



## PUBLIC HEARING NOTICE

**TO:** Neighboring Property Owners  
**FROM:** Joseph M. Cronin, Town Administrator/Zoning Administrator  
**SUBJECT:** Variance Request for 2730 Gnarled Pine (Variance #171)  
**DATE:** December 18, 2020

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Dear Property Owner,

The purpose of this letter is to notify you that the owners of **2730 GNARLED PINE** 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 REQUIRED REAR YARD SETBACK FROM 25 FEET TO APPROXIMATELY 19.5 FEET TO ALLOW FOR CONSTRUCTION OF A SCREENED PORCH ADDITION AT THE REAR OF THE EXISTING HOME**. 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 receive testimony from any individual who wishes to provide a comment regarding the variance request. This notification is being provided to you pursuant to Section § 19.30.20.30 of the DSO.

**PUBLIC HEARING DATE:** Thu. January 21, 2021  
**PUBLIC HEARING TIME:** 2:30 PM  
**PUBLIC HEARING LOCATION:** Virtual Meeting via Zoom

***Participate in the Virtual Public Hearing:*** Individuals who wish to participate in the Virtual Public Hearing via Zoom may access the meeting as follows:

- **To join by computer, tablet or mobile device:**  
<https://us02web.zoom.us/j/89400634207?pwd=bDVXY0JBbm15dmRQajhSVk94bFBtZz09>
- **To join by phone:** Call (646) 558-8656 *\*Please note that long distance rates may apply\**
- **Meeting ID:** 894 0063 4207 **Passcode:** 888171

***Submit a Written Comment:*** Individuals who wish to submit a comment in advance of the Public Hearing may do so in writing by 12:00 pm on the day of the meeting using one of the following options:

- **ONLINE:** [www.townofseabrookisland.org/variance-171.html](http://www.townofseabrookisland.org/variance-171.html)
- **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 beginning at 2:30 PM at the following address: <https://www.youtube.com/channel/UCIkF87knEApHD1q0kGlaGZg>

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,

A handwritten signature in black ink, appearing to read "J. Cronin". The signature is fluid and cursive, with the first name "Joseph" and last name "Cronin" clearly distinguishable.

Joseph M. Cronin

Town Administrator/Zoning Administrator



**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 [rcronin@townofseabrookisland.org](mailto:rcronin@townofseabrookisland.org).

1. PROPERTY INFORMATION					
Please provide information regarding the property which is subject to the variance request.					
Property Address	2730 GNARLED PINE				
Tax Map Number	147-08-00-080	Block	9	Lot	14
Lot Size (Square Feet)	22,814				
Is this property subject to an OCRM critical line? (eg. Marsh or Beachfront Lots)		Yes	<input checked="" type="checkbox"/>	No	
Is this property subject to private restrictions or covenants? (eg. SIPOA or regime)	<input checked="" type="checkbox"/>	Yes		No	

2. APPLICANT(S)	
Please provide information regarding the individual(s) who is (are) submitting the variance request.	
Applicant Name(s)	RON WELCH
Applicant Address	1881-A ANNELL BLUFF BLVD, JIHNS ISLAND SC
Applicant Phone Number	843 847 1903
Applicant Email Address	RONAWELCH@GMAIL.COM
If the Applicant is <u>NOT</u> an owner of the property, what is the relationship to the Property Owner(s)?	CONTRACTOR

3. PROPERTY OWNER(S)			
If the Applicant(s) is (are) <u>NOT</u> the property owner(s), please provide information for the property owner(s).			
Owner Name(s)	ROBERT & CHERYL SCHULTZ		
Owner Mailing Address			
Owner Phone Number	847 251 3483		
Owner Email Address	CSHULTZ@CSMEDIAINC.COM		
<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	11/16/2020
		Date	11/16/20

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	11/16/20
		Date	

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

**5. VARIANCE REQUEST**

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

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):

2) DSO Requirement(s):

*SEE ATTACHED*

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:

*SEE ATTACHED*

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

*SEE ATTACHED*

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:

*SEE ATTACHED*

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:

*SEE 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.

Town of Seabrook Island  
**Board of Zoning Appeals**  
2001 Seabrook Island Road  
Seabrook Island, SC 29455

**RE: Notice Of Appeal (Pursuant to § 19.40 of the DSO)**  
**2730-Gnarled Pine**  
**Charleston County Tax ID 147-08-00-080**

**Date: 11/13/2020**

Dear Board,

I am writing on behalf of my clients, Robert and Cheryl Schuldt (owners), requesting appeal of the denial of zoning permit for construction of a screened porch at the rear of an existing residence located at: 2730 Gnarled Pine (**Charleston County Tax ID 147-08-00-080**).

