

# TOWN OF SEABROOK ISLAND

Board of Zoning Appeals Meeting  
February 22, 2023 – 1:00 PM



Town Hall, Council Chambers  
2001 Seabrook Island Road  
Seabrook Island, SC 29455

[Watch Live Stream \(YouTube\)](#)

**Virtual Participation:** Individuals who wish to participate in the meeting via Zoom may call (843) 768-9121 or email [kwatkins@townofseabrookisland.org](mailto:kwatkins@townofseabrookisland.org) for log-in information prior to the meeting.

**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 prior to the meeting using one of the following options:

- **Online:** [Variance 180](#)
- **Email:** [tnewman@townofseabrookisland.org](mailto:tnewman@townofseabrookisland.org)
- **Mail or Hand Deliver:** 2001 Seabrook Island Road, Seabrook Island, SC 29455

## AGENDA

### CALL TO ORDER

### ELECTION OF CHAIR AND VICE CHAIR

### APPROVAL OF MINUTES

1. Board of Zoning Appeals Meeting: December 28, 2022 *[Pages 3–5]*

### PUBLIC HEARING ITEMS

1. Variance # 180 *[Pages 6–55]*

<b>APPLICANTS:</b>	Bill Senst (Applicant) Greg & Leigh Anne Spraetz (Owners)
<b>ADDRESS:</b>	3112 Marsh Gate Drive
<b>TAX MAP NUMBER:</b>	149-14-00-052
<b>ZONING DISTRICT:</b>	R-SF2 (Residential Single-Family)
<b>CODE SECTION:</b>	§ 10.5.A.1, Critical Area Setback

**VARIANCE** 1) To reduce the required 25' critical area setback to 15' – 0" to  
**REQUEST:** allow for 561 square feet of first floor open deck and open stair.

**ITEMS FOR INFORMATION / DISCUSSION**

1. There are no items for information/discussion.

**ADJOURN**



# TOWN OF SEABROOK ISLAND

Board of Zoning Appeals Meeting

December 28, 2022



## MINUTES

### CALL TO ORDER

Present: Fox (Chair, virtual), Gorski, Leggett (Vice Chair), Williams

Absent: Pickney

Staff Present: Zoning Administrator Newman, Town Clerk/Treasurer Watkins

Vice Chair Leggett served as Chair of the meeting as Mr. Fox attended the meeting virtually.

The meeting was called to order at 1:00PM and Zoning Administrator Newman confirmed notice of this meeting was posted as described by the SC Freedom of Information Act.

### APPROVAL OF MINUTES

1. Board of Zoning Appeals Meeting: September 6, 2022

Mr. Williams moved to approve the previous meeting minutes of September 6; Ms. Gorski seconded.

The previous meeting minutes of September 6 were approved unanimously.

### PUBLIC HEARING ITEMS

1. Variance #179

<b>APPLICANT:</b>	The Club at Seabrook Island
<b>ADDRESS:</b>	1701 Long Bend Drive
<b>TAX MAP NUMBER:</b>	149-01-00-001
<b>ZONING DISTRICT:</b>	RC (Recreation)
<b>CODE SECTION:</b>	§ 2.5.B01.c, Fence Material § 2.5.B.1.g, Fence Height
<b>VARIANCE REQUEST:</b>	1) To allow the use of chain link material for the construction of fencing in association with four proposed pickleball courts. 2) To allow the construction of 8' tall fences to surround four proposed pickleball courts.

Zoning Administrator Newman presented the request made by the Club at Seabrook Island at 1701 Long Bend Drive for the following:

1. To allow the use of chain link material for the construction of fencing in association with four proposed pickleball courts.

2. To allow the construction of 8' tall fences to surround the four proposed pickleball courts.

Zoning Administrator Newman noted that if the variance is approved, staff recommends adding the following:

- The approved variance shall apply to the site layout as shown on the site-specific plan prepared by the Applicant and reviewed by the Board on December 28, 2022. 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 Applicant shall prepare and submit to the Zoning Administrator an as-built survey prior to the issuance of a Certificate of Occupancy (or within 30 days of passing the final inspection if no Certificate of Occupancy is required). The as-built survey shall be prepared and stamped by a professional land surveyor who is qualified to perform such services in the State of South Carolina.

Zoning Administrator Newman added the board should review the variance by the following criteria:

1. There are extraordinary and extraordinary and exceptional conditions pertaining to the particular piece of property
2. These conditions do not generally apply to other properties in the vicinity
3. 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
4. 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 clarified the current language in the Development Standards Ordinance (DSO) with regards to fencing and how it applies to the property.

The Board clarified the location of the fencing and if it will mirror the current fencing on the property.

Donny Podany, ELM | Ervin Lovett Miller, presented on behalf of the Club at Seabrook Island for the variance request at 1701 Long Bend Drive.

The Board inquired if the height of the fence is sufficient for the purpose requested.

The Board discussed how the variance fits the criteria as follows:

- a) The property is the only racquet sports facility for the Club of Seabrook Island. Currently there are 15 tennis courts and two pickleball courts which each have 10' tall black vinyl chain link fencing and black wind screens. Additionally, the tennis and pickleball industries recommend fence height for tennis and pickleball courts of 10' or 12', with 10' being the most common height. The applicant also notes that chain link fencing allows for air flow across all courts.
- b) There are no other properties in the vicinity of the subject property that have court facilities like those located at the Seabrook Island Racquet Club.
- c) The application of the maximum fence height of 6' and the inability to use chain link fence material with screens would unreasonably restrict the Applicant's ability to construct the

courts to pickleball industry standards.

d) The addition of the courts to the Racquet Club will not be a detriment to adjacent property owners as the proposed improvements match the existing property use and add opportunities for increased member activity.

e) The adoption of the current Development Standards Ordinance by the Town of Seabrook Island, which does not address the height or materiality of pickleball & tennis industry standards, limits the ability of the Racquet Club to construct additional courts that meet industry standards. This hardship was not created by the Racquet Club.

f) A variance for the height and material of the fence will not allow the property to be used more profitably but will allow the Racquet Club to provide additional facilities to members.

Ms. Gorski moved to approve variance #179 with staff recommendations; Mr. Williams seconded. All voted in favor.

Variance #179 was approved with staff recommendations.

#### ITEMS FOR INFORMATION / DISCUSSION

None.

#### ADJOURN

Ms. Gorski moved to adjourn the meeting; Mr. Williams seconded. All voted in favor.

The meeting adjourned at 1:26PM

Date: January 13, 2023

Prepared by: *Katharine E. Watkins*  
Town Clerk/Treasurer



# MEMORANDUM

**TO:** Town of Seabrook Island Board of Zoning Appeals Members  
**FROM:** Tyler Newman, Zoning Administrator  
**SUBJECT:** Variance Application # 180 – 3112 Marsh Gate Drive  
**MEETING DATE:** February 22, 2023

Variance Application #178	
<b>Applicants:</b>	Bill Senst (Applicant) Greg & Leigh Anne Spraetz (Owners)
<b>Location:</b>	3112 Marsh Gate Drive
<b>Tax Map Number:</b>	149-14-00-052
<b>Zoning District:</b>	R-SF2 (Moderate Lot Single-Family)
<b>Code Section:</b>	§ 10.5.A.1, Critical Area Setback
<b>Purpose:</b>	1) To reduce the required 25' critical area setback to 15' – 0" to allow for 561 square feet of first floor open deck and open stair.

## Overview

The town has received a variance application from Bill Senst of Vinyet Architecture on behalf of Greg and Leigh Anne Spraetz (collectively, the “Applicants”). The Applicants are requesting a reduction in the required 25’ critical area setback in association with the construction of a new 3,835 square foot single-family residence at 3112 Marsh Gate Drive (Block 50, Lot 30).

On August 22, 2022, the town’s Zoning Administrator received an email from the Applicants stating that they were recently informed that there could be “material adverse changes” to their proposed plans for a new single-family residence at the subject property because of the new critical area setback requirements under the town’s, at the time recently adopted, Development Standards Ordinance (DSO). Upon reviewing the proposed floor plan included in the email, the town’s Zoning Administrator advised the applicants that there were setback encroachments shown that would not be permitted under the DSO and that the only means of deviating from the requirements of the DSO would be to seek a variance from the Board of Zoning Appeals.

Under the town’s previous DSO §7.60.50, Marsh Setback, stated, “the minimum setback for a structure, exclusive of open decks, on a lot abutting the marsh shall be twenty-five (25) feet from the South Carolina Ocean and Coastal Resource Management critical area or the lot line, whichever is landward. No part of an open deck shall be closer than fifteen (15) feet from the critical area.”. Under the town’s current DSO (effective July 1, 2022) §10.5.A.1, Critical Area Setback, states, “except as otherwise provided in this ordinance, no structure shall be placed above or below ground (including propane tanks) within 25 feet of any critical area”.

The subject property is currently zoned R-SF2, Moderate Lot Single-Family, and a single-family<sub>6</sub> residence is a permitted use by-right.

The property is 15,654 square feet in area, which is approximately 11% smaller than the minimum lot size in the R-SF2 district (minimum lot size in R-SF2 is 17,500 square feet). A total of 14,998 square feet (or 95.80% of the lot) is designated as “highland.” Once the setbacks are applied, the total buildable area is 3,223 square feet (21.5% of the highland area and 20.5% of the total lot area).

Based on the site plan submitted with the variance application, the proposed residence will comply with the 12.5’ side yard setback requirement as well as the 30’ front yard setback requirement. The proposed driveway will also adhere to the required 3’ setback from the side property lines. Additionally, based on the elevations provided with the submittal the proposed residence will also comply with the 36’ maximum height requirement (*See Attachment 6, Full Plan Set*).

To allow for construction of the proposed 561 square feet of first floor open deck and open stairs the Applicants are requesting the following variances from the requirements of the DSO:

TYPE	REQUIRED PER DSO	VARIANCE (REQUESTED)
Critical Area Setback	25 feet (§ 10.5.A.1)	Reduce the required critical area setback to 15’ – 0” to allow for 561 square feet of first floor open deck and open stair

In their application, the Applicants are requesting relief from the critical area setback requirements for the following reasons (*See Attachment 4, Applicant's Narrative*):

- a) Few lots possess the unusual shape of the subject property. No side setback occurs on the East side of the lot, due to the front and rear setbacks meeting in such a way that creates an unusable wedge of 3,807 square feet of lot area of 3,558 square feet (23.7%) of highland area. (*See Attachment 5, Proposed Site Plan*)
- b) On Marsh Gate Drive and in the general vicinity, other lots do not prescribe to the restrictions that impede on a ratio of overall lot and/or highland area to buildable area, excluding potential constraints made by DHEC/OCRM lines.
- c) The front and rear setbacks squeeze the lot in such a way that the house can only be 35' in depth. This prohibits the ability to design a home of different proportions and pushes the layout of the house in one direction. Under the DSO, R-SF2 zoned properties are allowed 40% lot coverage (5,999 square feet for the subject property) but because of these conditions there is only 3,223 square feet of buildable area or 21.5% lot coverage.
- d) An approved variance on this lot has no effect on other lots as it is marsh facing and well screened on the West side of the lot. To the East there is no neighbor, only vegetated coverage as this portion of the lot is unusable.
- e) The variance approval will not change the permitted use of the property.
- f) The client's sole purpose is to make Seabrook Island a place of permanent residence. The clients have no intention of selling or flipping the property.
- g) The need for the variance was not self-inflicted. The building footprint aligns with the DSO's lot coverage requirements and the rear open deck and open stair are the only requested variances.

