

# TOWN OF SEABROOK ISLAND

Planning Commission Regular Meeting  
June 14, 2023 – 1:30PM

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.

## AGENDA

### CALL TO ORDER

### APPROVAL OF MINUTES

1. Regular Meeting: February 8, 2023

[pages 2 – 3]

### OLD BUSINESS ITEMS

*There are no old business items*

### NEW BUSINESS ITEMS

1. **Rezoning Request: 2961 Deer Point Drive**

[pages 4 – 19]

An ordinance amending the Zoning Map of the Town of Seabrook Island so as to change the zoning designation for Charleston County Tax Map Number 149-05-00-143, containing approximately 0.29 +/- acres located at 2961 Deer Point Drive, from the Moderate Lot Single-Family (R-SF2) District to the Conservation (CP) District.

### ITEMS FOR INFORMATION / DISCUSSION

*There are no items for information/discussion*

### ADJOURN

# TOWN OF SEABROOK ISLAND

Planning Commission Regular Meeting

February 8, 2023

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



## MINUTES

Present: Stan Ullner (Chair), Wayne Billian (Vice Chair), Jim Newton, Tyler Newman (Zoning Administrator), Katharine Watkins (Town Clerk)

Absent: Tom Hund, Sharon Welch

Guests: Mitchell Laskowitz, The Club at Seabrook Island

### APPROVAL OF MINUTES

#### 1. Regular Meeting: January 11, 2023

Mr. Newton moved to approve the previous meeting minutes of January 11<sup>th</sup>; Mr. Billian seconded.

The previous meeting minutes of January 11<sup>th</sup> were approved.

### OLD BUSINESS ITEMS

None.

### NEW BUSINESS ITEMS

#### 1. **Temporary Use Permit: Seabrook Island Racquet Club**

Zoning Administrator Newman summarized the Temporary Use Permit request by The Club at Seabrook Island, to place an 8' x 10' small structure at the Seabrook Island Racquet Club property located at 1701 Long Bend Drive for a period of 90 days.

The commission clarified when construction would begin for the pickleball courts, and if there are any hazardous conditions to consider with the locations with the applicant and Zoning Administrator Newman.

Mr. Billian moved to approve the Temporary Use Permit request as presented and with staff's conditions; Mr. Newton seconded.

Zoning Administrator Newman noted the staff's condition is the temporary use is valid for 90 days and if an extension is needed to come to staff at least 30 days prior to the permit expiration.

The Temporary Use Permit request for The Club at Seabrook Island was approved with staff's conditions.

## 2. Rezoning Request: 2754 Old Forest Drive

Zoning Administrator Newman summarized the rezoning request from the Seabrook Island Property Owners Association (SIPOA) at 2754 Old Forest Drive from R-SF2 to CP.

The Commission clarified if there was any difference with this property and other areas that are in the CP District, and the list of allowable uses in the CP District

Mr. Billian moved to approve the rezoning request for 2754 Old Forest Drive; Mr. Newton seconded. All voted in favor.

The Rezoning Request for 2754 Old Forest Drive from R-SF2 to CP was approved.

## ITEMS FOR INFORMATION / DISCUSSION

The Commission discussed the status of the proposed MUSC building and the property the proposed building is on.

## ADJOURN

Mr. Newton moved to adjourn the meeting; Mr. Billian seconded. All voted in favor.

The meeting adjourned at 1:48 PM.

Date: February 8<sup>th</sup>, 2023

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



# MEMORANDUM

**TO:** Planning Commission Members  
**FROM:** Tyler Newman, Zoning Administrator  
**SUBJECT:** Rezoning Request for 2961 Deer Point Drive  
**MEETING DATE:** June 14, 2023

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The Planning Commission is asked to review and provide a recommendation on a rezoning request from the Seabrook Island Property Owners Association for Charleston County Tax Map Number 149-05-00-143, containing approximately 0.29 +/- acres located at 2961 Deer Point Drive. The applicant is seeking to rezone the property from the Moderate Lot Single-Family (R-SF2) District to the Conservation (CP) District.

The property, which is currently vacant, is surrounded on two sides by parcels zoned Moderate Lot Single-Family (R-SF2). The rear of the property backs up to a marsh, which contributes to its value as a conservation lot.

