



Town of Hilton Head Island

Board of Zoning Appeals Meeting

Monday, April 28, 2025, 2:30 PM

1 Town Center Court, Hilton Head Island, SC
Benjamin M. Racusin Council Chambers

1. **Call to Order**
2. **Welcome and Introduction to Board Procedures**
3. **Adoption of the Agenda**
4. **Approval of the Minutes**
 - a. Regular Meeting Minutes of November 25, 2024
5. **Unfinished Business**
6. **New Business**
 - a. Approval of proposed 2025 Meeting Dates
 - b. **Public Hearing**
VAR-000603-2024 - Request from Karina Mondelci of Level 5 Builders, owner of 81 Sandcastle Court, also identified as Beaufort County Tax Map Parcel R511 009 000 1136 0000, for a variance from LMO Section 16-5-102.D, Adjacent Use Setback Standards, to allow a proposed home to encroach into the setback angles.
 - c. **Public Hearing**
VAR-000174-2025 - Request from Selena Brown, on behalf of Atlantic Best Cleaning, LLC, owner of 124 Arrow Road, also identified as Beaufort County Tax Map Parcel R552 015 000 0111 0000, for a variance from LMO Section 16-4-102.B.7.k.i & ii.05, use specific restrictions, to allow a tattoo facility within 500 feet of another tattoo facility; and within 1,000 feet of publicly owned land.
7. **Public Comment - Non Agenda Items**
8. **Staff Reports**
9. **Adjournment**

FOIA Compliance: Public notification of this meeting has been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act and the requirements of the Town of Hilton Head Island.

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the Town of Hilton Head Island will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. Auditory accommodations are available. Any person requiring further accommodation should contact the Town of Hilton Head Island ADA Coordinator as soon as possible but no later than 48 hours before the scheduled event.

Municipal Association of South Carolina (MASC) Civility Pledge:
"I pledge to build a stronger and more prosperous community by advocating for civil engagement, respecting others and their viewpoints, and finding solutions for the betterment of my city or town."



Town of Hilton Head Island
BOARD OF ZONING APPEALS MEETING
Monday, November 25, 2024, 2:30 PM
Minutes

1. Call to Order

Chair Fingerhut called this meeting to order at 2:30 p.m.

2. Welcome and Introduction to Board Procedures

3. Adoption of the Agenda

Ms. Fee made a Motion to adopt the Agenda. Ms. Bayless seconded. The Motion passed unanimously.

4. Approval of the Minutes

a. Regular Meeting Minutes of July 22, 2024

Mr. Johnson made a Motion to approve the meeting Minutes of July 22, 2024. Ms. Fee seconded. The Motion passed unanimously.

5. Unfinished Business

None

6. New Business

a. Continuing Education: Floodplain Management for Local Elected Officials, Shari Mendrick, Floodplain Administrator

Shari Mendrick, Floodplain Administrator, delivered a presentation on floodplain management to the Committee. During the presentation, several Committee members sought clarification on various points, which Ms. Mendrick addressed. Ms. Bayless inquired about the sections of the Land Management Ordinance (LMO) that pertain to flooding and building height requirements for flood prevention, or whether such provisions are included in the current LMO.

7. Public Comment - Non Agenda Items

None

8. Board Business

None

9. Staff Reports

Michael Connolly, Senior Planner, informed the Board that he is awaiting confirmation from the Town of Hilton Head Island Board of Zoning Appeals Meeting Minutes

11/25/2024

Town Clerk regarding the meeting dates for the 2025 calendar. Once confirmed, the Board will be notified.

10. Adjournment

The meeting was adjourned at 3:25 p.m.

Approved:

The recording of this Meeting can be found on the Town's website at www.hiltonheadislandsc.gov