### 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 Applicants and reviewed by the Board on February 22, 2023. 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 Applicants shall prepare and submit to the Zoning Administrator an as-built survey prior to the issuance of a Certificate of Occupancy (or within 30 days of passing the final inspection if no Certificate of Occupancy is required). The as-built survey shall be prepared and stamped by a professional land surveyor who is qualified to perform such services in the State of South Carolina.
- The variance shall become null and void if the Applicants (or a subsequent property owner) fail to obtain a building permit prior to the effective date of any changes to the SCDHEC-OCRM beachfront jurisdictional line and/or beachfront setback line affecting the subject property.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Tyler Newman', written in a cursive style.

Tyler Newman  
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.



## Attachments

The following supplemental items have been attached for review:

1	Variance Application	p. 12-14
2	Aerial Image	p. 15
3	Property Zoning Report	p. 16
4	Applicant's Narrative	p. 17-19
5	Proposed Site Plan	p. 20
6	Full Plan Set	p. 21-31
7	ARC Approval Letter	p. 32
8	Property Deed	p. 33-37
9	Site Photos	p. 38-49
10	Letter from Property Owners	p. 50
11	Public Comment	p. 51
12	Public Hearing Notice – Letter to Neighboring Property Owners	p. 52
13	Public Hearing Notice – Post & Courier Legal Ad	p. 53
14	Public Hearing Notice – Property Posting	p. 54
15	Public Hearing Notice – List of Neighboring Properties	p. 55



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

1. PROPERTY INFORMATION					
Please provide information regarding the property which is subject to the variance request.					
Property Address	3112 Marsh Gate Dr. Seabrook, SC 29455				
Tax Map Number	149-14-00-052	Block	50	Lot	30
Lot Size (Square Feet)	15,654				
Is this property subject to an OCRM critical line? (eg. <u>Marsh</u> or Beachfront Lots)	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	
Is this property subject to private restrictions or covenants? (eg. SIPOA or regime)	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	

2. APPLICANT(S)	
Please provide information regarding the individual(s) who is (are) submitting the variance request.	
Applicant Name(s)	Vinyet Architecture
Applicant Address	56 Broad St. Charleston, SC 29401
Applicant Phone Number	843-619-7662
Applicant Email Address	bill@vin-yet.com
If the Applicant is <u>NOT</u> an owner of the property, what is the relationship to the Property Owner(s)?	Architect / Agent

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)	Greg and Leigh Anne Spraeztz
Owner Mailing Address	712 BELLE ISLE DRIVE, ALPHARETTA, GA
Owner Phone Number	678-232-3803
Owner Email Address	gspraeztz@live.com

**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)	<i>Greg Spraeztz</i>	Date	12/7/22
	<i>Leigh Anne Spraeztz</i>	Date	12/7/22

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)	<i>Bill Senst</i>	Date	12/07/22
		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:

1) a variance from DSO Section 10.5.A.1, Critical Area Setback, to reduce the required 25' critical area setback to 15' - 0" to allow for for 561 sq. ft. of first floor open deck and open stair along the rear setback.

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): Section 10.5.a.1

2) DSO Requirement(s): July 1, 2022: DSO requires a 25' rear setback as shown on Section 10.5.a.1

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:

On Seabrook, few lots possess the unusual shape that our lot does. While the lot is non-conforming at .34 acres (14,995 sq. ft.) of highland area, what qualifies as extraordinary and exceptional conditions is the shape. No side setback occurs on the East side of the lot, due to the front and rear setbacks meeting in such a way that creates an unusable wedge of 3,807 sq. ft. of lot area or 3,558 sq. ft. (23.7%) of Highland area. (Ref: Site plan in Red)

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

On Marsh Gate Drive and in the general vicinity, other lots do not prescribe to the restrictions that impede on a ratio of overall lot and/or highland area to build able area, excluding potential constraints made by DHEC/OCRM lines.

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 front and rear setback squeeze the lot in such a way that the house can only be 35' in depth. This prohibits the ability to design a home of different proportions and pushes the layout of the house in one direction. This nonconforming lot allows 40% lot coverage at 5,999 sq. ft per new adopted DSO, but because of these conditions there is only 3,223 Sq. Ft. of buildable area or 21.5% of lot coverage. (Ref: Site Plan Coverage Table)

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:

This lot has no effect on other lots as it is marsh facing and well screened on the West side of the lot. To the East their is no neighbor, only vegetated coverage as this portion of the lot is unusable. The character of the district will not be degraded but only appreciated with the addition of a rear open deck to admire the wildlife, the Marsh and the spectacular views offered on Seabrook.

## 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.





1491400065  
MARSH GATE LANE C  
0 MARSH GATE LA

1491400051  
PEAGLAD LLC  
3135 MARSH GATE L

1491400050  
DONNELLY EDWARD KEITH  
3131 MARSH GATE DR

1491400052  
SPRAETZ GREGORY L  
3112 MARSH GATE DR

1491400049  
JOYNER BRIDGET S  
3125 MARSH GATE DR

1491400053  
BERRY STEPHEN B J  
3108 MARSH GATE DR

1491400049  
JOYNER BRIDGET S  
3125 MARSH GATE DR

1491400053  
BERRY STEPHEN B Jr  
3108 MARSH GATE DR

MARSH GATE DR

1491400047  
JKM SEPARATE PROPERTY TRUST  
3117 MARSH GATE DR

1491400060  
SEABROOK ISLAND PROPERTY OWNERS  
0 MARSH GATE DR

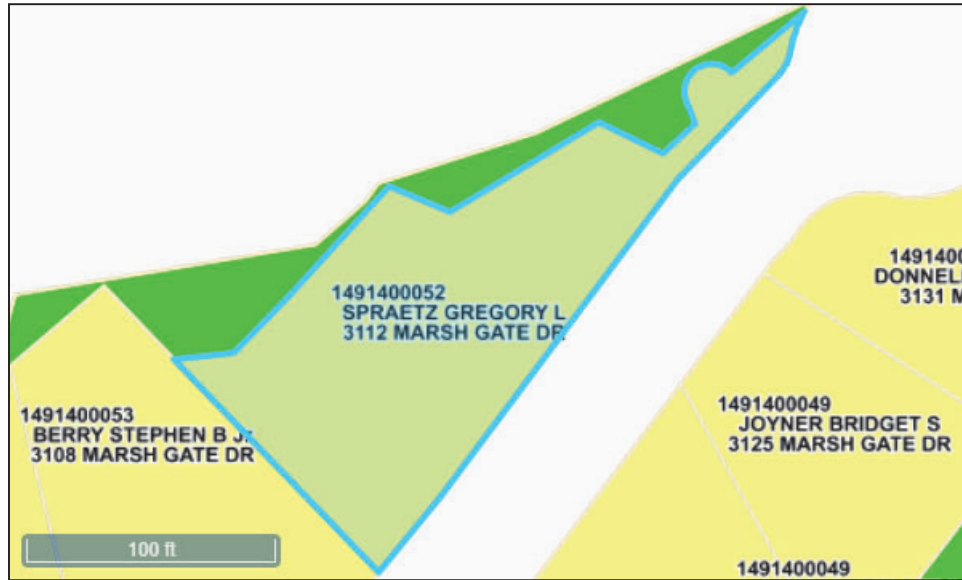
1491400046  
MIDDLETON JAMES KRISTIAN  
3113 MARSH GATE DR



# Town of Seabrook Island

## Property Zoning Report

1 Feb 2023



### Parcels

**Parcel ID:** 1491400052  
**Owner:** SPRAETZ GREGORY L SPRAETZ LEIGH ANNE  
**Owner Street Address:** 712 BELLE ISLE DR  
**Owner City State ZIP Code:** SEABROOK ISLAND , SC 29455  
**Parcel Street Address:** 3112 MARSH GATE DR

### Zoning

Count	Zoning Code and Description	Overlapping Quantities
1.	1 R-SF2 - Residential - Single-Family (Medium Lot)	16,689.37sf (0.38acres)

January 11 2023

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

Re: Variance Request  
3112 Marsh Gate Dr.  
Seabrook, SC 29455

Dear Board Members,

Please accept this letter and associated design drawings on behalf of our clients, the Spraetz Residence, owners of 3112 Marsh Gate Dr. The purpose of this letter is to request a variance from DSO Section 10.5.A.1, Critical Area Setback, to reduce the required 25' critical area setback to 15' - 0" at 2 locations to allow for a 561 sq. ft. area of open deck and open stair along the rear setback.

This lot is nonconforming with an overall area of 15,654 sq. ft, and 14,995 sq. ft. of highland area. While we are requesting a relief from the OCRM's 25' setback line we recognize that most lots on Marsh Gate Drive have an impeding OCRM line. However what we believe is distinct to this variance and 3112 Marsh Gate, is that a large portion of the lot is unable to be developed due to the unconventional shape of the lot. The hardship lies with a portion of the lot on the eastern face that has more highland area (REF: red crosshatch on site plan) that is unusable than total build-able area on the lot.

The design for this lot has gone through the SIPOA ARC process and is in favor of the open deck as long as the BZA aligns with this. Your attention to our request for a variance and reduction of the rear setback for open decks, and open staircase is sincerely appreciated.

Sincerely,

Bill Senst  
Vinyet Architecture

**a. There are extraordinary and exceptional conditions pertaining to the particular piece of property**

On Seabrook, few lots possess the unusual shape that our lot does. While the lot is non-conforming at .34 acres (14,995 sq. ft.) of highland area, what qualifies as extraordinary and exceptional conditions is the shape. No side setback occurs on the East side of the lot, due to the front and rear setbacks meeting in such a way that creates an unusable wedge of 3,807 sq. ft. of lot area or 3,558 sq. ft. (23.7%) of Highland area. (Ref: Site plan in Red)

**b. These conditions do not generally apply to other property in the vicinity**

On Marsh Gate Drive and in the general vicinity, other lots do not prescribe to the restrictions that impede on a ratio of overall lot and/or highland area to build able area, excluding potential constraints made by DHEC/OCRM lines.