Subject to rezoning approval, this property is intended to remain as an undeveloped “open space” lot. Uses permitted within the CP district are limited to the following:

- (a) Accessory Uses & Structures
- (b) Bulkhead and erosion control devices
- (c) Community Gardens
- (d) Open space preserves such as wetlands and wildlife habitat refuge areas
- (e) Greenways, boardwalks, and non-motorized trails/pathways
- (f) Open-air recreation uses (CONDITIONAL)
- (g) Utility substation or sub installation (CONDITIONAL)
- (h) Wireless communication antennas or towers (CONDITIONAL)

Pursuant to Development Standards Ordinance § 19.3, in considering amendments to the official zoning map, the Planning Commission shall consider each of the seventeen criteria outlined in § 19.3.B. Attached to this memo you will find the applicant’s narrative that address each of the criteria in § 19.3.B.

A copy of the draft rezoning ordinance is attached for review.

**Staff Recommendation**

Staff agrees with the applicant's analysis of § 19.3.B and recommends in favor of **APPROVAL** of the rezoning request.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'TN', is written over a horizontal line.

Tyler Newman  
Zoning Administrator

**TOWN OF SEABROOK ISLAND**

**ORDINANCE NO. 2023-05**

**ADOPTED \_\_\_\_\_**

**AN ORDINANCE AMENDING THE ZONING MAP OF THE TOWN OF SEABROOK ISLAND SO AS TO CHANGE THE ZONING DESIGNATION FOR CHARLESTON COUNTY TAX MAP NUMBER 149-05-00-143, CONTAINING APPROXIMATELY 0.29 +/- ACRES LOCATED AT 2961 DEER POINT DRIVE, FROM THE MODERATE LOT SINGLE-FAMILY (R-SF2) DISTRICT TO THE CONSERVATION (CP) DISTRICT.**

**WHEREAS**, on or about March 24, 2023, the Seabrook Island Property Owners Association filed Rezoning Application #89 with the Town of Seabrook Island seeking to change the zoning designation of Charleston County Tax Map Number 149-05-00-143, containing approximately 0.29 +/- acres located at 2961 Deer Point Drive, from the Moderate Lot Single-Family (R-SF2) district to the Conservation (CP) district; and

**WHEREAS**, the Seabrook Island Planning Commission reviewed the above referenced rezoning application during its regularly scheduled meeting on June 14, 2023, at which time the Planning Commission made a recommendation to the Mayor and Council that the rezoning request is in the best interest of the Town of Seabrook Island and is consistent with the Town's Comprehensive Plan; and

**WHEREAS**, a public hearing was held on the above referenced rezoning application on July 25, 2023, as required by law;

**NOW, THEREFORE**, pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, **BE IT ORDAINED BY THE MAYOR AND COUNCIL FOR THE TOWN OF SEABROOK ISLAND:**

**SECTION 1. Zoning Map Amendment.** The Official Zoning District Map of the Town of Seabrook Island is hereby amended to change the zoning designation for Charleston County Tax Map Number 149-05-00-143, containing approximately 0.29 +/- acres located at 2961 Deer Point Drive, from the Moderate Lot Single-Family (R-SF2) district to Conservation (CP) district. A map of the property subject to this rezoning ordinance is attached hereto as Exhibit A.

**SECTION 2. Severability.** If any section, subsection, paragraph, clause, or provision of this ordinance shall be deemed to be unconstitutional, unenforceable, or otherwise invalid by the final decision of a court of competent jurisdiction, it shall be construed to have been the legislative intent of Town Council to pass said ordinance without such unconstitutional provision, and the validity of all remaining sections, subsections, paragraphs, clauses, or provisions of said ordinance shall not be affected thereby. If said ordinance, or any provision thereof, is held by the final decision of a court of competent jurisdiction to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

**SECTION 3. Conflicting Ordinances Repealed.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**SECTION 4. Effective Date.** This ordinance shall be effective from and after the date of adoption.

