4. CERTIFICATION**

Under penalty of perjury, I (we) hereby certify that the information contained in this application, including all supplemental materials, is true and accurate to the best of my (our) knowledge.

Applicant Signature(s)		Date	5/6/2020		
		Date	5-6-20		

OFFICE USE ONLY		
Date Filed:	Variance Application #:	Hearing Date:

## 5. VARIANCE REQUEST

A. Please provide a brief description of the proposed scope of work:

The current deck on the back of the dwelling is located off the living room and a bedroom facing the Seabrook Island Club lagoon and property line. The proposed construction will add a screen porch to only a portion of the existing deck. The location of the planned screened porch is consistent with the sliding glass door exiting to the back deck off the living room. The location of the screened porch was selected to minimize changes to the current dwelling.

B. In order to complete the proposed scope of work, the Applicant(s) is (are) requesting a variance from the following requirement(s) of the town's DSO:

1) DSO Section Reference(s): 5.39.50

2) DSO Requirement(s):

The setback will be 25ft from the rear lot line

C. The application of the zoning requirements of the town's DSO will result in unnecessary hardship, and the standards for a variance set by State Law and the DSO are met by the following facts:

1) There are extraordinary and exceptional conditions pertaining to this particular piece of property as follows:

The dwelling was built in 1979 prior to the existence of zoning regulations. According to the CURRENT zoning regulations the dwelling is too close to the Seabrook Island Club property line at 14ft 6in. Moving the house to accommodate the current regulations would be cost prohibitive.

2) These conditions do not generally apply to other property in the vicinity as shown by:

Since our dwelling is one of the oldest in the neighborhood, the setbacks are not to current codes as opposed to other property constructed in the vicinity. However, similar conditions exist throughout Seabrook Island for dwellings built prior to the current zoning regulations.

3) Because of these conditions, the application of the zoning requirements to this particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property as follows:

Because of the proximity of the dwelling to the property line with the Seabrook Island Club facing the lagoon, the deck facing the lagoon is too close, prohibiting us from enjoying the outdoors without insects.

4) 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:

When we consulted with the Seabrook Island Club, they knew the property well and did not object to the request to build a porch. They submitted a letter of support for this variance request, which is attached.

## 6. APPLICATION MATERIALS

In addition to the completed Variance Application Form, all requests for variance must be accompanied by the supplemental materials listed below. An application is not considered “complete” until all required documentation has been received by the Zoning Administrator. Below is a checklist of the required materials:

- Completed & Signed Variance Application Form (Paper Required; PDF Optional)**
  - Please submit one *completed* paper application. All signatures must be original.
- \$150.00 Application Fee**
  - The application fee may be paid by cash or check only.
- As-Built Survey / Survey of Existing Conditions (Paper Required; PDF Optional)**
  - All applications must be accompanied by an as-built survey which accurately illustrates the existing conditions on the property, including setback measurements for all structures.
- Proposed Site Plan (Paper & PDF Required)**
  - Required for all new structures and/or exterior modifications which will change the footprint of one or more existing structures.
  - For lots abutting a marsh or beachfront jurisdictional line, the location of the critical line must be certified by OCRM within the previous five (5) years.
- Scaled Architectural Drawings: (Paper & PDF Required)**
  - Required for all new structures and/or exterior modifications to existing structures.
  - Architectural drawings must show, at a minimum:
    - A detailed floor plan or plan view; and
    - Front, side and rear elevations, as appropriate.
- Letter of Approval from Property Owners Association and/or Regime: (Paper Required; PDF Optional)**
  - Required for all properties which are subject to private restrictions and/or covenants.
  - If approval is pending, please attach a Letter of Acknowledgement from the POA and/or Regime.
- Letters of support, petitions, photographs, and any other documentation which an Applicant feels may support his or her request may be attached but are not required. (Paper & Digital Files Optional)**