**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**

The front and rear setback squeeze the lot in such a way that the house can only be 35' in depth. This prohibits the ability to design a home of different proportions and pushes the layout of the house in one direction. This nonconforming lot allows 40% lot coverage per new adopted DSO at 5,999 sq. ft., but because of these conditions there is only 3,223 Sq. Ft. of buildable area or 21.5% of lot coverage. (Ref: Site Plan Coverage Table)

**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 zoning district will not be harmed by the granting of the variance**

An approved variance on this lot has no effect on other lots as it is marsh facing and well screened on the West side of the lot. To the East there is no neighbor, only vegetated coverage as this portion of the lot is unusable. The character of the district will not be degraded but only appreciated with the addition of a rear open deck to admire the wildlife, the Marsh and the spectacular views offered on Seabrook.

**e. The Board of Zoning Appeals shall 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 be extend physically a non-conforming use of land, or to change the zoning district boundaries shown on the official zoning map**

Variance approval would not change the permitted use of this property.

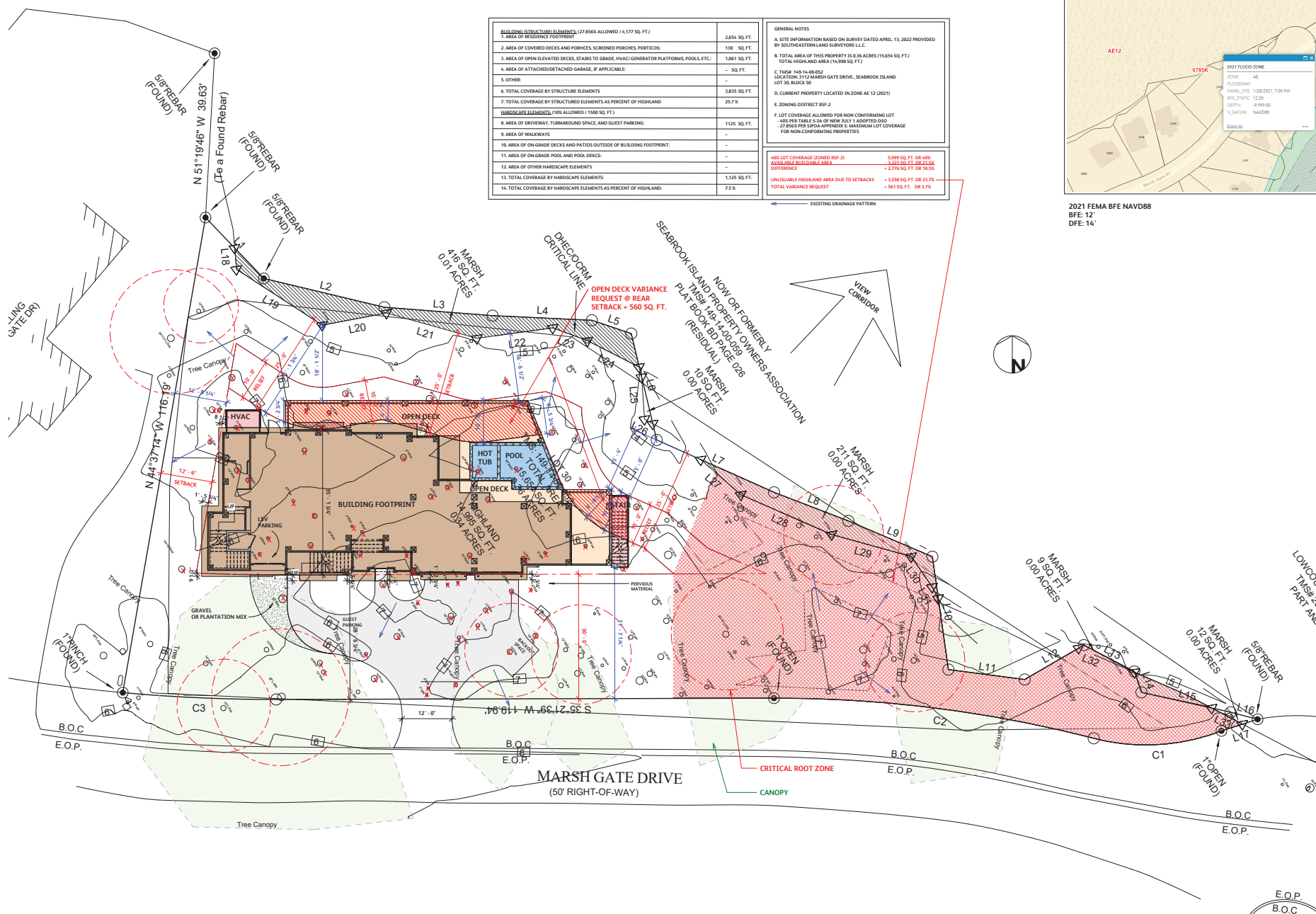
**f. The fact that property may be utilized more profitably, should a variance be granted, may not be considered ground for a variance**

The clients sole purpose is to make Seabrook, a place of permanent residence. The clients have no intention of selling or flipping the property.



**g. The need for the variance shall not be the result of the applicants own actions**

The need for this variance was not self-inflicted. The building footprint aligns with the adopted 2022 DSO's lot coverage requirements. The rear open deck and open stair are the only parts of the variance. As mentioned before, the SIPOA ARC are in favor of the design intent w/ BZA approval.



BUILDING/STRUCTURE ELEMENTS: (27.85% ALLOWED / 4,377 SQ. FT.)	
1. AREA OF RESIDENCE FOOTPRINT	2,654 SQ. FT.
2. AREA OF COVERED DECKS AND PORCHES, SCREENED PORCHES, PORTICOS	130 SQ. FT.
3. AREA OF OPEN ELEVATED DECKS, STAIRS TO GRADE, HVAC/GENERATOR PLATFORMS, POOLS, ETC.	1,061 SQ. FT.
4. AREA OF ATTACHED/DETACHED GARAGE, IF APPLICABLE	- SQ. FT.
5. OTHER:	-
6. TOTAL COVERAGE BY STRUCTURE ELEMENTS	3,845 SQ. FT.
7. TOTAL COVERAGE BY STRUCTURED ELEMENTS AS PERCENT OF HIGHLAND	25.7%
LANDSCAPE ELEMENTS: (10% ALLOWED / 1,589 SQ. FT.)	
8. AREA OF DRIVEWAY, TURNAROUND SPACE, AND GUEST PARKING	1,125 SQ. FT.
9. AREA OF WALKWAYS	-
10. AREA OF ON-GRADE DECKS AND PATIOS OUTSIDE OF BUILDING FOOTPRINT	-
11. AREA OF ON-GRADE POOL AND POOL DECKS	-
12. AREA OF OTHER HARDSCAPE ELEMENTS	-
13. TOTAL COVERAGE BY HARDSCAPE ELEMENTS	1,125 SQ. FT.
14. TOTAL COVERAGE BY HARDSCAPE ELEMENTS AS PERCENT OF HIGHLAND	7.5%

**GENERAL NOTES**

A. SITE INFORMATION BASED ON SURVEY DATED APRIL 13, 2022 PROVIDED BY SOUTH-EASTERN LAND SURVEYORS L.L.C.

B. TOTAL AREA OF THIS PROPERTY IS 3.36 ACRES (15,654 SQ. FT.) TOTAL HIGHLAND AREA (14,908 SQ. FT.)

C. TMS# 148-14-00-032 LOCATION: 3112 MARSH GATE DRIVE, SEABROOK ISLAND LOT 30, BLOCK 50

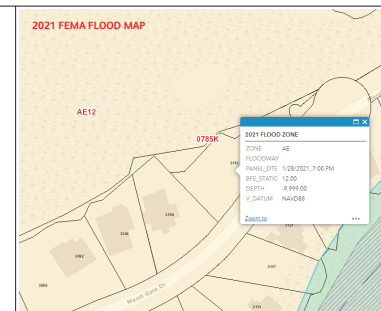
D. CURRENT PROPERTY LOCATED IN ZONE AE 12 (2021)

E. ZONING DISTRICT RSF-2

F. LOT COVERAGE ALLOWED FOR NON CONFORMING LOT - 40% PER TABLE 5.3.4.4 OF NEW SC 16A CHAPTER 160. 27,856% PER SUPA APPENDIX 5. MAXIMUM LOT COVERAGE FOR NON CONFORMING PROPERTIES.

**LOT COVERAGE (ZONED RSF-2)**

AVAILABLE BUILDABLE AREA: - 4,999 SQ. FT. OR 44%  
 DIFFERENCE: - 3,342 SQ. FT. OR 21.3%  
 UNAVAILABLE HIGHLAND AREA DUE TO SETBACKS: + 3,538 SQ. FT. OR 23.7%  
 TOTAL VARIANCE REQUEST: - 561 SQ. FT. OR 3.7%



2021 FEMA BFE NAVD88  
 BFE: 12'  
 DFE: 14'



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**SPRAETZ RESIDENCE**  
 3112 MARSH GATE DRIVE  
 SEABROOK ISLAND, SC

Site Plan 1"/10' - VARIANCE  
 1" = 10'-0"  
 A22058  
 01.11.23

**A002**

**PROJECT INFORMATION**

CONSTRUCTION TYPE--  
TWO STORY SINGLE-FAMILY RESIDENCE  
ZONING DISTRICT: SINGLE FAMILY

**ARCHITECT:**  
VINYET ARCHITECTURE  
56 BROAD ST, 3RD FL  
CHARLESTON, SC 29401  
843-619-7662

**OWNER:**  
GREG AND LEIGH ANNE SPRAETZ  
GSPRAETZ@LIVE.COM  
678-232-3803

**LANDSCAPE ARCHITECT:**  
THREE OAKS CONTRACTORS  
5629 SAVANNAH HIGHWAY  
RAVENEL, SC 29470  
843-564-1315  
MWILSON@3OAKSCONTRACTORS.COM