**SIGNED AND SEALED** this \_\_\_\_\_ day of \_\_\_\_\_, 2023, having been duly adopted by the Town Council for the Town of Seabrook Island on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

First Reading: June 27, 2023  
Public Hearing: July 25, 2023  
Second Reading: July 25, 2023

TOWN OF SEABROOK ISLAND

\_\_\_\_\_  
John Gregg, Mayor

ATTEST

\_\_\_\_\_  
Katharine E. Watkins, Assistant Town Administrator



## EXHIBIT A



**TMS #:** 149-05-00-143

**ADDRESS:** 2961 Deer Point Drive

**ACREAGE:** 0.29 (+/-)

**CURRENT ZONING:** Moderate Lot Single-Family (R-SF2)

**PROPOSED ZONING:** Conservation (CP)





# TOWN OF SEABROOK ISLAND

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

## Rezoning Application

*USE THIS FORM FOR: Requests to rezone property within the Town limits of Seabrook Island (Also known as a "Map Amendment")*

1. PROPERTY INFORMATION			
Property Address(es)	2961 Deer Point Dr.		
Tax Map Number(s)	1490500143	Block #	49
		Lot #	27
Current Zoning	R-SF2	Proposed Zoning	Conservation (CP)
Current Use(s)	vacant lot	Proposed Use(s)	vacant lot
Is this property subject to private restrictions or covenants? (eg. SIPOA and/or Regime)			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Is this property subject to an OCRM critical line? (eg. Marshfront or Beachfront Lots)			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Total Lot Area (Acres or Ft <sup>2</sup> )	12,834.06	High Ground (Acres or Ft <sup>2</sup> )	8,814.52

2. APPLICANT INFORMATION	
Please provide information regarding the individual(s) who is (are) submitting the Rezoning Application.	
Applicant Name(s)	SIPOA
Applicant Address	1202 Landfall Way
Applicant Phone Number	843.768.0061
Applicant Email Address	hpaton@sipoa.org
If the Applicant(s) is (are) not the Property Owner(s), what is the Applicant(s)'s relationship to the Property Owner(s)?	

3. PROPERTY OWNER INFORMATION	
Please provide information for all Property Owner(s). The Property Owner name(s) must match those listed on the deed.	
Property Ownership Type	<input type="checkbox"/> Individual(s) <input type="checkbox"/> Corporation <input checked="" type="checkbox"/> Eleemosynary <input type="checkbox"/> HOA/Regime <input type="checkbox"/> Partnership <input type="checkbox"/> Trust <input type="checkbox"/> Other
Property Owner Name(s)	SIPOA
Property Owner Address	1202 Landfall Way
Property Owner Phone Number	843.768.0061
Property Owner Email Address	hpaton@sipoa.org

4. OVERVIEW OF REQUEST
Please provide a brief overview of the rezoning request.
Parcel donated to SIPOA by SIGSC on March 20, 2023. Change zoning from R-SF2 to CP-Conservation.

5. 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. <b>This form must be signed in the presence of the Zoning Administrator OR signatures must be notarized. (See Section 6)</b>	
Applicant Signature	<i>Sharon Paton</i> Date <i>3/24/23</i>
Owner Signature(s)	Date
<i>(If different from Applicant)</i>	Date

OFFICE USE ONLY			
Date Received	Case #	Ordinance #	Adopted

**6. ACKNOWLEDGEMENT**

Zoning Administrator Signature		Date	
- OR -			
Notary Certification (If not signed in the presence of the Zoning Administrator)		Notary's Official Seal	
State of <u>South Carolina</u> ; County of <u>Charleston</u>			
One this <u>24</u> day of <u>March</u> 20 <u>23</u> , before me personally appeared the above signers who provided satisfactory evidence of his/her/their identification to be the person whose name(s) is (are) subscribed to this instrument and he/she/they acknowledged that he/she/they have executed the foregoing instrument by his/her/their signature(s) above.			
Sworn to (or affirmed) and subscribed before me this <u>24</u> day of <u>March</u> 20 <u>23</u> .			
 Official Signature of Notary			
My commission expires: <u>1/13/2027</u>			

**7. APPLICATION MATERIALS**

Rezoning Applications must be accompanied by the following supplemental materials, as applicable. An application is not considered "complete" until all required documentation has been received by the Zoning Administrator.