The request for a zoning permit for the above referenced property has been **DENIED** for the following reasons:

- The proposed addition will encroach approximately 5.4 feet into the required 25-foot rear yard setback.
- Note: The property survey incorrectly shows a 15-foot rear yard setback. The minimum rear yard setback requirement is 25 feet. On lots abutting open space (such as a golf course) open decks may be located 15 feet from the property line; however, all other structures must be set back at least 25 feet from the rear property line.
- DSO Code References:
  - § 7.60.20.30. Single Family Setbacks (Rear). Twenty-five (25) feet.
  - § 7.60.60. Open Space Lots – Rear Setback. On lake, lagoon, or golf course lots the minimum rear lot setback of the residential structure must be twenty-five (25) feet. Open decks may extend into the setback, but may not be less than fifteen (15) feet from the rear lot line.



**Please review owner Cheryl Scheldt's appeal as follows:**

It appears our current deck was built with the original house under different set back codes. We are not looking to expand any deeper toward the golf course, but rather lengthen it to have an enclosed screened in section to enjoy eating outside without insects (no-see-ums, mosquitoes, etc.).

With existing setbacks, we'd never be able to have a screened in deck of any kind, this is the best place to add it without any further encroachment to setbacks with direct neighbors and we will have 60+ feet before the playing grounds of the golf course. It will enhance the look of the house from the view of the golf course.

- Our proposed screened deck doesn't extend any further than our open deck –it aligns 100%. However, it is the furthest distance from the golf course as our lot is a bit of a "triangle" shape in the backyard with the furthest point of the triangle from where we are hoping to have the enclosed deck.
- Our direct neighbors at 2740 Gnarled Pine have an enclosed back porch that sits extremely close to the golf course. I'm guessing it's well over the setback, as it appears to be close to the actual playing greens of the golf course. Our back yard has 60+ feet from where we are proposing the enclosed porch would end, with additional feet before the greens.
- There will not be any detriment to the adjacent properties or the public good or the character of Seabrook Island. A variance in the case of this property is the only real way to continue to honor the character of the property and not to deter other from owning adjacent properties. The impact on the property is at the rear of the property and does not impair the golf course or the enjoyment to the golfers. This would still be 60+ feet away from the currently maintained area of the golf course.

We are quite shocked that it appears we have this large back yard property that we maintain, yet with the setbacks given, we don't have the options to use it even for an extended covered deck. I wonder if someone could come look at the property so we can show how this area is truly the furthest from the golf course greens.

**Licensed Contractor, Ron Welch submits the following on behalf of owners as follows:**

- The screened porch design was based on assumption that the rear setback was 15' as shown on recent survey (attached)
- Survey does not show 25' setback line
- Approval would not be detrimental to the neighboring homeowners, as it does not affect view of the golf course.
- As new owners, my clients should be allowed to enjoy their back yard insect free.
- There appears to be ample buffer from the rear line to the groomed area of the golf course.

We respectfully request that you consider the appeal and allow the screen porch to be constructed as originally submitted.

Respectfully,

A handwritten signature in blue ink that reads "Ron Welch". The signature is written in a cursive style with a large, stylized "R" and "W".

Ron Welch/ Ron Welch Contracting, LLC.

843.847.1903 /[ronawelch@gmail.com](mailto:ronawelch@gmail.com)

*On behalf of:*

Robert and Cheryl Schuldt



Since 1991



# A.H. SCHWACKE & ASSOCIATES

## LAND SURVEYING & CONSTRUCTION LAYOUT

1975 FRAMPTON AVE PH: 843-762-7005 FAX 843-762-0109  
P.O. BOX 13077, CHARLESTON, SOUTH CAROLINA 29422-3077

### REFERENCE:

PLAT BY: E.M. SEABROOK, JR. TAX MAP No. 147-08-00-080  
DATED: NOVEMBER 30, 1973 No. 2730 GNARLED PINE  
BOOK: AC PAGE: 128 Requested by: RON WELCH  
RMC CHAS. CO.

### NOTES:

BEARING SHOWN ARE BASED ON SOUTH CAROLINA STATE PLANE COORDINATE SYSTEM, NAD 83.

AREA DETERMINED BY COORDINATE METHOD.

THE PUBLIC RECORDS REFERENCED ON THIS PLAT ARE ONLY THOSE USED AND/OR NECESSARY TO THE ESTABLISHMENT OF THE BOUNDARY OF THIS PROPERTY. THEY ARE NOT AND DO NOT CONSTITUTE A TITLE SEARCH. ANYTHING SHOWN OUTSIDE THE DEFINED BOUNDARY OF THIS PLAT IS FOR DESCRIPTIVE PURPOSES ONLY.