**STRUCTURAL ENGINEER:**  
---

**SURVEYOR:**  
SOUTHEASTERN SURVEYING LLC  
1035-B JENKINS ROAD  
CHARLESTON SC 29407  
(843)795-9330

**SQUARE FOOTAGE**

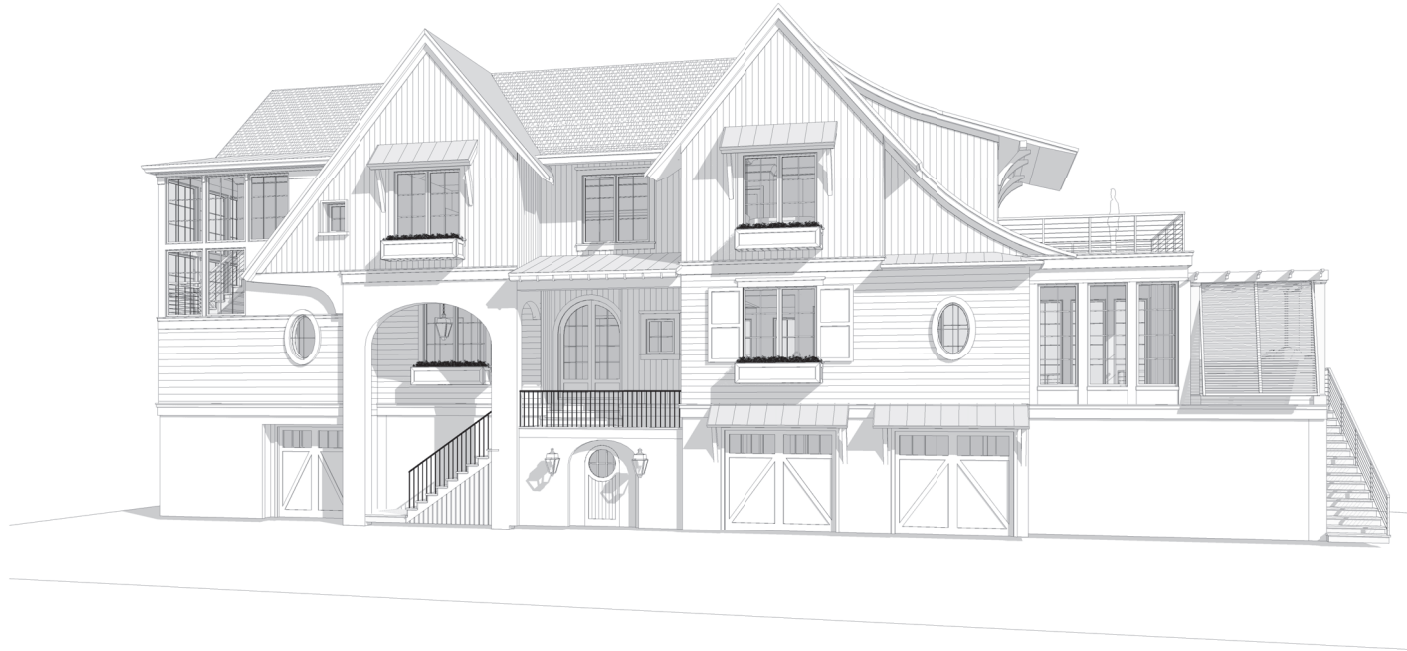
FIRST FLOOR HEATED	2230 SF
SECOND FLOOR HEATED	1736 SF
<b>TOTAL HEATED</b>	<b>3966 SF</b>
LOWER LEVEL	2230 SF
COVERED PORCHES	67 SF
OPEN PORCHES	743 SF
<b>TOTAL UNDER ROOF</b>	<b>7455 SF</b>

NOTE: SQUARE FOOTAGE CALCULATION IS TAKEN FROM OUTSIDE FACE OF EXTERIOR STUD WALL.  
FINISHED SQUARE FOOTAGE CALCULATIONS FOR THIS HOUSE WERE MADE BASED ON PLAN DIMENSIONS AND NOT TAKEN FROM THE FINISHED SQUARE FOOTAGE OF THE HOUSE AS BUILT.

ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CURRENT APPLICABLE CODES AND LOCAL REQUIREMENTS (IRC 2018 W/ SOUTH CAROLINA AMENDMENTS)

**TABLE OF INDEX:**

C1	COVER PAGE
	SURVEY
A001	SITE PLAN
L1.0	SITE ANALYSIS
L2.0	SITE DEVELOPMENT
L3.0	SITE PROTECTION



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ISSUED FOR PERMIT: --  
ISSUED FOR VARIANCE: --



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asheville charleston rock hill



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**SPRAETZ  
RESIDENCE**  
3112 MARSH GATE DRIVE  
SEABROOK ISLAND, SC

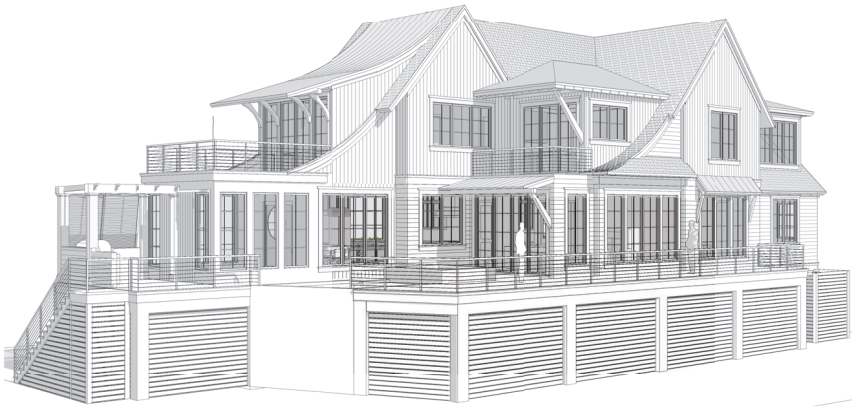
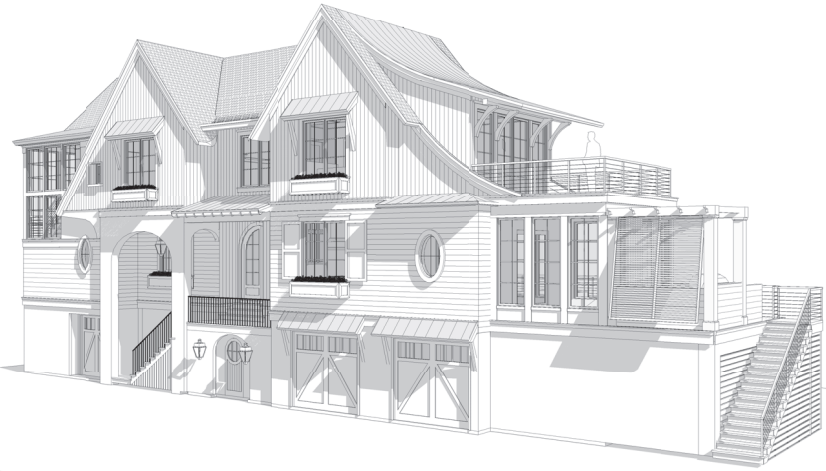
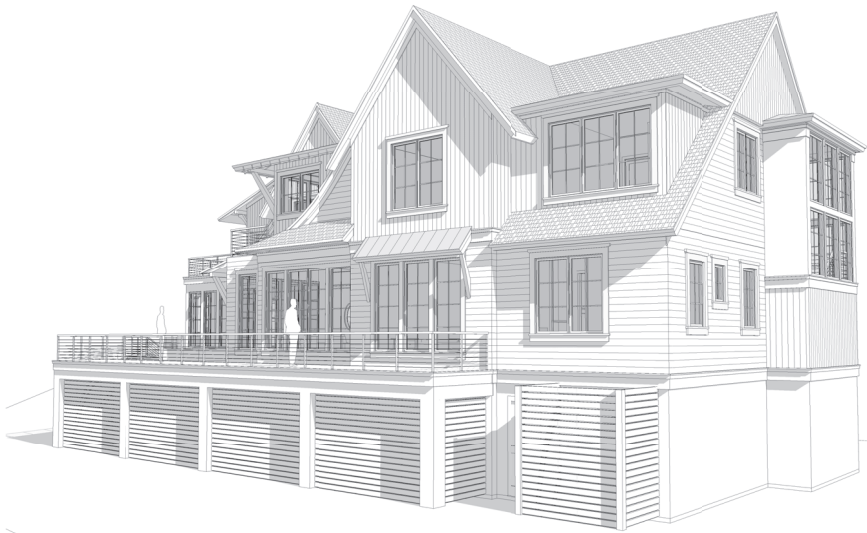
Cover Page

1/4" = 1'-0"

A22058

12.13.22

**C1**



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**SPRAETZ RESIDENCE**  
 3112 MARSH GATE DRIVE  
 SEABROOK ISLAND, SC