**Required for ALL applications:**

- Completed and signed Rezoning Application Form (Paper Required; PDF Optional)**
  - o Please submit one completed paper application.
  - o The application form must be signed by ALL property owners. Properties which are owned by an association, corporation, partnership, trust or similar entity may be signed by an individual with the authority to sign on behalf of the entity. All signatures must be original.
  - o The form must be signed in the presence of the Zoning Administrator or signatures must be notarized.
- Application Fee (See Schedule in Section 7)**
  - o Application fees may be paid by cash, check, or money order (payable to "Town of Seabrook Island"). Credit card payments will be accepted if paid in-person at Seabrook Island Town Hall.
- A narrative that explains the reason(s) for the rezoning request, the existing zoning designation of the property, the current or most recent use, the proposed zoning designation of the property, the intended use of the property upon rezoning, and how the request meets the criteria outlined in DSO Section 19.3.B (Paper or PDF Required)**
- Property survey (Paper or PDF Required)**
- A map or description detailing the existing zoning designation and land uses of all adjacent properties. (Paper or PDF Required)**
- Deed of record (Paper or PDF Required)**
- Traffic impact analysis (if deemed applicable by the Zoning Administrator). (Paper or PDF Required)**
- Any other information deemed relevant by the Zoning Administrator. (Paper or PDF Required)**

**8. FEE SCHEDULE**

Zoning Designation for Annexed Property	Fee Amount
Conservation (CP)	No Charge
All Zoning Designations Except CP and MU	\$250.00
Mixed Use (MU)	\$1,250.00 + \$10.00 Per Acre

**Narrative regarding zone change request and Planning Commission considerations per DSO**

This property is an undeveloped single family residential parcel that was purchased by the Seabrook Island Greenspace Conservancy in 2022. The property was subsequently quit-claimed to SIPOA on 12/12/22 with conservation deed restrictions. The future use of the property is as undeveloped property perpetually preserved as Greenspace. This request is to change the zoning designation to conservation.

1. **Whether the proposed rezoning is consistent with the goals, policies, and future land use recommendations of the TOWN's COMPREHENSIVE PLAN;** The request to preserve a parcel as conserved space is consistent with the plan.
2. **Whether the intended use of the property is consistent with the intent and purpose of the district to which the property is proposed to be rezoned;** There are other conserved parcels in the nearby area. (illustration attached).
3. **Whether there are, have been, or are anticipated to be (pursuant to the COMPREHENSIVE PLAN) changing conditions in the surrounding area that would make approval of the proposed rezoning appropriate;** There are no anticipated changes in area conditions.
4. **Whether the range and intensity of uses allowed in the proposed zoning district will be compatible with permitted uses and intensities in the surrounding area;** The proposed use is compatible with the surrounding area. The property is being rezoned to conservation and the property will be perpetually preserved as greenspace.
5. **Whether adequate utilities, transportation, drainage, and other public or private infrastructure exist, or can reasonably be made available, to serve the range and intensity of uses allowed in the proposed zoning district;** NA The property is being rezoned to conservation and the property will be perpetually preserved as greenspace.
6. **Whether the range and intensity of uses allowed in the proposed zoning district will exceed the structural capacity of existing soils, and whether the allowable uses can be accommodated within the proposed zoning district without the excessive use of fill;** NA The property is being rezoned to conservation and the property will be perpetually preserved as greenspace.
7. **Whether the range and intensity of uses allowed in the proposed zoning district will substantially increase the volume of stormwater runoff, overburden existing storm drainage infrastructure, or adversely impact surface water quality, when compared to the range and intensity of uses allowed in the current zoning district;** NA The property is being rezoned to conservation and the property will be perpetually preserved as greenspace.
8. **Whether the range and intensity of uses allowed in the proposed zoning district will substantially increase the volume of vehicular and pedestrian traffic, or will adversely impact vehicular and pedestrian safety, when compared to the range and intensity of uses allowed in the current zoning district;** NA The property is being rezoned to conservation and the property will be perpetually preserved as greenspace.
9. **Whether the current zoning district prohibits or unreasonably restricts all economically beneficial use of the property, provided the hardship was not self-imposed by action of the property owner,** NA The property is being rezoned to conservation and the property will be perpetually preserved as greenspace.