THE REQUIRED SETBACKS MAY BE DESIGNATED AND/OR VARIED BY THE SEABROOK ISLAND ARCHITECTURAL REVIEW BOARD. THE ARCHITECTURAL REVIEW BOARD RESERVES THE RIGHT TO GRANT VARIANCES RESPECTING SETBACK GUIDELINES AND/OR TO EXPAND THE "BUILDABLE" AREA.

THE PRESENCE OR ABSENCE OF U.S. ARMY CORPS OF ENGINEERS JURISDICTIONAL WETLANDS IS UNDETERMINED AS OF THE DATE OF THIS SURVEY.

NO SUBSURFACE OR ENVIRONMENTAL INVESTIGATION OR SURVEYS WERE PERFORMED FOR THIS PLAT, THEREFORE THIS PLAT DOES NOT REFLECT THE EXISTENCE OR NONEXISTENCE OF WETLANDS CONTAMINATION OR OTHER NONVISIBLE CONDITIONS WHICH MAY AFFECT THIS PROPERTY.

PROPERTY APPEARS TO BE LOCATED IN FLOOD ZONE AE (EL 13') AS PER FEMA FLOOD MAPS.  
PANEL No. 45019C 0785J  
DATED: NOVEMBER 17, 2004  
COMMUNITY No. 450256

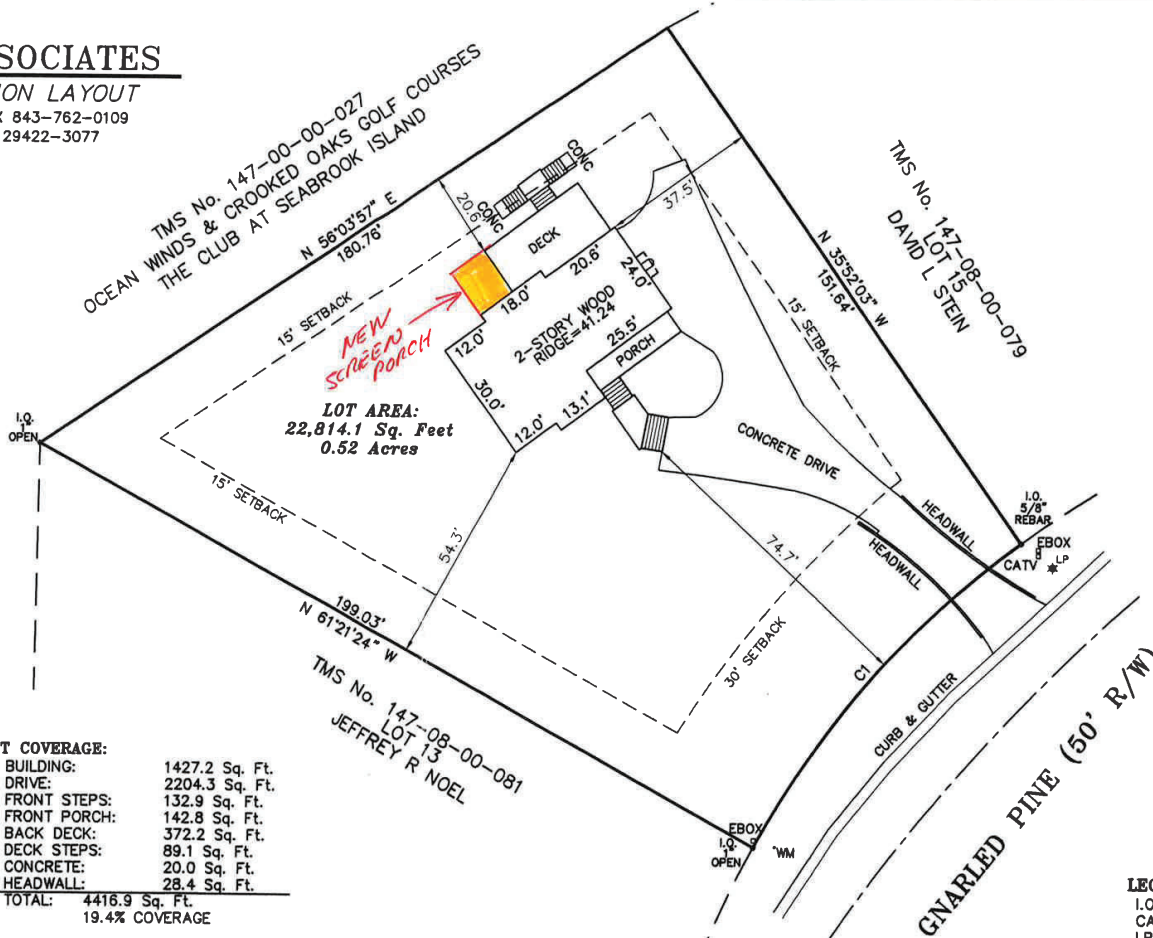
\* SETBACKS SHOULD BE VERIFIED PRIOR TO DESIGN OR CONSTRUCTION BY CONTROLLING AUTHORITY.