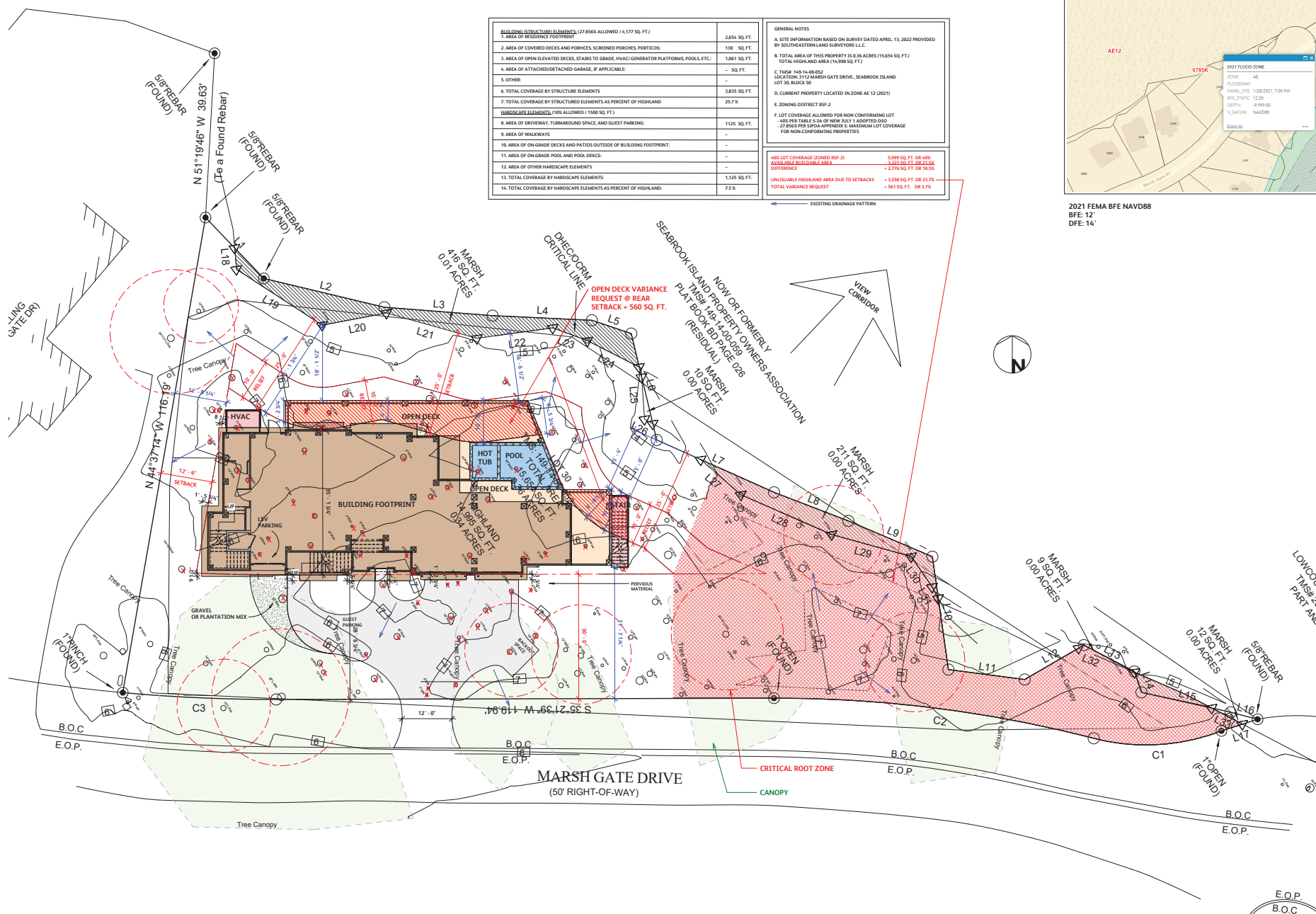
Perspectives

A22058  
 12.13.22

**G001**







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**SPRAETZ RESIDENCE**  
3112 MARSH GATE DRIVE  
SEABROOK ISLAND, SC

Site Plan 1/10' - VARIANCE  
1" = 10'-0"  
A22058  
01.11.23

**A002**






### SQUARE FOOTAGE

FIRST FLOOR HEATED	2230 SF
SECOND FLOOR HEATED	1736 SF
<b>TOTAL HEATED</b>	<b>3966 SF</b>
LOWER LEVEL	2230 SF
COVERED PORCHES	161 SF
OPEN PORCHES	1098 SF

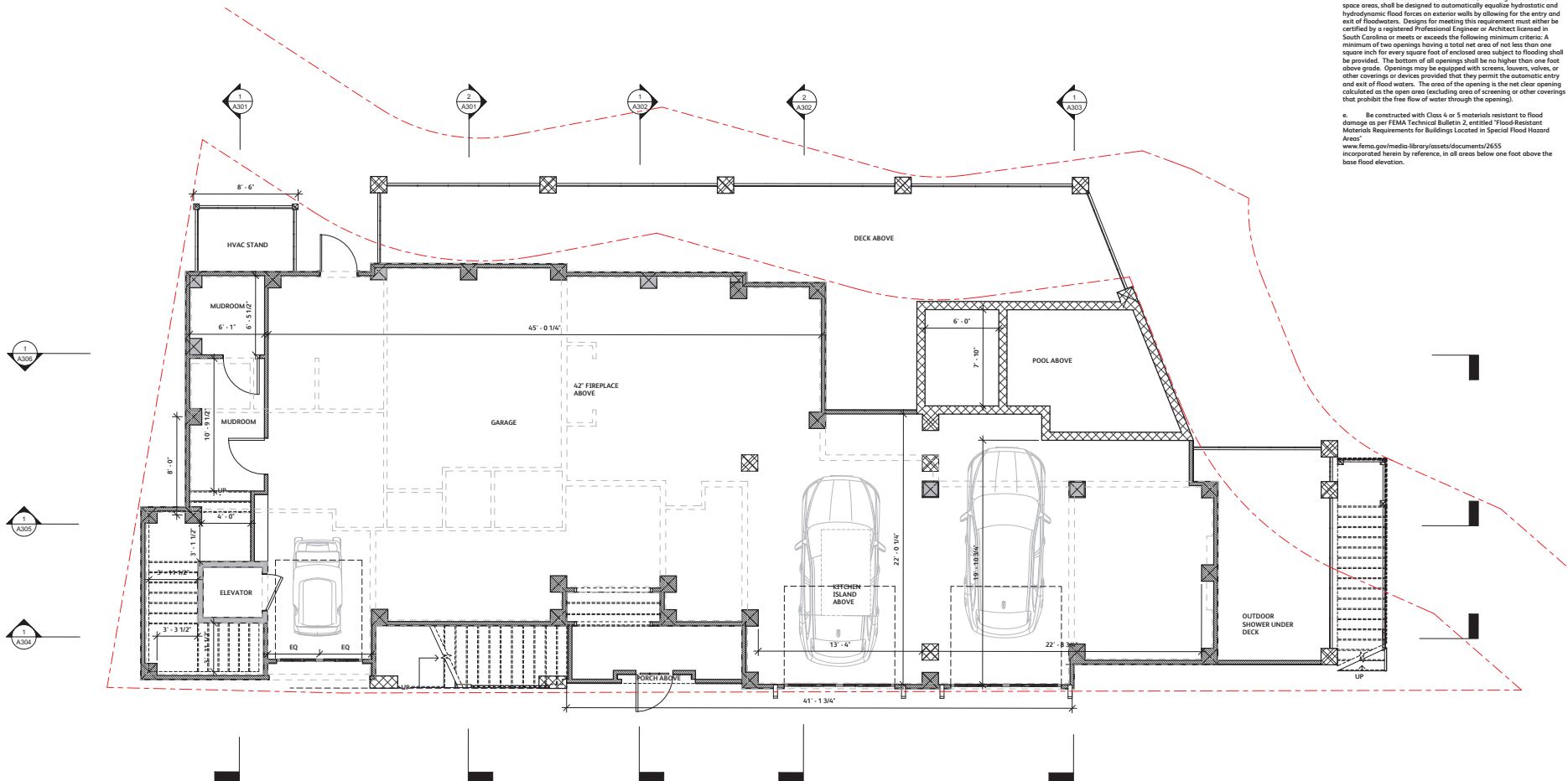
**TOTAL UNDER ROOF 7455 SF**

NOTE: SQUARE FOOTAGE CALCULATION IS TAKEN FROM OUTSIDE FACE OF EXTERIOR STAIR WALL.  
FINISHED SQUARE FOOTAGE CALCULATIONS FOR THIS HOUSE WERE MADE BASED ON PLANS CONSIDERING ONLY AREA VISIBLE FROM THE FINISHED SQUARE FOOTAGE OF THE HOUSE SUBJECT.

-  SOLID HATCH INDICATES 2X6 WALLS
-  DIAGONAL HATCH INDICATES 2X4 WALL
-  DIAGONAL CROSS HATCH INDICATES CMU WALL

### Flood Notes

- All new construction and substantial improvements within the areas of special flood hazard shall:
- Be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities, including bottom of electric panel, that are located so as to prevent water from entering or accumulating within the components during conditions of flooding to a minimum of one foot above the base flood elevation.
  - Electrical receptacles and switches shall be located a minimum of one foot above the base flood elevation or on separate GFI circuit.
  - Enclosed areas below the lowest floor, including foundation crawl space areas, shall be designed to automatically equalize hydrostatic and hydrodynamic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered Professional Engineer or Architect licensed in South Carolina or meets or exceeds the following minimum criteria: A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of flood waters. The area of the opening is the net clear opening calculated on the open area (excluding area of screening or other covering that prohibit the free flow of water through the opening).
  - Be constructed with Class 4 or 5 materials resistant to flood damage as per FEMA Technical Bulletin 2, entitled "Flood-Resistant Materials Requirements for Buildings Located in Special Flood Hazard Areas" [www.fema.gov/media-library/assets/documents/2655](http://www.fema.gov/media-library/assets/documents/2655) incorporated herein by reference, in all areas below one foot above the base flood elevation.



1 | LOWER LVL SLAB  
A100 | 1/4" = 1'-0"

STATE OF SOUTH CAROLINA  
MYLES S. ALEXANDER  
1987  
REGISTERED ARCHITECT

STATE OF SOUTH CAROLINA  
Vinyl Architecture, LLC  
Charleston, SC  
10022  
REGISTERED ARCHITECTS

