



PUBLIC HEARING NOTICE

TO: Neighboring Property Owners
FROM: Joseph M. Cronin, Town Administrator/Zoning Administrator
SUBJECT: Variance Request for 3056 Seabrook Village Drive (Variance #174)
DATE: May 11, 2021

Dear Property Owner:

The purpose of this letter is to notify you that the owners of **3056 SEABROOK VILLAGE DRIVE** 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 COVERED PORCH ON A PROPOSED SINGLE-FAMILY RESIDENCE TO ENCROACH APPROXIMATELY 6.3 FEET INTO THE REQUIRED 25-FOOT REAR YARD SETBACK**. A copy of the variance application is enclosed for your information.

The Seabrook Island Board of Zoning Appeals will hold a **VIRTUAL PUBLIC HEARING** on the variance request at the date and time listed below. This notification is being provided to you pursuant to Section § 20.70.40 of the DSO.

PUBLIC HEARING DATE: FRI. JUNE 11, 2021
PUBLIC HEARING TIME: 2:30 PM
PUBLIC HEARING LOCATION: VIRTUAL MEETING VIA ZOOM

For information on how to submit a public comment during (or prior to) the Virtual Public Hearing, please refer to the attached Public Hearing Notice.

The Virtual Public Hearing will be live streamed on the town's YouTube channel beginning at 2:30 PM at the following address:

LIVE STREAM: <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.

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 June 11, 2021. During the meeting, the Board will consider the following request for variance from the Development Standards Ordinance for the Town of Seabrook Island:

APPLICATION # 174

APPLICANT: Paul & Jana Stoyanoff (Owners)

LOCATION: 3056 Seabrook Village Drive

TAX MAP #: 147-00-00-070

ZONING DISTRICT: PUD / MF Multi-Family

CODE SECTION: Ord. 2020-01, Sec. 2 (Village at Seabrook PUD) - The minimum rear yard setback requirement shall be 25 feet from the rear property line...

VARIANCE(S) REQUESTED: To allow a covered porch on a proposed single-family residence to encroach approximately 6.3 feet into the required 25-foot rear yard setback

Copies of the proposed ordinances may be viewed on the town's website at www.townofseabrookisland.org.

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/82468933735?pwd=eFE4NHlHMnFVUjRGaW1sVVRrMTNkQT09>
- **To join by phone:** Call (646) 558-8656 **Please note that long distance rates may apply**
- **Meeting ID:** 824 6893 3735 **Passcode:** 363592

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:** <https://www.townofseabrookisland.org>
- **EMAIL:** jcronin@townofseabrookisland.org
- **MAIL:** Town of Seabrook Island, 2001 Seabrook Island Road, Seabrook Island, SC 29455

Watch Live Stream Video: The meeting will be live streamed on the town's YouTube channel beginning at 2:30 pm at <https://www.youtube.com/channel/UCIkF87knEApHD1q0kGlaGZg>.

More Information: 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 \$300.00 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.

1. PROPERTY INFORMATION

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

Property Address	3056 Seabrook Village Drive AKA Lot B12				
Tax Map Number	170-00	Block	00	Lot	070
Lot Size (Square Feet)	7,330 sq ft				
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)	Mark & Lynette C Smith				
Applicant Address	205 N Main St Allentown, Pa 18104				
Applicant Phone Number	610-509-1550				
Applicant Email Address	malhawk@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)	Same as above				
Owner Mailing Address					
Owner Phone Number					
Owner Email Address					
Designation of Agent (Required if the Applicant(s) is(are) NOT a Property Owner): 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			
		Date			

4. CERTIFICATION

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

Applicant Signature(s)	DocuSigned by: <i>Mark Smith</i> F6FFCACA9FBD4F9...	Date	4/28/2021
	DocuSigned by: <i>Lynette C Smith</i> 680DED6C768E424...	Date	4/28/2021

OFFICE USE ONLY

Date Filed: _____ Variance Application #: _____ Hearing Date: _____

5. VARIANCE REQUEST

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

Build a single family dwelling on subject lot.

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): 7.60.20.30. Rear: Twenty-five (25) feet

2) DSO Requirement(s): 25 foot setback of the lot line in the rear of the property

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 problem is that we have several “grand trees” that we are not allowed to remove due to conservation restrictions. This restriction has us moving the house to a location just feet back.

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

Attached plot plan. This lot has more Grand trees than all the other lots.

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:

The placement of the house to accommodate all set back regulations.