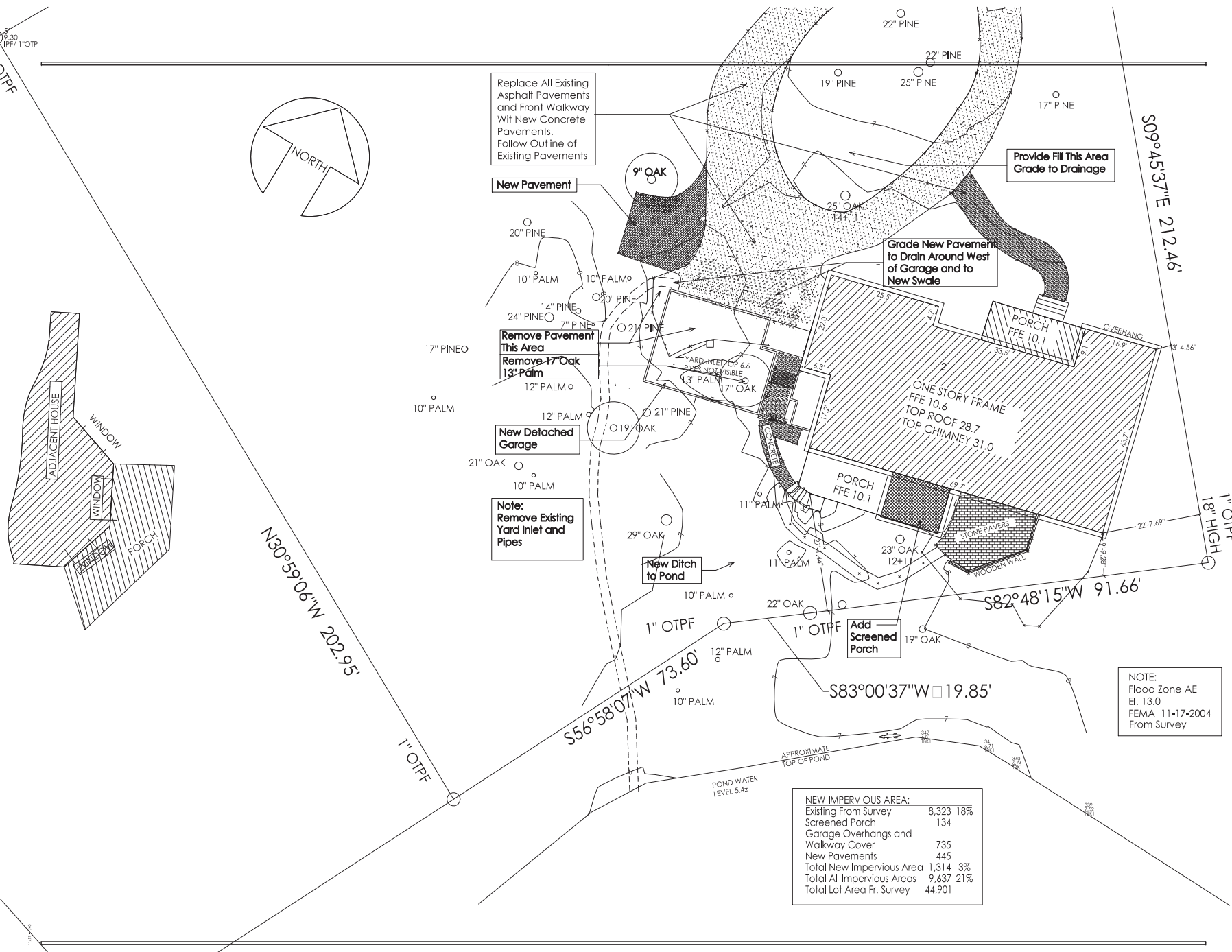
## CRITERIA FOR REVIEW

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.



Replace All Existing Asphalt Pavements and Front Walkway With New Concrete Pavements. Follow Outline of Existing Pavements

New Pavement

Provide Fill This Area Grade to Drainage

Grade New Pavement to Drain Around West of Garage and to New Swale

Remove Pavement This Area  
Remove 17' Oak  
13' Palm

New Detached Garage

Note: Remove Existing Yard Inlet and Pipes

New Ditch to Pond

Add Screened Porch

NOTE:  
Flood Zone AE  
EL. 13.0  
FEMA 11-17-2004  
From Survey

**NEW IMPERVIOUS AREA:**

Existing From Survey	8,323	18%
Screened Porch	134	
Garage Overhangs and Walkway Cover	735	
New Pavements	445	
Total New Impervious Area	1,314	3%
Total All Impervious Areas	9,637	21%
Total Lot Area Fr. Survey	44,901	