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**SPRAETZ RESIDENCE**  
3112 MARCH GATE DRIVE  
SEABROOK ISLAND, SC




Lower Level Floor Plan  
1/4" = 1'-0"  
A22058  
12.13.22

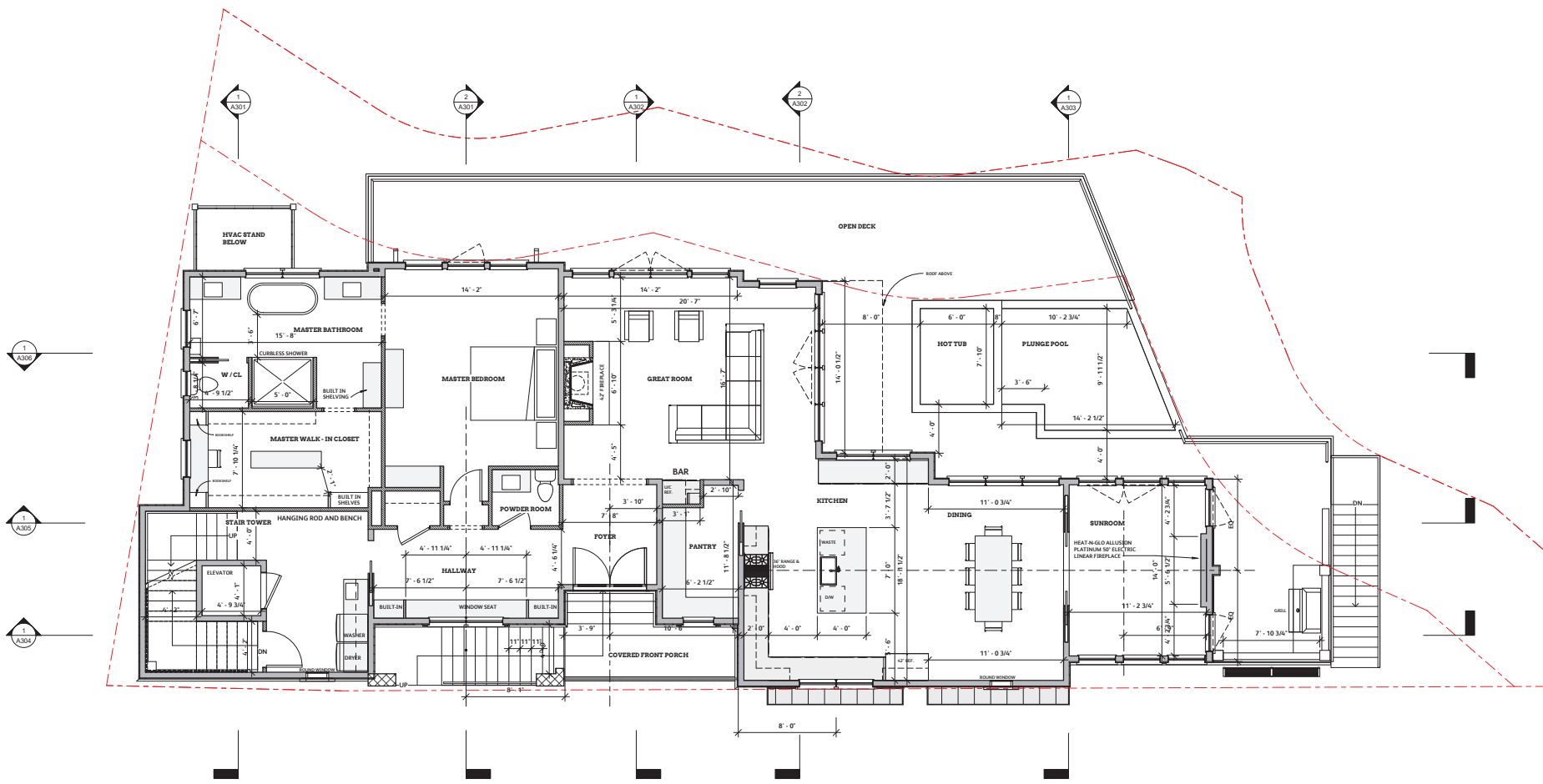
**A100**

### SQUARE FOOTAGE

FIRST FLOOR HEATED	2230 SF
SECOND FLOOR HEATED	1736 SF
<b>TOTAL HEATED</b>	<b>3966 SF</b>
LOWER LEVEL	2230 SF
COVERED PORCHES	161 SF
OPEN PORCHES	1098 SF
<b>TOTAL UNDER ROOF</b>	<b>7455 SF</b>

NOTE: SQUARE FOOTAGE CALCULATED BY TAKEN FROM OUTSIDE FACE OF EXTERIOR STUD WALL.  
 FINISHED SQUARE FOOTAGE CALCULATIONS FOR THIS HOUSE WERE MADE BASED ON PLAN DIMENSIONS ONLY AND MAY VARY FROM THE FINISHED SQUARE FOOTAGE OF THE HOUSE AS BUILT.

-  SOLID HATCH INDICATES 2X6 WALLS
-  DIAGONAL HATCH INDICATES 2X4 WALL
-  DIAGONAL CROSS HATCH INDICATES CMU WALL



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**SPRAETZ RESIDENCE**  
 3112 MARCH GATE DRIVE  
 SEABROOK ISLAND, SC

First Floor Plan  
 1/4" = 1'-0"  
 A22058  
 12.13.22




**A101**

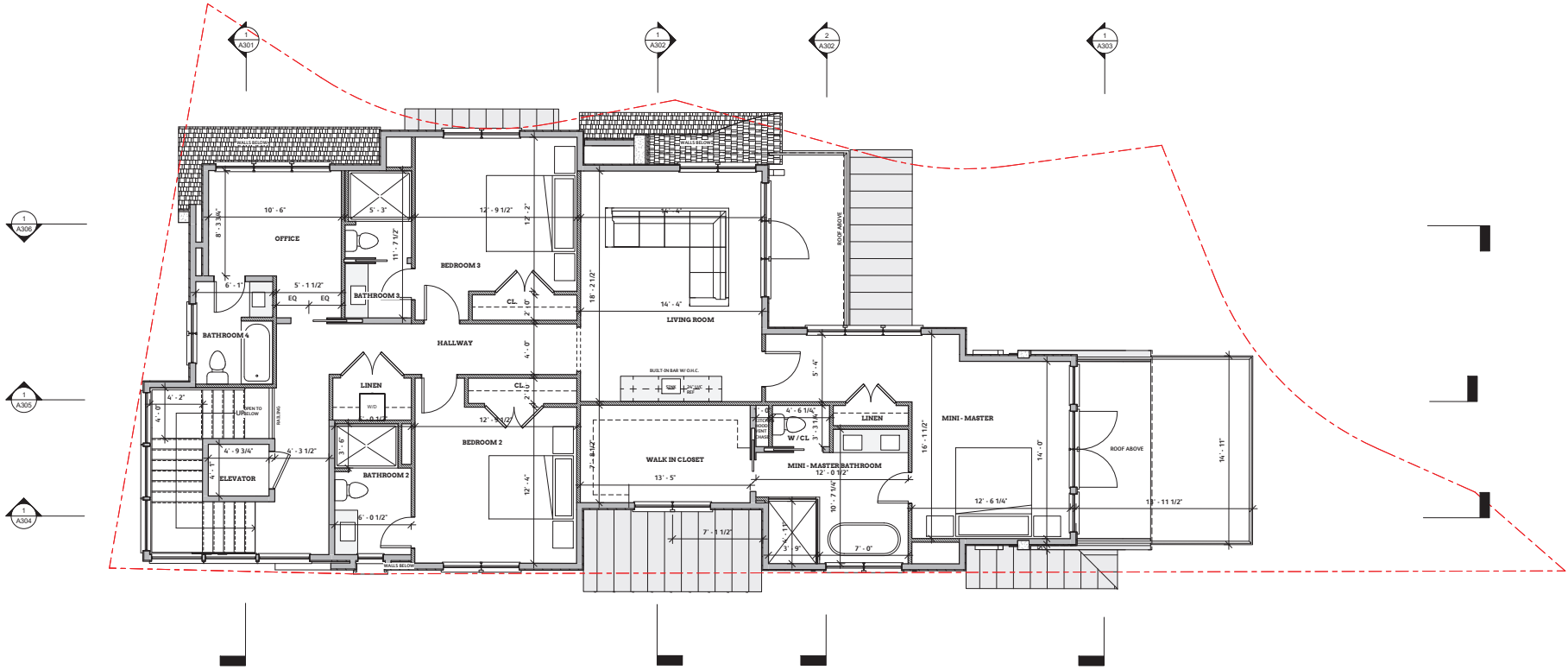


### SQUARE FOOTAGE

FIRST FLOOR HEATED	2230 SF
SECOND FLOOR HEATED	1736 SF
<b>TOTAL HEATED</b>	<b>3966 SF</b>
LOWER LEVEL	2230 SF
COVERED PORCHES	161 SF
OPEN PORCHES	1098 SF
<b>TOTAL UNDER ROOF</b>	<b>7455 SF</b>

NOTE: SQUARE FOOTAGE CALCULATIONS BY TAKEN FROM OUTSIDE FACE OF EXTERIOR STUD WALL.  
 FINISHED SQUARE FOOTAGE CALCULATIONS FOR THIS HOUSE WERE MADE BASED ON DRAWINGS PROVIDED ONLY AND MAY VARY FROM THE FINISHED SQUARE FOOTAGE OF THE HOUSE AS BUILT.

-  SOLID HATCH INDICATES Z66 WALLS
-  DIAGONAL HATCH INDICATES Z64 WALL
-  DIAGONAL CROSS HATCH INDICATES CMU WALL



STATE OF SOUTH CAROLINA  
 MYLES S. ALEXANDER  
 Asheville, NC 7987  
 REGISTERED ARCHITECT

STATE OF SOUTH CAROLINA  
 Vinnet Architecture, LLC  
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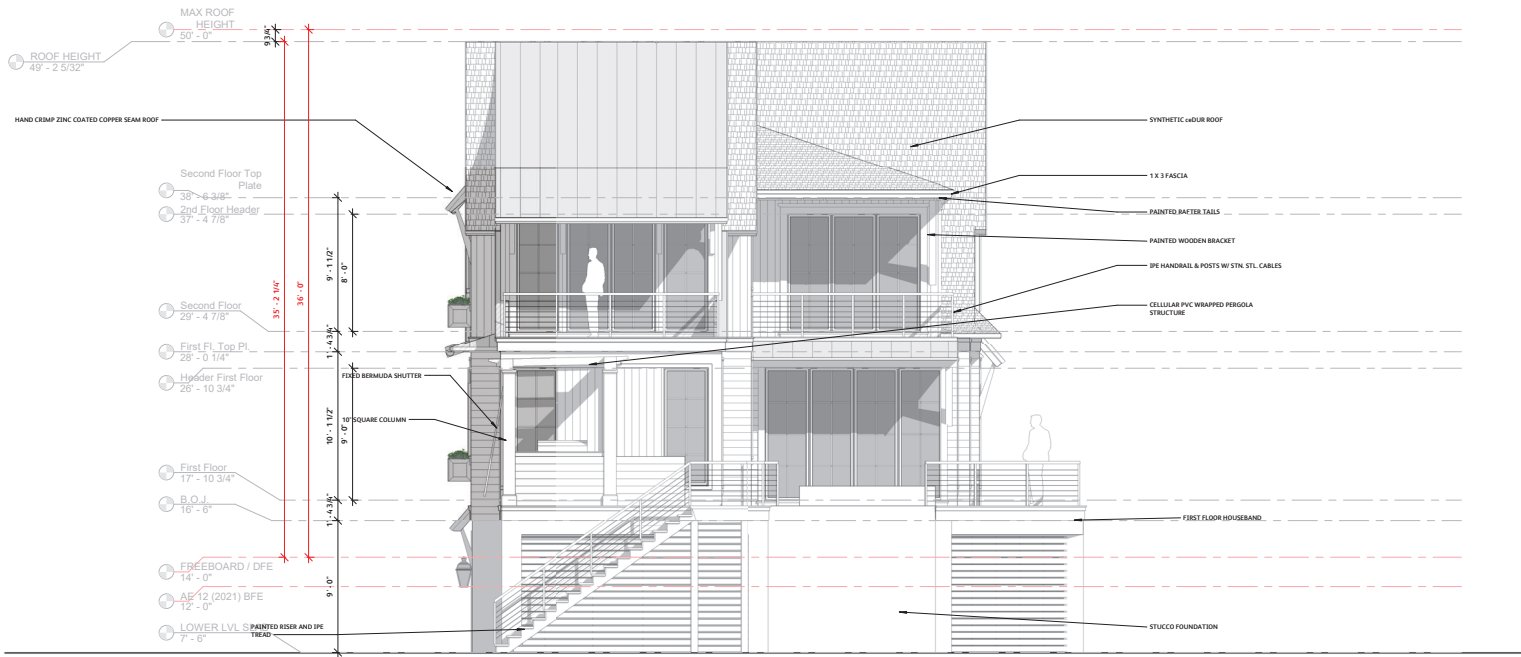
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**SPRAETZ RESIDENCE**  
 3112 MARCH GATE DRIVE  
 SEABROOK ISLAND, SC