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:

It would be a relief of just a few square feet of a rear covered porch. The corner of this porch extends 6’3” and is in the middle of the lot (see attached plot plan). This would not interfere with any neighbor or common area. It would be impossible to tell from anywhere that is variance. The integral and aesthetic aspects of the home would be compromised. It is an important feature of the home. There was a decision that granted this exact variance at the January 21, 2021 hearing. Variance #171 by Robert & Cheryl Schuldt (Owners), Ron Welch

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.
- \$300.00 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:

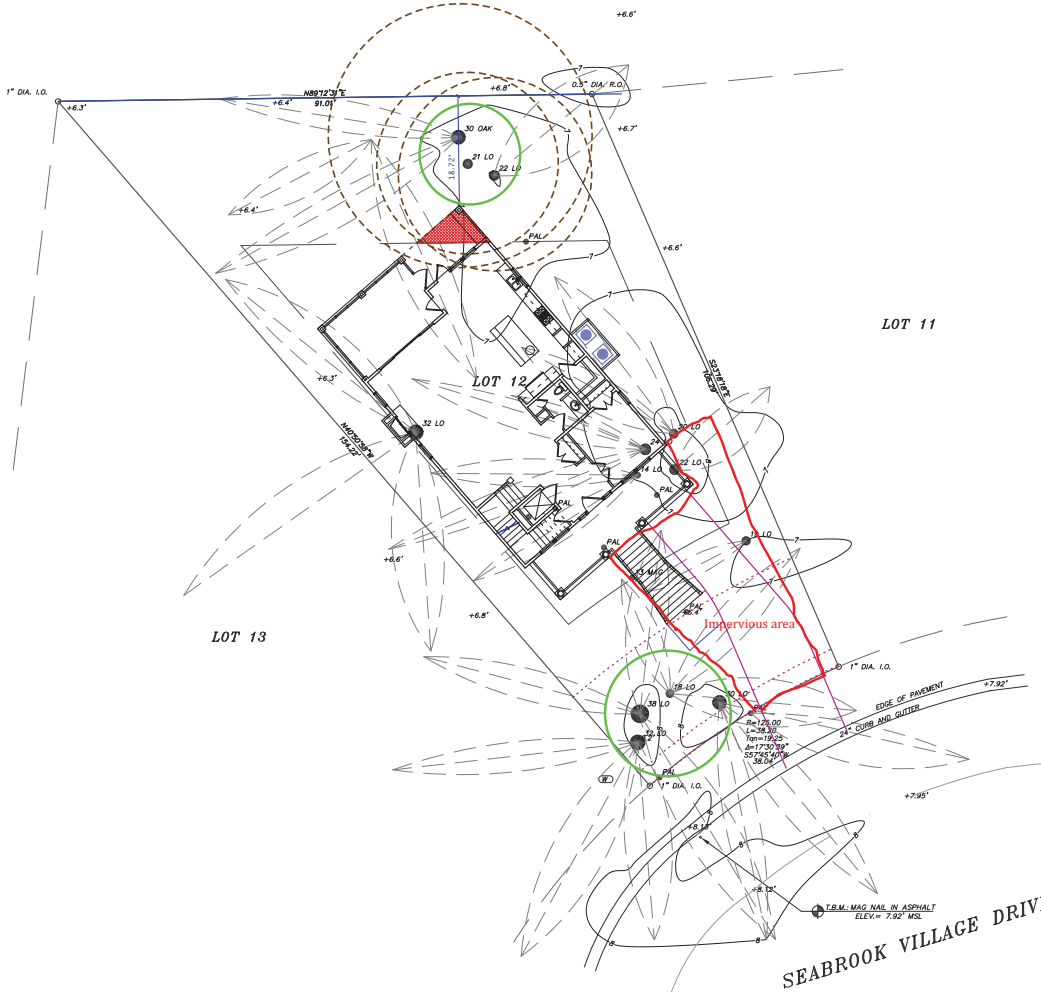
- (a) there are **extraordinary and exceptional conditions** pertaining to the particular piece of property;
- (b) these conditions **do not generally apply to other property** in the vicinity;
- (c) because of these conditions, the application of the ordinance to the particular piece of property would **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.



LAGOON



LEGEND

- 8" DIA. LIVE OAK
- PALMETTO
- 10" DIA. MANCINI
- 8" DIA. OAK
- TELEPHONE PEDESTAL
- CABLE TV
- ELECTRICAL TRANSFORMER
- SPOT ELEVATION
- CONTOUR ELEVATION
- WATER STUB OUT
- LIMB INFLUENCE
- IRON OLD
- IRON NEW
- CONCRETE MONUMENT OLD
- ROD OLD
- ROD NEW
- CALCULATED POINT

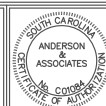
NOTES

1. REF: PLAT BOOK ET, PAGE 246
2. BEARINGS ARE MAGNETIC AND ARE SUBJECT TO LOCAL ATTRACTION
3. AREA CALCULATED BY THE COORDINATE METHOD
4. ELEVATIONS AND CONTOURS REFER TO MEAN SEA LEVEL
5. DATUM = NGVD 29
6. PRESENTLY OWNED BY KIEHN FAMILY TRUST
7. THE PROPERTY APPEARS TO BE LOCATED IN FLOOD ZONE AS EL. 13 SHOWN ON COMMUNITY PANEL 45019C-0785U DATED NOV. 17, 2004
8. TOTAL AREA OF PROPERTY IS 7,330 SQ.FT. OR 0.16 ACRES.