**TIM LATTO**  
ARCHITECT

842 Captain Tom's Crossing  
Charleston, South Carolina 29455  
(843) 559-3852  
timlatto@comcast.net

DESIGN DEVELOPMENT  
NOT RELEASED FOR  
CONSTRUCTION

**MINER RESIDENCE**

2385 The Haulover  
Seabrook Island, SC

Mark	Date	Description
Issue:	1-28-2020	
Project Number		
Dwg. File		
Drawn By		
Checked By		
Copyright		

**SITE PLAN**  
Propose

**W-101**



Front Elevation

**TIM LATTO**  
**ARCHITECT**

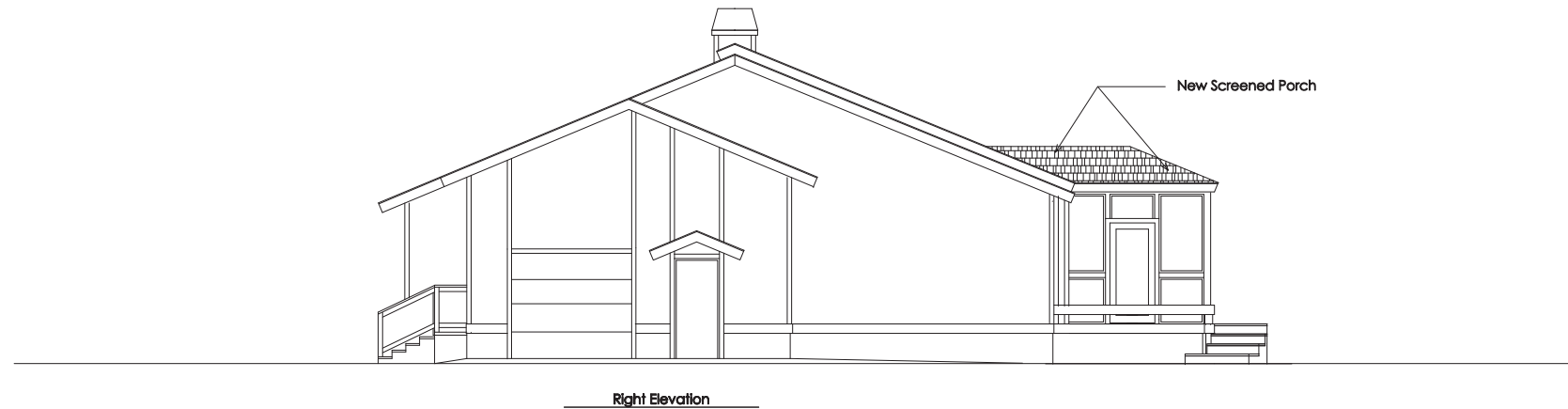
842 Captain Tom's Crossing  
 Charleston, South Carolina 29455  
 (843) 559-3852  
 mlatto@comcast.net