10. **Whether the proposed rezoning will encourage commercial uses in areas designated for such activities in the COMPREHENSIVE PLAN;** NA The property is being rezoned to conservation and the property will be perpetually preserved as greenspace. There is no commercial use anticipated.
11. **Whether the proposed rezoning will encourage the preservation of conservation lands, CRITICAL AREAs, natural resource areas, and OPEN SPACES in areas designated for such activities in the COMPREHENSIVE PLAN;** Yes. The property is being rezoned to conservation and the property will be perpetually preserved as green/open space.
12. **Whether the proposed zoning district will adversely impact the enjoyment of natural and scenic features by neighboring property owners or the public at large by allowing DEVELOPMENT of a certain size, scale, bulk, height, or type that is substantially out of character with the surrounding area;** NA The property is being rezoned to conservation and the property will be perpetually preserved as greenspace. No development will be permitted.
13. **Whether the proposed rezoning will threaten the continued presence or integrity of archaeological or historic sites or features;** The property is being rezoned to conservation and the property will be perpetually preserved as greenspace. The site will remain undisturbed.
14. **Whether the range and intensity of uses allowed in the proposed zoning district will adversely impact air and water quality, natural features, sensitive lands, vegetation, or wildlife habitat, when compared to the range and intensity of uses allowed in the current zoning district;** The property is being rezoned to conservation and the property will be perpetually preserved as greenspace and has no adverse impact on air and water quality, natural features, vegetation or wildlife habitat.
15. **Whether the range and intensity of uses allowed in the proposed zoning district will place a disproportionate burden upon, or otherwise exceed the capacity of, existing community facilities, when compared to the range of uses allowed in the current zoning district;** NA The property is being rezoned to conservation and the property will be perpetually preserved as greenspace creating no burden on facilities.
16. **Whether future DEVELOPMENT on the property, if rezoned, will be accessible to essential public services, including, but not limited to, police, fire, emergency medical services; and sanitation;** The property is being rezoned to conservation and the property will be perpetually preserved as greenspace. Public services are not required.
17. Such other factors as may be deemed appropriate by the PLANNING COMMISSION or TOWN

**Assessor's Map is attached.**

All adjacent parcels are single family residential.





O.C.R.M. STATEMENT

THE AREA SHOWN ON THIS PLAT IS A REPRESENTATION OF DEPARTMENT (SCDHEC-OCRM) PERMIT AUTHORITY ON THE SUBJECT PROPERTY. CRITICAL AREAS, BY THEIR NATURE, ARE DYNAMIC AND SUBJECT TO CHANGE OVER TIME. BY DELINEATING THE PERMIT AUTHORITY OF SCDHEC-OCRM, SCDHEC-OCRM IN NO WAY WAIVES ITS RIGHT TO ASSERT PERMIT JURISDICTION AT ANY TIME IN ANY CRITICAL AREA ON THE SUBJECT PROPERTY WHETHER SHOWN, HEREON OR NOT.

LOT 27 - APPROVED BY OCRM ON 8/12/2022
LOT 26 - APPROVED BY OCRM ON 11/25/2022

SIGNATURE DATE
THE CRITICAL LINE SHOWN ON THIS PLAT IS VALID FOR FIVE YEARS FROM THE DATE OF THIS SIGNATURE, SUBJECT TO THE CAUTIONARY LANGUAGE ABOVE.

O.C.R.M.

RECORDED

DATE: 5/10/2023 TIME: 3:25:15 PM

Book-Page S23 0115 DocType Small Plat

Karen Hollings, Register of Deeds, Charleston County, SC



Record Fee \$25.00
Postage \$2.00
TOTAL \$27.00
Drawn By 2001 SEABROOK ISLAND RD. SEABROOK ISLAND SC 29455
Location: DEER POINT DR

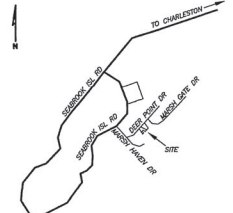
Chas. Co. R.O.D.

APPROVED AS SUBMITTED

ZONING ADMINISTRATOR 05/09/2023 DATE

NO AMENDMENTS, ALTERATIONS OR CHANGES TO THESE PLANS MAY BE MADE WITHOUT PRIOR APPROVAL FROM THE TOWN OF SEABROOK ISLAND

Town of Seabrook Island



Location Map

OCRM LINE TABLE

Table with 3 columns: LINE, BEARING, DISTANCE. Lists lines L1 through L31 with their respective bearings and distances.

Subject Property = LOT 27

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 MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN S.C. AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS A SURVEY AS SPECIFIED THEREIN.