NO.	DATE	REVISION DESCRIPTION

ANDERSON & ASSOCIATES
 LAND SURVEYING AND PLANNING, INC.
 P.O. BOX 87, JOHNS ISLAND, CHARLESTON COUNTY, SOUTH CAROLINA 29457
 PHONE (843)571-0900

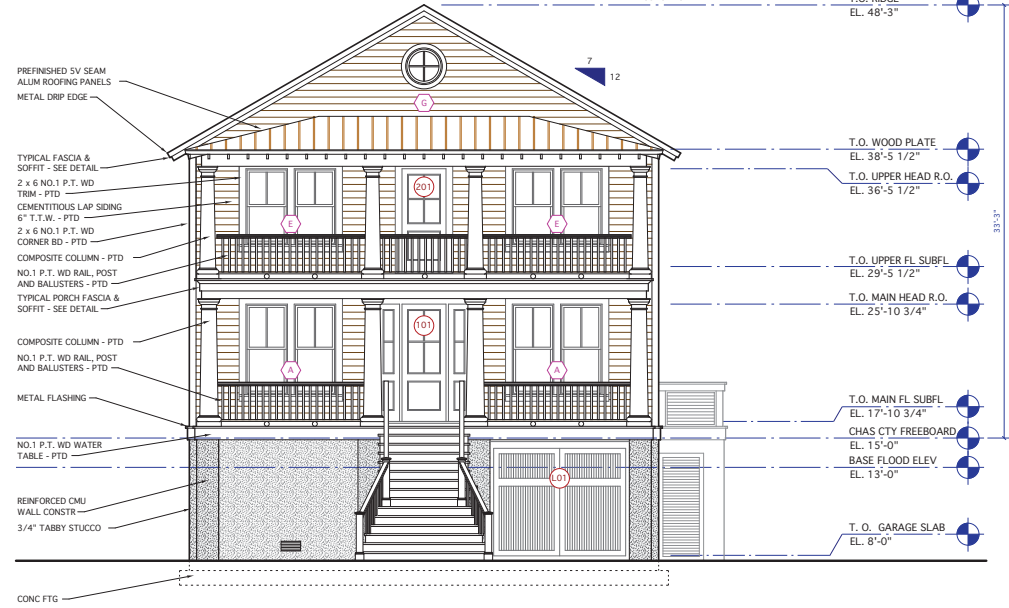


SCALE: 1" = 10' - 0"
 DATE: JULY 6, 2020

TITLE: TREE AND TOPOGRAPHIC SURVEY LOT B12, THE VILLAGE AT SEABROOK, TOWN OF SEABROOK ISLAND, CHARLESTON COUNTY, S.C.
 DRAWING NUMBER: 9609.DWG



2 LEFT SIDE ELEVATION
A2-1



1 FRONT ELEVATION
A2-1

The Smith Residence

Mr. & Mrs. Mark Smith
3056 Seabrook Village Dr
Seabrook Island, SC

Revisions:

EXTERIOR ELEVATIONS

MICHAEL E. KARAMUS
ARCHITECT, L.L.C.
P. O. Box 220709
Charleston, SC 29413



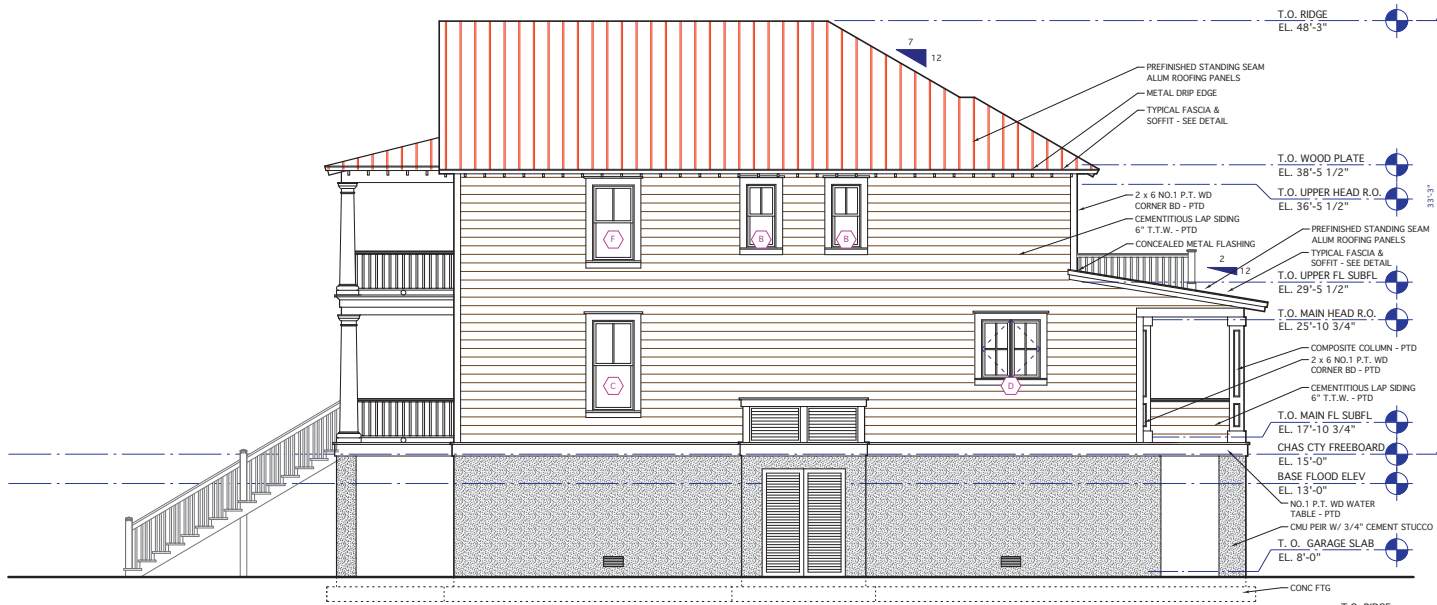
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Scale: 1/4"=1'-0" Drawn: MK Checked: MK

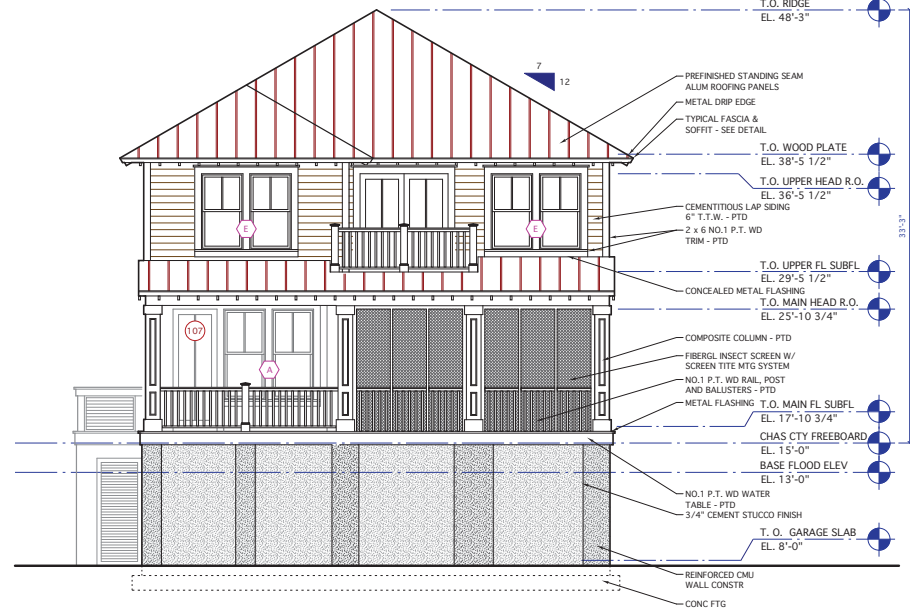
Date: APRIL 20, 2021 Drawing No.:

Commission No.: SC 21XX

A2.1



2 RIGHT SIDE ELEVATION
A2.2



1 REAR ELEVATION
A2.2

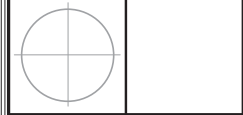
The Smith Residence

Mr. & Mrs. Mark Smith
3056 Seabrook Village Dr
Seabrook Island, SC

Revisions:

EXTERIOR ELEVATIONS

MICHAEL E. KARAMUS
ARCHITECT, L.L.C.
P. O. Box 222050
Charleston, SC 29413



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Scale: 1/4"=1'-0" Drawn: MK Checked: MK

Date: APRIL 20, 2021 Drawing No.:

Commission No.: SC 21XX

A2.2