DESIGN DEVELOPMENT

NOT RELEASED FOR  
 CONSTRUCTION

**MINER RESIDENCE**

2385 The Haulover  
 Seabrook Island, SC

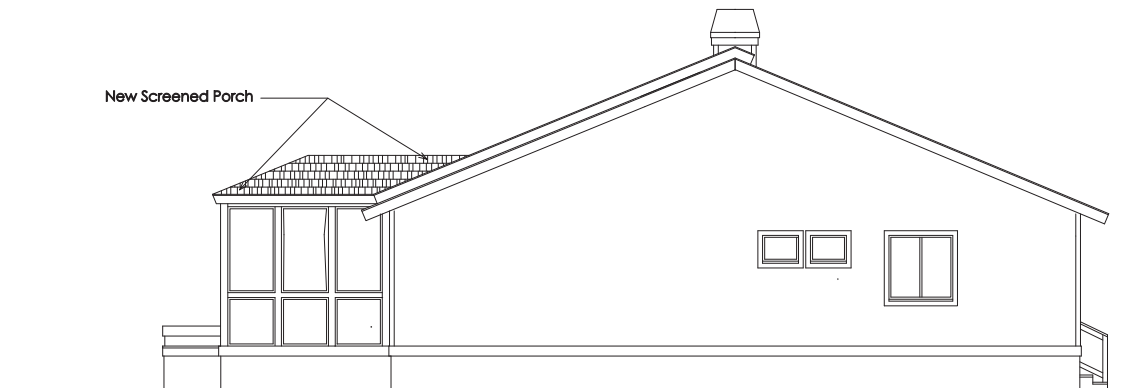
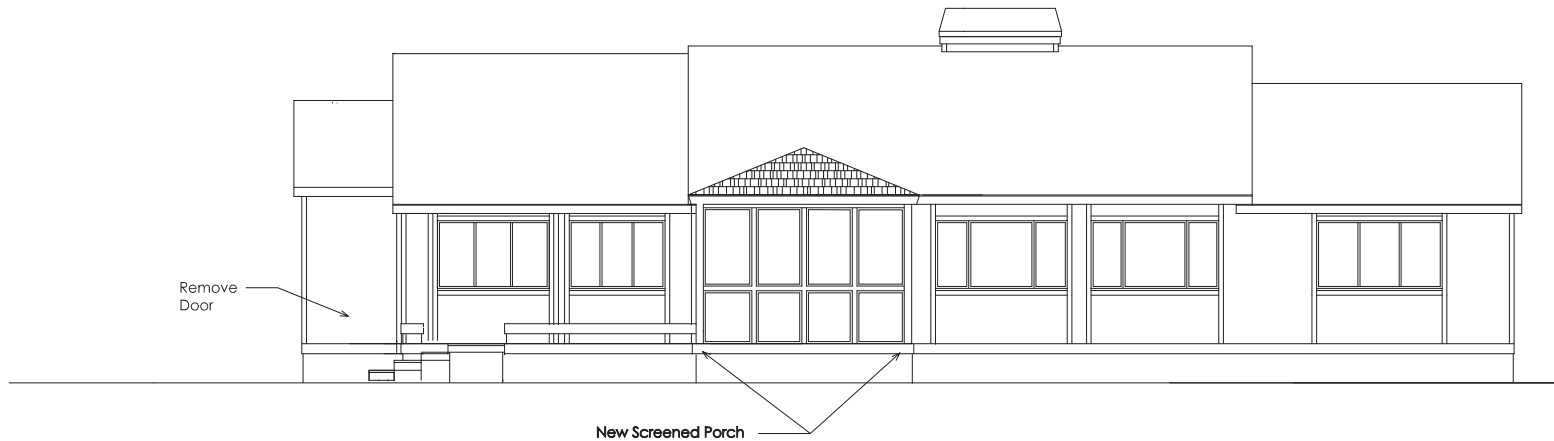


Right Elevation

Mark	Date	Description
Issue:	1-28-2020	
Project Number		
Dwg. File		
Drawn By		
Checked By		
Copyright		

**ELEVATIONS**  
 Front and Right  
 Proposed

**A-201**



**TIM LATTO**  
**ARCHITECT**

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 Charleston, South Carolina 29455  
 (843) 559-3852  
 mlatto@comcast.net