NOTES

- 1. PLAT REF.: PLAT BOOK AW, PAGE 94
2. DEED REF.: LOT 27, DEED BOOK 1146, PAGE 225
3. PROPERTY OWNED BY: LOT 27, SEABROOK ISLAND GREEN SPACE CONSERVANCY
4. LOT 27 T.M.S. NO. 149-05-00-143
5. LOT 26 T.M.S. NO. 149-05-00-144
6. LOT 27 ADDRESS: 2961 DEER POINT DR. SEABROOK ISLAND, SC 29455.
7. LOT 26 ADDRESS: 2957 DEER POINT DR. SEABROOK ISLAND, SC 29455.
8. LOT 27 AREA = 12,834.06 SqFt (0.29 Ac)
9. LOT 26 AREA = 13,185.88 SqFt (0.30 Ac)
10. THE PROPERTY APPEARS TO BE LOCATED IN COASTAL A1 FLOOD ZONE, ET. 12 AS SHOWN ON MAP 45019C 0785 K, DATED JAN.29,2021.
11. SEE REFERENCED PLAT FOR ALL OTHER GENERAL NOTES AND ANY SPECIAL NOTES.

LEGEND

- 9 LO = 9" DIA. LIVE OAK
12 P = 12" DIA. PINE
10 MAG = 10" DIA. MAGNOLIA
8 WO = 8" DIA. WATER OAK
9 PAL = 9" DIA. PALMETTO
PAL = PALMETTO BUSH
RBO = REBAR (OLD)
RBN = REBAR (NEW)
OTP = OPEN TOP PIPE (OLD)
CTP = CRIMP TOP PIPE (OLD)
CP = CALCULATED POINT

Existing Lot Acreages

Table comparing existing lot acreages for LOT 27 and LOT 26, including Highland Area, Marsh Area, and Total Area.

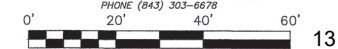
New Lot Acreages

Table comparing new lot acreages for LOT 27 and LOT 26, including Highland Area, Marsh Area, and Total Area.

PLAT SHOWING A PROPERTY LINE ADJUSTMENT

BETWEEN LOT 26 AND LOT 27 BLOCK 49 THE TOWN OF SEABROOK ISLAND CHARLESTON COUNTY SOUTH CAROLINA DATE: MAR. 9, 2023 SCALE: 1"=20'

JIM COBB L.L.C. LAND SURVEYING 420 PRESTLY ST. CHARLESTON, SC 29412 PHONE (843) 303-6676



# Town of Seabrook Island

## Property Zoning Report

19 May 2023



### Parcels

**Parcel ID:** 1490500143  
**Owner:** LACARA JOANNE  
**Owner Street Address:** 300 MIDDLETON BLVD  
**Owner City State ZIP Code:** SEABROOK ISLAND , SC 29455  
**Parcel Street Address:** 2961 DEER POINT DR

### Zoning

Count	Zoning Code and Description	Overlapping Quantities
1.	1 R-SF2 - Residential - Single-Family (Medium Lot)	13,523.8sf (0.31acres)

PREPARED BY:  
Buiß, Byars & Taylor, LLC  
130 Gardener's Circle  
PMB# 138  
Johns Island, SC 29455  
File No. 1558.0025



# PGS:  
5

STATE OF SOUTH CAROLINA            )  
  )  
  )                    TITLE TO REAL ESTATE  
COUNTY OF CHARLESTON            )

WHEREAS, due to mistake or inadvertence, Grantor acquired title as Joanne Lacava by deed from Robert R. Whybrew and Carin H. Whybrew recorded May 19, 2005 in Book L537 Page 505, Charleston County Recording Office;

WHEREAS, Grantor's correct full legal name is Joanne Lacara a/k/a Josephine Lacara;

NOW KNOW ALL MEN BY THESE PRESENTS, that **Joanne Lacara a/k/a Josephine Lacara** who acquired title as Joanne Lacava ("Grantor"), in the State aforesaid, for/and in consideration of the sum of ONE HUNDRED NINETY NINE THOUSAND AND 00/100 DOLLARS (\$199,000.00), to me in hand paid at and before the sealing of these Presents by **Seabrook Island Green Space Conservancy, Inc.**, in the State aforesaid, the receipt whereof is hereby acknowledged, has granted, bargained, sold and released, and by these Presents does grant, bargain, sell and release unto the said **Seabrook Island Green Space Conservancy, Inc., a South Carolina Corporation**, the following described property, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO  
AND INCORPORATED HEREIN BY REFERENCE FOR LEGAL DESCRIPTION.