The Town of Hilton Head Island
Board of Zoning Appeals
2025 Meeting Schedule

BZA Powers and Duties	Application Procedure																										
<p>The Board of Zoning Appeals has the following powers:</p> <ul style="list-style-type: none"> A. To hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by an administrative official in the administration or enforcement of Title 16 of the Municipal Code, Land Management Ordinance. B. To hear and decide requests for variance from the Design and Performance Standards of the Land Management Ordinance. C. To review and take action on applications for uses by special exception; and D. To review and take action on appeals of Planning Commission action on certain traffic analysis plans. 	<p>Applications for Variance and Special Exception must be completed and submitted not later than 30 days prior to the meeting at which the application will be considered. In addition, Applications for Appeal must be filed not later than 14 days from the date of the decision being appealed.</p> <p>An Application Check-In Conference is required for all applications to determine whether the application meets the minimum requirements for acceptance. Application Check-In Conferences must be scheduled by appointment with the Community Development Department staff.</p>																										
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"><u>BZA PUBLIC MEETING DATE</u></th> <th style="text-align: left;"><u>APPLICATION DEADLINE</u></th> </tr> </thead> <tbody> <tr> <td>January 27, 2025</td> <td>December 28, 2024</td> </tr> <tr> <td>February 24, 2025</td> <td>January 25, 2025</td> </tr> <tr> <td>March 24, 2025.....</td> <td>February 24, 2025</td> </tr> <tr> <td>April 28, 2025.....</td> <td>March 29, 2025</td> </tr> <tr> <td>*May 19, 2025</td> <td>April 19, 2025</td> </tr> <tr> <td>June 23, 2025.....</td> <td>May 24, 2025</td> </tr> <tr> <td>July 28, 2025.....</td> <td>June 28, 2025</td> </tr> <tr> <td>August 25, 2025.....</td> <td>July 26, 2025</td> </tr> <tr> <td>September 29, 2025.....</td> <td>August 30, 2025</td> </tr> <tr> <td>October 27, 2025.....</td> <td>September 27, 2025</td> </tr> <tr> <td>November 24, 2025.....</td> <td>October 25, 2025</td> </tr> <tr> <td>December 22, 2025.....</td> <td>November 22, 2025</td> </tr> </tbody> </table> <p><i>*The May meeting is moved to the third Monday of the month due to Memorial Day.</i> <i>**The September meeting is moved to the fifth Monday of the month due to Rosh Hashanah.</i></p>		<u>BZA PUBLIC MEETING DATE</u>	<u>APPLICATION DEADLINE</u>	January 27, 2025	December 28, 2024	February 24, 2025	January 25, 2025	March 24, 2025.....	February 24, 2025	April 28, 2025.....	March 29, 2025	*May 19, 2025	April 19, 2025	June 23, 2025.....	May 24, 2025	July 28, 2025.....	June 28, 2025	August 25, 2025.....	July 26, 2025	September 29, 2025.....	August 30, 2025	October 27, 2025.....	September 27, 2025	November 24, 2025.....	October 25, 2025	December 22, 2025.....	November 22, 2025
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Regular meetings are generally held on the 4th Monday of each month at 2:30 p.m. in Benjamin M. Racusin Council Chambers, subject to change with notice.



TOWN OF HILTON HEAD ISLAND COMMUNITY DEVELOPMENT DEPARTMENT

One Town Center Court	Hilton Head Island, SC 29928	843-341-4757	FAX 843-842-8908
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STAFF REPORT VARIANCE

Case #:	Public Hearing Date:
VAR-000603-2024	April 28, 2025

Parcel or Location Data:	Property Owner	Applicant
Address: 81 Sandcastle Court Parcel#: R511 009 000 1136 0000 Zoning: RD (Resort Development District) Overlay: COR (Corridor Overlay District)	Karina Mondelci Level 5 Builders, LLC 70 Sifted Grain Road Bluffton, SC 29909	Karina Mondelci 70 Sifted Grain Road Bluffton, SC 29909

Application Summary:

Request from Karina Mondelci of Level 5 Builders, owner of 81 Sandcastle Court, also identified as Beaufort County Tax Map Parcel R511 009 000 1136 0000, for a variance from LMO Section 16-5-102.D, Adjacent Use Setback Standards, to allow a proposed home to encroach into the setback angles.

Staff Recommendation:

Staff recommends the Board of Zoning Appeals find the request to be inconsistent with the Town’s Our Plan and does not serve to carry out the purposes of the LMO, based on those Findings of Facts and Conclusions of Law as determined by the LMO official and enclosed herein. Staff recommends that the Board of Zoning Appeals *deny the application*.

Background:

The subject parcel is an undeveloped lot located mid-island in the Sandcastles by the Sea Subdivision at 81 Sandcastle Court (Lot 30). It is adjacent to two single-family properties within

the subdivision and to a vacant lot in the rear. The property is located within the Resort Development (RD) District and resides within the Corridor Overlay.