Second Floor Plan  
 1/4" = 1'-0"  
 A22058  
 12.13.22

**A102**





1 | Right Elevation  
A202 | 1/4" = 1'-0"



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**SPRAETZ RESIDENCE**  
 3112 MARSH GATE DRIVE  
 SEABROOK ISLAND, SC

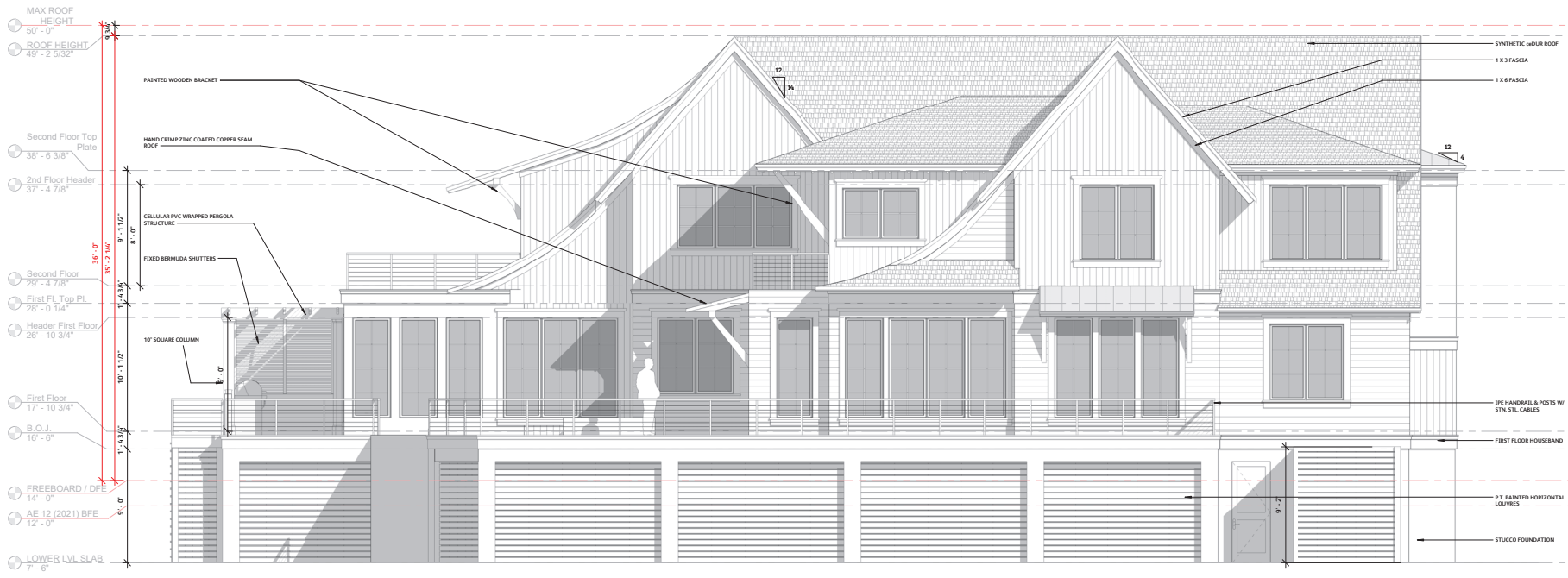
Right Elevation

1/4" = 1'-0"

A22058

12.13.22

**A202**



1 | 3 Rear Elevation  
A203 | 1/4" = 1'-0"



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 803.324.5531

vinet  
 Architecture, LLC  
 Charleston, SC  
 29403

charleston  
 803.575.5243  
 643.017.662



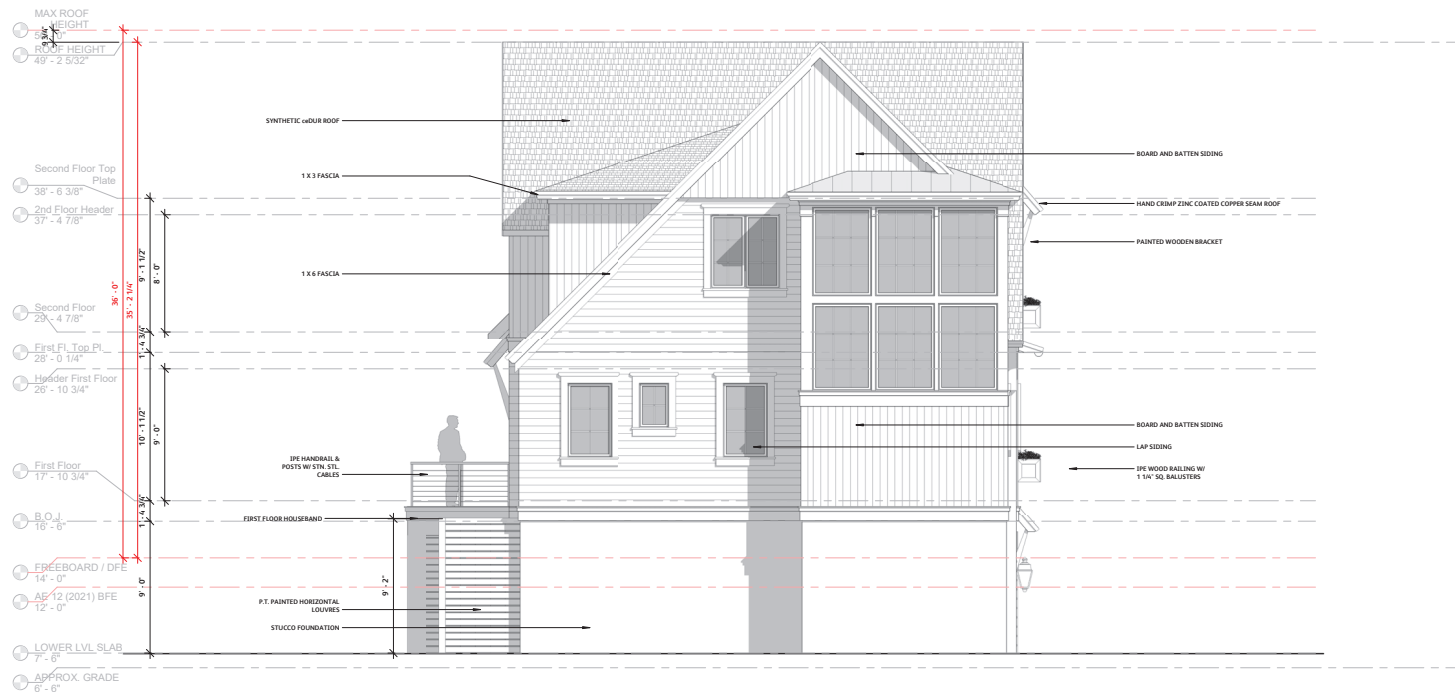
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**SPRAETZ RESIDENCE**  
 3112 MARCH GATE DRIVE  
 SEABROOK ISLAND, SC

Rear Elevation  
 1/4" = 1'-0"  
 A22058  
 12.13.22

**A203**



1 | 2 Left Elevation  
A204 | 1/4" = 1'-0"



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**SPRAETZ RESIDENCE**  
 3112 MARCH GATE DRIVE  
 SEABROOK ISLAND, SC

Left Elevation

1/4" = 1'-0"

A22058

12.13.22

**A204**



**S E A B R O O K I S L A N D**  
*P r o p e r t y O w n e r s A s s o c i a t i o n*

*1202 Landfall Way \* Johns Island, SC 29455 \* 843-725-1560 \* kburrell@sipoa.org*

January 11, 2023

Tyler Newman  
Zoning Administrator  
Town of Seabrook Island  
2001 Seabrook Island Road  
Seabrook Island, SC 29455

VIA email: [tnewman@townofseabrookisland.org](mailto:tnewman@townofseabrookisland.org)

Re: Block 50 Lots 30 – 3112 Marsh Gate Drive / New Construction Encroachment

Dear Mr. Newman:

It is my understanding that a variance request has been submitted to the Town of Seabrook Island Board of Zoning Appeals relating to the proposed 561 sq. ft. encroachment into rear 25' critical area setback to allow for a first-floor open deck and open stair along the rear setback. While the SIPOA ARC has not yet completed the formal review of these plans, the ARC is aware of the perspective owners' desire to construct a new residence on this property and the difficulties they face constructing a home that is comparable with others in that area due to the narrow size of the buildable area in relation to the critical area. The ARC has reviewed Conceptual Design Plans for this project and advised the owners and design team that additional plans could not be accepted by the ARC until a variance application was reviewed by the Town of Seabrook Island Board of Zoning Appeals.

Please contact me if you need any additional information.

Very truly yours,

Katrina Burrell, CMCA, AMS  
Director of Administration and Architectural Review

cc: Mrs. and Mrs. Greg Spraeetz via email  
Bill Sens / Vinyet Architecture via email  
B50 L30 – 3112 Marsh Gate Drive (Master File)









**EXHIBIT A**

ALL THAT CERTAIN LOT, PIECE OR PARCEL of land, situate, lying and being on Seabrook Island, Charleston County, State of South Carolina, and known and designated as LOT 30, BLOCK 50, ON A PLAT BY E.M. Seabrook, Jr., CE & LS, dated April 22, 1983, and recorded in the RMC Office for Charleston County in Plat Book BD, Page 26.

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

Said property is subject to all applicable covenants, conditions, restrictions, limitations, obligations and easements of record affecting subject property.

**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 being transferred is located at 3112 Marsh Gate Drive, Seabrook Island, SC 29455 bearing Charleston County Tax Map Number 149-14-00-052, was transferred by **Scofield Family LLC** to **Gregory L. Spraetz and Leigh Anne Spraetz** on May 20, 2022.
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 \_\_\_\_\_

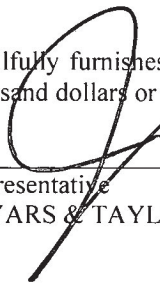
4. Check one of the following if either item 3(a) or item 3(b) above has been checked (See information section of this affidavit.):
  - (a) X The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \$800,000.00
  - (b) \_\_\_\_\_ The fee is computed on the 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: \_\_\_\_\_.