TMS Number: 149-05-00-143

Address of Grantee(s): **PO BOX 185, JOHNS ISLAND, SC 29455**

This is the same property conveyed to Grantor by deed from Robert R. Whybrew and Carin H. Whybrew recorded May 19, 2005 in Book L537, page 505, Charleston County Recording Office.

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

TO HAVE AND TO HOLD, all and singular, the said Premises before mentioned unto the said **Seabrook Island Green Space Conservancy, Inc., a South Carolina Corporation**, its successors and assigns, forever.

AND subject to the exceptions set forth above, Grantor does hereby bind myself and my heirs, executors, and administrators, to warrant and forever defend, all and singular, the premises before mentioned unto the said **Seabrook Island Green Space Conservancy, Inc.**, its successors and assigns, against me and my heirs, and all persons whomsoever lawfully claiming, or to claim the same or any part thereof.



WITNESS my hand and seal this 21 day of October, 2022.

SIGNED, SEALED AND DELIVERED  
IN THE PRESENCE OF:

K. Chielowski  
Witness #1

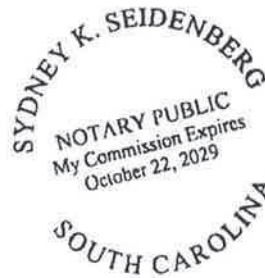
[Signature]  
Witness #2

Joanne Lacara a/k/a Josephine Lacara  
Joanne Lacara a/k/a Josephine Lacara  
who acquired title as Joanne Lacava

STATE OF South Carolina  
COUNTY OF Charleston )

The foregoing instrument was acknowledged before me by Joanne Lacara a/k/a Josephine Lacara, this 21 day of October, 2022.

[Signature] (SEAL)  
Notary Public for SC  
My commission expires: 10/22/2029



**EXHIBIT A**

ALL that certain piece, parcel, or tract of land, situate, lying and being on Seabrook Island, Charleston County, State of South Carolina, and known and designated as Lot 27, Block 49, On a plat by EM. Seabrook, Jr., CE. & LS., dated February 24, 1982 and recorded in the RMC Office for Charleston County in Plat Book AW at page 94; said lot having such size, shape, dimensions, locations, buttings and boundings as will by reference to said plat more fully appear.

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

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 located at 2961 Deer Point Drive, Seabrook Island, SC 29455 bearing Charleston County Tax Map Number 149-05-00-143, was transferred by **Joanne Lacara a/k/a Josephine Lacara** to **Seabrook Island Green Space Conservancy, Inc.** on October 28, 2022.
- 3. Check one of the following: The deed is
  - (a)  subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
  - (b)  subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as distribution to a trust beneficiary.
  - (c)  exempt from the deed recording fee because (See Information section of affidavit): \_\_\_\_\_ (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 \_\_\_\_\_

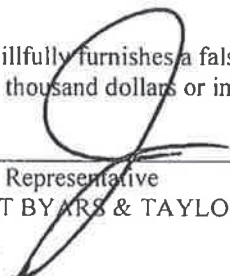
- 4. Check one of the following if either item 3(a) or item 3(b) above has been checked (See information section of this affidavit.):
  - (a)  The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \$199,000.00
  - (b)  The fee is computed on the fair market value of the realty which is \$ \_\_\_\_\_.
  - (c)  The fee is computed on the fair market value of the realty as established for property tax purposes which is \$ \_\_\_\_\_

5. Check YES \_\_\_ or NO  to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. (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: 199,000.00
  - (b) Place the amount listed in item 5 above here: \$0
  - (If no amount is listed, place zero here.)
  - (c) Subtract line 6(b) from Line 6(a) and place result here: 199,000.00

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 28 day  
of October, 2022.

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

KRISTIN M. BRADSHAW Notary Public, South Carolina My Commission Expires August 19, 2024
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# 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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Michael Miller, Register Charleston County, SC		

**MAKER:**

LACARA JOANNE AL

# of Pages: 5

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State Fee	\$ 517.40
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Extra Pages	\$ -
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