The purpose of RD District, according to the Town's Land Management Ordinance (LMO), Section. 16-3-105.L.1, is "to provide for resort development in the form of multifamily development, bed and breakfasts, and resort hotels. It is also the purpose of this district to provide for commercial development aimed at serving the island visitor."

The Sandcastles by the Sea Subdivision was approved in 2005 and is recorded in the Beaufort County Register of Deeds in Plat Book 113 on Page 164. (See Exhibit B). Plat Book 159 on Page 30 shows the parcel to be .076 acres in size. There is a required 20-foot street setback from Sandcastle Court, a 20-foot setback and buffer in the rear of the property, and three-foot-six-inch adjacent use setbacks from Lots 29 and 31. (See Exhibit B).

Section 16-5-102.A of the LMO, reads. "The purpose of the adjacent street and use setback standards in this section is to provide separation between structures and adjacent street rights-of-way and property lines. Such separation is intended to maintain and protect the Town's Island character, ensure protection from street traffic, and facilitate adequate air circulation and light between structures and the street, and between structures in adjacent developments."

The LMO has been amended since the Sandcastles by the Sea Subdivision was approved by the Town of Hilton Head. However, the Adjacent Use Setback Standards, including the setback angles, have not changed. The required 75-degree setback angle from single-family use to single-family was in place prior to the approval of the Sandcastles by the Sea Subdivision and was included in the 1998 and 2014 LMO. (See Exhibits C and D).

In late 2023, the owner of the property, Karina Mondelci, and her residential designer, Sam Liberti discovered that the proposed site plan does not conform with the Town's LMO setback angle requirements. No official building permit application has been submitted to the Town for review. The applicant submitted a variance application on April 11, 2024. The owner has updated their application in hopes of receiving a variance to a home that encroaches into the adjacent use setback angles. (See Exhibit A).

Nearing build-out, approximately 75 of the 83 lots have been developed, and eight empty lots remain in the subdivision (See Exhibit F). Since the Sandcastles by the Sea Subdivision was approved by the Town, Staff has not correctly reviewed the adjacent use setback angles for this subdivision. However, the adjacent street setback standards have been enforced.

Town Staff incorrectly approved three building permits in 2022 that encroached into the setback angle: 57 Sandcastle Court, Permit #BLDR-000489-2022, 65 Sandcastle Court, Permit #BLDR-003118-2022, 131 Sandcastle Court; Permit #BLDR-002038-2022. (See Exhibit E).

The property owner of 81 Sandcastle Court hired Sam Liberti of Low Tide Designs to design a single-family home that complies with the developed neighborhood character. Architectural elements reflected in the neighborhood mirror the Architectural Review Guidelines for Sandcastles by the Sea and include a minimum of two living floors over a garage, and also, "All

homes must have a two-car shielded/enclosed garage with room for two additional off-street parking spaces in front of the garage. (See Exhibit G, pages 2 and 3).

During the design process, the applicant contacted the Town with questions regarding the adjacent use setback angles. Staff informed the applicant that the proposed setback angle encroachments were not permitted. LMO Section 16-5-102.E, Allowable Setback Encroachments, lists permitted development activity within a required setback. The variance application proposes development beyond what is listed in Section 16-5-102.E to encroach into the adjacent use setback angle. The applicant has requested a variance to allow a home to encroach into the required adjacent use setback angles.

Applicant's Grounds for Variance, Summary of Facts and Conclusions of Law:

Grounds for Variance:

- Per the application, the applicant is seeking a variance from LMO Section 16-5-102.D, Setback Standards, specifically, the setback angles, to allow a home to encroach into the setback angles.

Summary of Fact:

- The applicant seeks a variance as set forth in LMO Section 16-2-103.S.

Conclusion of Law:

- The applicant may seek a variance as set forth in LMO Section 16-2-103.S.

Summary of Facts and Conclusions of Law:

Summary of Facts:

- Application was submitted on April 8, 2024 as set forth in LMO Section 16-2-102.C and Appendix D-19.
- Notice of the Application was published in the Island Packet on April 6, 2025 as set forth in LMO Section 16-2-102.E.2.
- Notice of the Application was posted on March 29, 2025 as set forth in LMO Section 16-2-102.E.2.
- Notice of Application was mailed on April 7, 2025 as set forth in LMO Section 16-2-102.E.2.
- The Board has authority to render the decision reached here under LMO Section 16-2-102.G.