### SURVEYOR'S CERTIFICATION

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 Standards of Practice Manual for Surveying in South Carolina, and meets or exceeds the requirements for a Class A survey as specified therein. Also there are no visible encroachments or projections other than shown.

KEVIN M. SCHWACKE, SR. PLS  
S.C. Registration Number 20468

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 HEREON. THIS PLAT REPRESENTS A SURVEY BASED ON THE LISTED REFERENCES ONLY AND IS NOT THE RESULT OF A TITLE SEARCH. KIM20 / 20294



### LOT COVERAGE:

BUILDING:	1427.2 Sq. Ft.
DRIVE:	2204.3 Sq. Ft.
FRONT STEPS:	132.9 Sq. Ft.
FRONT PORCH:	142.8 Sq. Ft.
BACK DECK:	372.2 Sq. Ft.
DECK STEPS:	89.1 Sq. Ft.
CONCRETE:	20.0 Sq. Ft.
HEADWALL:	28.4 Sq. Ft.
TOTAL:	4416.9 Sq. Ft.
	19.4% COVERAGE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	220.00'	98.32'	97.50'	N 41°08'22" E	25°36'20"

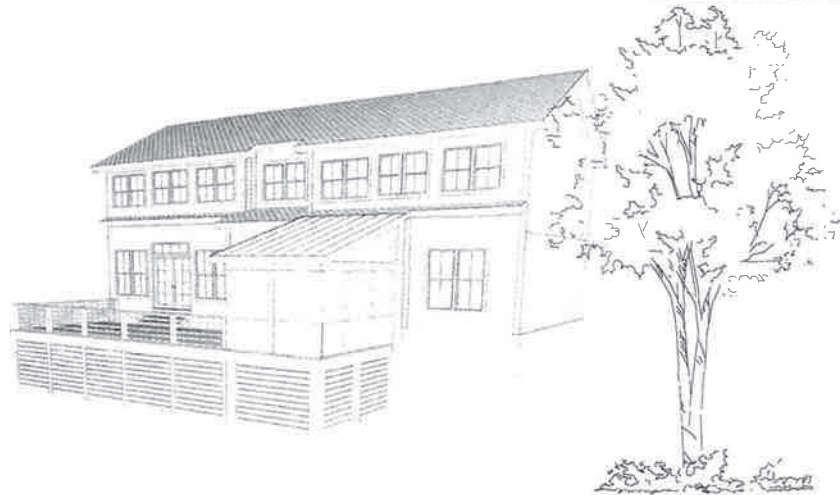


AS-BUILT SURVEY  
LOT 14 BLOCK 9  
TOWN OF SEABROOK ISLAND  
CHARLESTON COUNTY, SOUTH CAROLINA

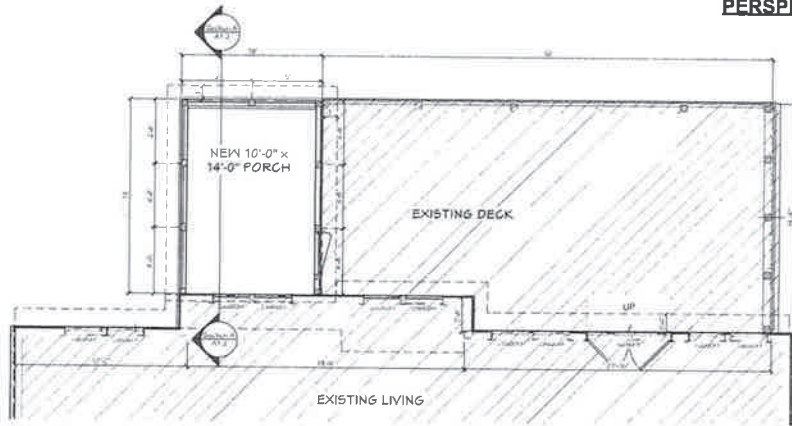


DATE: SEPTEMBER 23, 2020 SCALE: 1" = 30'





**PERSPECTIVE VIEW**  
n.t.s.



**FIRST FLOOR PLAN**  
Scale: 1/4" = 1'

NO.	DESCRIPTION	DATE
1	PERMIT PLAN	8-27-2020
2		
3		

PROJECT TITLE:  
**FIRST FLOOR PLAN**

PROJECT DESCRIPTION:  
Schuld Residence  
2730 Gnarled Pine  
Seabrook Island, SC 29455

DESIGNED/ENGINEERED BY:  
**Ron Welch Contracting, LLC**  
843-847-1903

DATE:  
8/27/2020

SHEET:  
A1.1