DESIGN DEVELOPMENT  
 NOT RELEASED FOR  
 CONSTRUCTION

**MINER RESIDENCE**  
 2385 The Haulover  
 Seabrook Island, SC

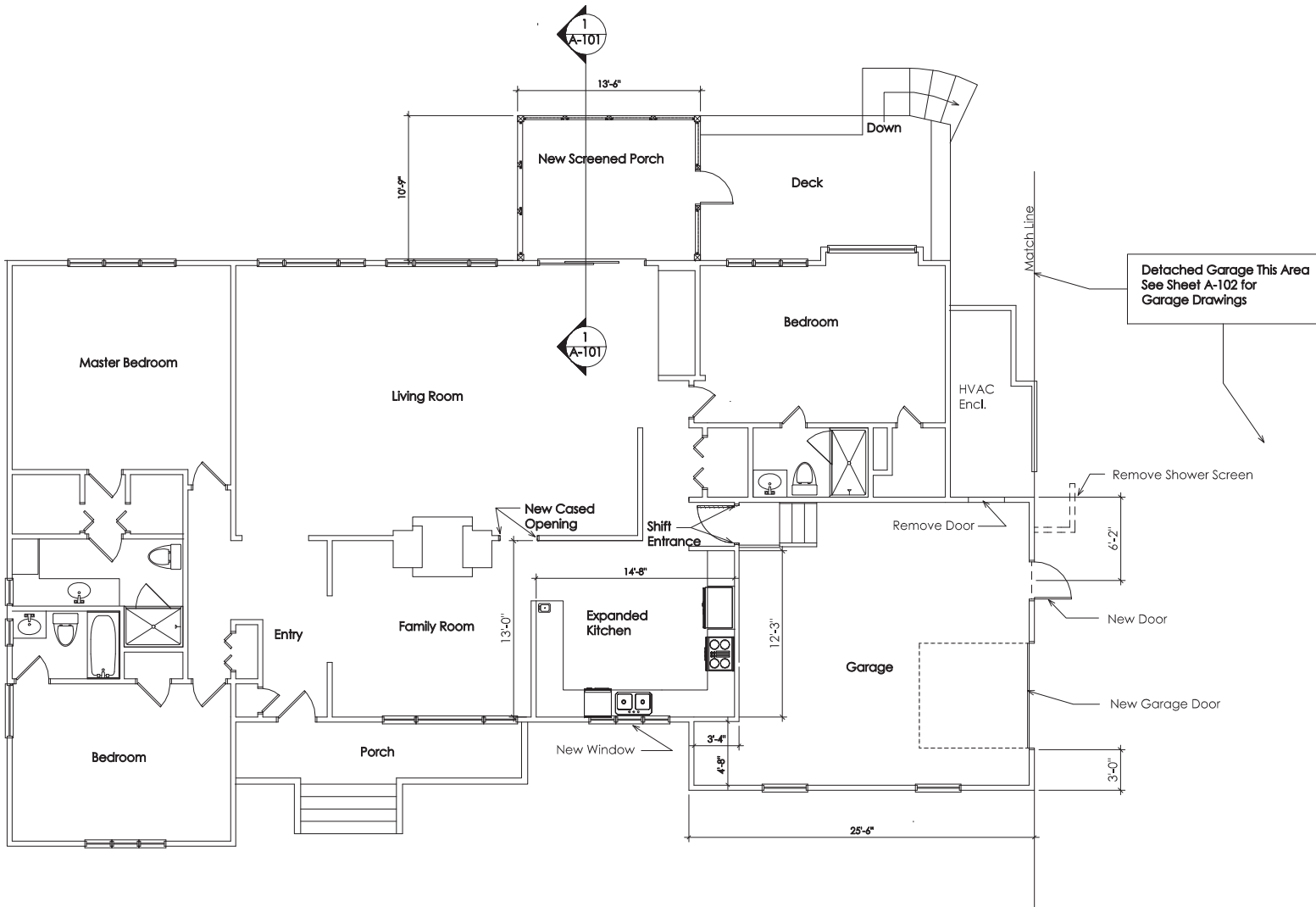
Mark	Date	Description
	1-28-2020	Issue
Project Number		
Dwg. File		
Drawn By		
Checked By		
Copyright		

**ELEVATIONS**  
 Rear and Left  
 Proposed

**A-202**

**TIM LATTO**  
**ARCHITECT**

842 Captain Tom's Crossing  
 Charleston, South Carolina 29455  
 (843) 559-3852  
 mlatto@comcast.net



Detached Garage This Area  
 See Sheet A-102 for  
 Garage Drawings

DESIGN DEVELOPMENT

NOT RELEASED FOR  
 CONSTRUCTION

**MINER RESIDENCE**

2385 The Haulover  
 Seabrook Island, SC

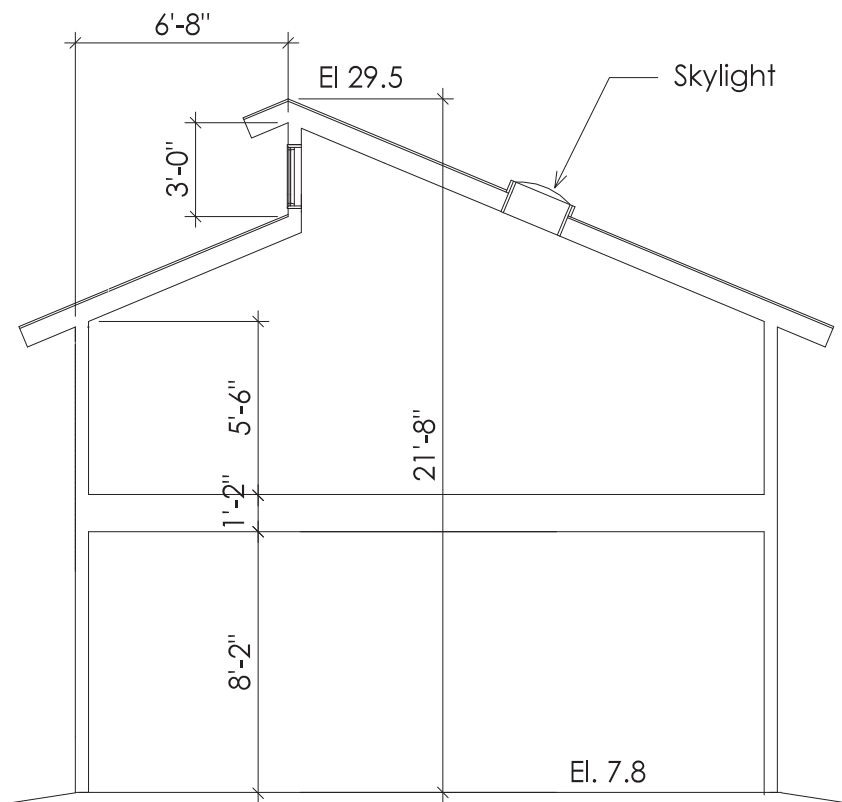
Mark	Date	Description
Issue:	1-28-2020	
Project Number		
Dwg. File		
Drawn By		
Checked By		
Copyright		