Conclusions of Law:

- The application is in compliance with the submittal requirements established in LMO Section 16-2-102.C.
- The application and notice requirements comply with the legal requirements established in

As provided in LMO Section 16-2-103.S.4, Variance Review Standards, a variance may be granted in an individual case of unnecessary hardship if the Board determines and expresses in writing all of the following findings of fact.

Summary of Facts and Conclusions of Law:

Criteria 1: There are extraordinary and exceptional conditions pertaining to the particular piece of property (LMO Section 16-2-103.S.4.a.i.01):

Findings of Fact:

- The subject parcel is .076 acres.
- The lot is approximately the same shape and size (.075 to .093 acres) as all of the other properties on the same side of Sandcastle Court.
- The required adjacent use setback angle from single-family use to single-family use is 75-degrees. This requirement applies to all single-family homes that are adjacent to another single-family home.
- Town Staff has incorrectly approved building permits for single-family homes within the subdivision that do not comply with the adjacent use setback angle requirements in the LMO.

Conclusions of Law:

- The subject property is approximately the same size (.075 to .093 acres) as all of the other properties on the same side of Sandcastle Court.
- The required setback angles have not been enforced in the subdivision.
- This application does not meet the criteria as set forth in LMO Section 16-2-103.S.4.a.i.01 because there are no extraordinary and exceptional conditions that pertain to this particular property.

Summary of Facts and Conclusions of Law:

Criteria 2: These conditions do not generally apply to other properties in the vicinity (LMO Section 16-2-103.S.4.a.i.02):

Findings of Fact:

- The subject property is approximately the same size (.075 to .093 acres) as all of the other properties on the same side of Sandcastle Court.
- The 3.5-foot adjacent use setbacks are shown on the subdivision plat.
- The required adjacent use setback angle from single-family use to single-family use is 75 degrees and applies to all single-family properties in the subdivision.
- Town Staff has incorrectly approved building permits for single-family homes within the

subdivision that do not comply with the adjacent use setback angle requirements in the LMO.

Conclusion of Law:

- The subject property is approximately the same size (.075 to .093 acres) as all of the other properties on the same side of Sandcastle Court.
- Town Staff has incorrectly approved building permits for single-family homes within the subdivision that do not comply with the adjacent use setback angle requirements in the LMO.
- This application does not meet the criteria as set forth in LMO Section 16-2-103.S.4.a.i.02 because there are no extraordinary and exceptional conditions that pertain to this particular property that don't also apply to other properties in the vicinity.

Summary of Facts and Conclusions of Law:

Criteria 3: Because of these conditions, the application of this Ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property (LMO Section 16-2-103.S.4.a.i.03):

Findings of Fact:

- The original developer of the Sandcastles by the Sea Subdivision created a subdivision with small lot sizes with limited buildable footprints, which limits the ability of the subject property to meet the required adjacent use setback angles.
- The Sandcastles by the Sea Subdivision was approved with 3.5-foot adjacent use setbacks from adjacent lots in the subdivision.
- LMO Section 16-5-102.E, Allowable Setback Encroachments, lists permitted development activity within a required setback. The variance application proposes development beyond what is listed in Section 16-5-102.E to encroach into the adjacent use setback angle.
- Town Staff has incorrectly approved building permits for single-family homes within the subdivision that do not comply with the adjacent use setback angle requirements in the LMO.

Conclusion of Law:

- The setback angle requirements have incorrectly not been enforced by the Town within the subdivision. Enforcing the setback angles would reduce the gross floor area of a new home, thus unreasonably restricting the utilization of the parcel in the subdivision. (See elevation sheets in the application).
- This application meets the criteria as set forth in LMO Section 16-2-103.S.4.a.i.03 because there are extraordinary or exceptional conditions that pertain to this property that unreasonably prohibit the use of the property.

Summary of Facts and Conclusions of Law:

Criteria 4: The authorization of the Variance will not be of substantial detriment to adjacent property or the public good, and the character of the zoning district where the property is located will not be harmed by the granting of the Variance (LMO Section 16-2-103.S.4.a.i.04):

Findings of Facts:

- The LMO describes the purpose of the RD District, “to provide for resort development in the form of multifamily development, bed and breakfasts, and resort hotels. It is also the purpose of this district to provide for commercial development aimed at serving the island visitor.”
- The purpose of the adjacent use setback standards is to provide separation between structures and property lines. Such separation is intended to maintain and protect the Town’s Island character and facilitate adequate air circulation and light between structures in adjacent developments.
- The district allows for the residential development of up to 16 dwelling units per net acre.
- The majority of the lots in the subdivision have been developed and do not appear to comply with the required adjacent use setback angle. The enforcement of the setback angle would result in a change of character to the subdivision.