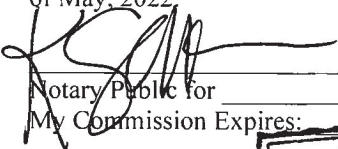
6. The deed recording fee is computed as follows:
  - (a) Place the amount listed in item 4 above here: 800,000.00
  - (b) Place the amount listed in item 5 above here: \_\_\_\_\_  
(If no amount is listed, place zero here.)
  - (c) Subtract line 6(b) from Line 6(a) and place result here: 800,000.00

7. 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

8. 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 BYARS & TAYLOR, LLC

Sworn to before me this 20th day of May, 2022.

  
 \_\_\_\_\_  
 Notary Public for \_\_\_\_\_  
 My Commission Expires: \_\_\_\_\_



# RECORDER'S PAGE



**NOTE:** This page **MUST** remain with the original document

**Filed By:**

BUIST BYARS & TAYLOR, LLC  
 FRESHFIELDS VILLAGE  
 130 GARDNER'S CR PMB 138  
 JOHNS ISLAND SC 29455 (COURIER)

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Date:	May 26, 2022	
Time:	1:55:38 PM	
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Michael Miller, Register Charleston County, SC		

**MAKER:**

SCOFIELD FAMILY LLC

# of Pages: 5

Note:

**RECIPIENT:**

SPRAETZ GREGORY L AL

Recording Fee	\$ 15.00
State Fee	\$ 2,080.00
County Fee	\$ 880.00
Extra Pages	\$ -
Postage	\$ -
Chattel	\$ -
<b>TOTAL</b>	<b>\$ 2,975.00</b>

**Original Book:**

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DRAWER: Drawer 2  
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AUDITOR STAMP HERE  
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To whom this may concern,

We are so excited about making Seabrook our home. We have lived in Atlanta for most of our adult lives and have been very active in our community, both professionally and personally. When we spent last Christmas at our daughter's home in Mt. Pleasant, we spontaneously visited dear friends who had recently retired to Seabrook. We were immediately captivated by the community's respect for the island's surrounding nature as well as the break from heavy traffic that Atlanta does not offer.

We looked at many lots that provided a marsh or golf view and had the opportunity for a small pool where we could maximize our love for the outdoors. When homes or lots within our budget became available, we called our agent, Stuart Rumph, to ask about these criteria. We also tried to make the New Home Collection options work and had many conversations with Bill Britton, but we couldn't find the size we needed or have a pool on the lots that were available. Finally, we found 3112 Marsh Gate.

We loved the quiet street along with the amazing view and were thrilled to hear that the neighbors are social and friendly. After receiving the survey prior to buying, we interviewed several local builders and architects and learned from them that the lot lines were more challenging than anticipated. Because the lot is uniquely narrow, we were told the amount of usable space is proportionately less than other lots on our street and in the community. We were aware of the 10' allowance for a deck on the back of the house while staying compliant with then current critical line ordinances. We thought we had thoroughly investigated the limitations. After signing on with Vin-yet in late August, only then did we find out about the marsh front OCRM setback changes which went into effect in July only a couple months after our closing.

We have worked very hard to design a differentiated style home (longer and narrower) around these hardships that meets our living requirements while respecting the boundary lines and conforming to the general attributes of the other surrounding homes, which this plan achieves. We wanted to build a house that will allow us to enjoy as much natural light as possible while taking in the views from all sides, while also maximizing outdoor living opportunities. We were invited by our neighbor to view his back deck and pool and were giddy with excitement as we envisioned experiencing this lifestyle every day. Because it will be the last house we hope to buy and certainly to build, the deck and pool area are so important to us.

We anticipate having elderly parents visit frequently, with hopes of also having frequent visits by future grandchildren from Mt Pleasant. A small pool will help to accommodate older parents and young grandchildren, while also allowing continued water therapy for Leigh Anne due to two back surgeries.

Thank you for our variance consideration,

Greg and Leigh Anne Spraez

**From:** [Elyse Jung](#)  
**To:** [Tyler Newman](#); [Katharine Watkins](#)  
**Subject:** Variance request for 3112 Marsh Gate Drive  
**Date:** Thursday, January 19, 2023 10:31:13 AM

---

I write this letter to oppose the request for variance from the Development Standard Ordinance for the Town of Seabrook Island for the lot address of 3112 Marsh Gate Drive.

I understand that the Critical Area Setback rules were developed for the protection of all of Seabrook Island, its natural areas, as well as its property owners. The intent of these rules is to prevent harmful developmental impact. The lot in question is currently nonconforming in size (0.34 acres of highland area) and is of unusual shape (squeezed between road and marsh). A variance for this lot, I believe, would establish a detrimental and dangerous precedent for the enforcement of the Critical Area Setback rules currently in place. The compromise of our existing standards does have consequences!

I believe the current property owner has the option to submit plans that conform to our established rules which are there for the protection of all Seabrook Island property owners. I do not believe the granting of a variance to this nonconforming lot is wise or justified.

I would also add that I have spoken to several of my fellow property owners (who reside on or near this marsh) and none of them were notified or made aware of this proposed variance to our existing Island wide rules. I believe any variance to existing standards is of interest to all Seabrook Island property owners and should be addressed with this in mind.

Thank you for your consideration.

Peter Jung, MD  
1504 Marsh Haven Rd.  
Seabrook Island



## PUBLIC HEARING NOTICE

**TO:** Neighboring Property Owners & Property Management Companies  
**FROM:** Tyler Newman, Zoning Administrator  
**SUBJECT:** Variance Request for 3112 Marsh Gate Drive (Variance #180)  
**DATE:** January 13, 2023

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Dear Property Owner:

The purpose of this letter is to notify you that the owners of **3112 MARSH GATE 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:

- **A VARIANCE FROM DSO SECTION 10.5.A.1, CRITICAL AREA SETBACK, TO REDUCE THE REQUIRED 25' CRITICAL AREA SETBACK TO 15'-0" TO ALLOW FOR 561 SQUARE FEET OF FIRST FLOOR OPEN DECK AND OPEN STAIR.**

A copy of the variance application is enclosed for your information.

The Seabrook Island Board of Zoning Appeals will hold a **PUBLIC HEARING** on the variance request at the date and time listed below. This notification is being provided to you pursuant to Section § 20.2.B.2 of the DSO.

**PUBLIC HEARING DATE:** Wednesday February 22, 2023  
**PUBLIC HEARING TIME:** 1:00 PM  
**PUBLIC HEARING LOCATION:** TOWN HALL (2001 SEABROOK ISLAND ROAD)

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

The Public Hearing will be live streamed on the town's YouTube channel beginning at 1:00 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 [tnewman@townofseabrookisland.org](mailto:tnewman@townofseabrookisland.org).

Sincerely,

Tyler Newman  
Zoning Administrator



# The Post and Courier

148 Williman Street - Charleston, SC 29403

Classified Ad to publish in		Post and Courier, Post & Courier Web			
		* One affidavit of publication will be provided for Legal Ads. Additional affidavits will have a charge of \$10.00 per affidavit. (effective October 1, 2011) FOR ALL LEGAL AFFIDAVIT INQUIRIES CONTACT Dusty Drenning at <a href="mailto:ddrenning@postandcourier.com">ddrenning@postandcourier.com</a>			
Customer Name		TOWN OF SEABROOK ISLAND			
Order	2035395	Class	965	Lines	88.0
Account	108294	Start Date	01/18/2023	Payments	\$0.00
Name		Stop Date	01/18/2023	Total Price	<b>\$194.84</b>
Phone	(843) 768-9121	Insertions	2	Ad Rep	P&C Legals

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

The Town of Seabrook Island Board of Zoning Appeals will conduct a Public Hearing at 1:00 p.m. on February 22, 2023, at Seabrook Island Town Hall (2001 Seabrook Island Road). During the meeting, the Board will consider the following request for variance from the Development Standards Ordinance for the Town of Seabrook Island:

**APPLICATION # 180**

**APPLICANT:**  
Bill Sens of Vinvet Architecture

**ADDRESS:**  
3112 Marsh Gate Drive

**TAX MAP NUMBER:**  
149-14-00-052

**ZONING DISTRICT:**  
R-SF2

**CODE SECTION:**  
§10.5.A.1, Critical Area Setback

**VARIANCE REQUEST:** A variance from DSO §10.5.A.1, Critical Area Setback, to reduce the required 25' critical area setback to 15'-0" to allow for 561 square feet of first floor open deck and open stair.

The meeting will be open to the public. Documents relating to the variance request may be viewed at Town Hall during regular business hours or on the town's website at [www.townofseabrookisland.org](http://www.townofseabrookisland.org).

**Virtual Participation:**

Individuals who wish to participate in the meeting via Zoom may call (843) 768-9121 or email [kwatkins@townofseabrookisland.org](mailto:kwatkins@townofseabrookisland.org) for log-in information prior to the meeting.

**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:**  
[inewman@townofseabrookisland.org](mailto:inewman@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 1:00 p.m. at <https://www.youtube.com>

/channel/UCIkF87knEApHD1q0kGlaGZ9  
**More Information:** For more information, please call (843) 768-9121.  
AD# 2035395

Legal (843) 958-7392 Fax: (843) 937-5473  
[www.postandcourier.com](http://www.postandcourier.com)







Parcel ID	Owner	Owner	Street Number	PROP_ST_NAME	Street Type	City	State	ZIP Code
1491400054	QUAGLIATO REV TRUST	TRUSTEES	3104	MARSH GATE	DR	SEABROOK ISLAND	SC	29455
1491400050	DONNELLY EDWARD KEITH	DONNELLY GEORGINA P	3131	MARSH GATE	DR	SEABROOK ISLAND	SC	29455
1491400049	JOYNER BRIDGET S		3125	MARSH GATE	DR	SEABROOK ISLAND	SC	29455
1491400047	JKM SEPARATE PROPERTY TRUST		3117	MARSH GATE	DR	SEABROOK ISLAND	SC	99999-9999
1491400048	PITTARD RAYMOND D	PITTARD RHONDA E	3121	MARSH GATE	DR	SEABROOK ISLAND	SC	29455
1491400053	BERRY STEPHEN B Jr	BERRY HOLLY N	3108	MARSH GATE	DR	SEABROOK ISLAND	SC	29455
1491400046	MIDDLETON JAMES KHRISTIAN		3113	MARSH GATE	DR	JOHNS ISLAND	SC	29455
1491400045	SWAN KEVIN M TRUST		3109	MARSH GATE	DR	SEABROOK ISLAND	SC	29455
1491400051	PEAGLAD LLC		3135	MARSH GATE	LN	SEABROOK ISLAND	SC	29455