**FLOOR PLAN**  
 Proposed

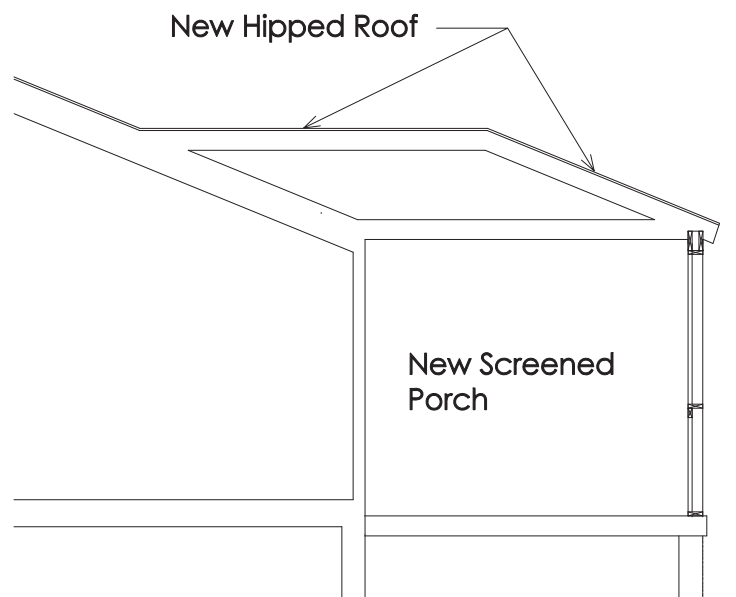
**A-101**

**TIM LATTO**  
**ARCHITECT**

842 Captain Tom's Crossing  
 Charleston, South Carolina 29455  
 (843)559-3852  
 mlatto@comcast.net



Section **1**  
 A-102



Section **1**  
 A-101

DESIGN DEVELOPMENT

NOT RELEASED FOR  
 CONSTRUCTION

MINER RESIDENCE

2385 The Haulover  
 Seabrook Island, SC

Mark	Date	Description
Issue:	1-28-2020	
Project Number		
Dwg. File		
Drawn By		
Checked By		
Copyright		

Section Trough  
 DETACHED GARAGE  
 & SCREENED PORCH  
 Proposed



**A-301**



SEABROOK ISLAND  
CLUB

March 19, 2020

Joe Cronin, Town Administrator  
Town of Seabrook Island  
2001 Seabrook Island Road  
Johns Island, SC 29455

Katrina Burrell, ARC Administrator  
Seabrook Island POA  
1202 Landfall Way  
Johns Island, SC 29455

Re: 2385 The Haul Over

Dear Mr. Cronin and Ms. Burrell,

Per the request of Mrs. Lynn Miner, Seabrook Island Club has reviewed the property located at 2385 The Haul Over regarding the request to screen in a portion of the back porch which faces a lagoon on the golf course. This letter is to grant Mrs. Miner permission to proceed with the variance needed to for the project.

Regards,

Sean Hardwick  
Director of Golf Course Maintenance  
Seabrook Island Club  
[shardwick@discoverseabrook.com](mailto:shardwick@discoverseabrook.com)  
843-768-7546