Conclusions of Law:

- The enforcement of the setback angle would result in a change of character to the subdivision.
- Staff did not identify any substantial detriment to the adjacent property caused by granting the variance of the encroachment into the adjacent use setback angle.
- This application meets the criteria set forth in LMO Section 16-2-103.S.4.a.i.04 because the variance will not substantially detriment the adjacent property or public good.

LMO Official Determination:

Based on the above Findings of Facts and Conclusions of Law, the LMO Official determines the request to be inconsistent with the Town’s Our Plan and does not serve to carry out the purposes of the LMO and recommends that the request for a variance should be denied to the applicant.

BZA Determination and Motion:

The “powers” of the BZA over variances are defined by the South Carolina Code, Section 6-29-800, and in exercising the power, the BZA may grant a variance “in an individual case of unnecessary hardship if the board makes and explains in writing ...” their decisions based on certain findings or “may remand a matter to an administrative official, upon motion by a party or

the board’s own motion, if the board determines the record is insufficient for review.”

This State law is implemented by the Hilton Head Island Land Management Ordinance, Chapter 2, Article 103 and the Rules of Procedure for the BZA.

A written Notice of Action is prepared for each decision made by the BZA based on findings of fact and conclusions of law.

The BZA can either Approve the application, Disapprove the application, or Approve with Modifications. Findings of Fact and Conclusions of Law must be stated in the motion.

PREPARED BY:

MC

Michael Connolly
Senior Planner

2/7/2025

DATE

REVIEWED BY:

TL

Trey Lowe
Development Services Program Manager

2/10/2025

DATE

REVIEWED BY:

ML

Missy Luick
Director of Planning

3-10-25

DATE

ATTACHMENTS:

- A) Applicant’s Variance Narrative and Site Plan**
- B) Sandcastles by the Sea Subdivision Plat**
- C) 1998 LMO Adjacent Use Setback Angles**
- D) 2014 LMO Adjacent Use Setback Angles**
- E) Letter from the Town**
- F) Aerial of Subdivision and Site Photos**
- G) Sandcastles by the Sea Architectural Review Guidelines**

We have purchased the property at 81 Sandcastle Ct in October of 2022 with an intent of building a second home for our family. Before we purchased the property we had driven and walked several times through the neighborhood and even toured some of the houses available for sale with our realtor. We have also requested the architectural review guidelines from the association to make sure everything fitted with what we were planning to do. We knew we wanted to build a house very similar to those in the neighborhood since we already loved the look of all the houses. We were just planning to put in a few special touches on the inside of the home. All of houses in the neighborhood are 3 to 4 stories tall with a garage underneath.

Our intent was to build a 3 story house that would suit our family's needs. We wanted to make sure it had minimum of 4-5 bedrooms to accommodate family reunions or large Thanksgiving gatherings. Consequently, we hired Sam Liberti with Low Tide Designs, who we worked with before. He was familiar with the neighborhood and has already designed two houses that were built there. It was almost an entire year later when we were finalizing our plans and Sam called the zoning department to inquire about the setback angles. It was our understanding that there was a front setback angle being enforced. We had this knowledge from meeting with other contractor's project manager (The Renovators), who was currently finishing 2 homes in the neighborhood and starting another project just a few houses down from ours. It was to our surprise when we found out that there were 4 setback angles that would be enforced on our property. That was in November of 2023. Since then, we have had 3 meetings with the zoning department trying to figure out a solution and it was determined that we would have to proceed with an application for a variance.

01. There are extraordinary and exceptional conditions pertaining to the particular piece of property:

With the setback angles the way they are currently being or planning to be enforced; it is not possible to built a 3 story or even a 2 story house. We will present documentation showing that if the side angles and the back and front angle were enforced, we would essentially have to build one story house with one small bonus room on the second story. It would become a 2 bedroom home with about 1700 square feet of heated and cooled space. This is one of the last lots to be built in this neighborhood and enforcing the angle rule would cause it to look out of place and not matching the neighborhood.

02. These conditions do not generally apply to other properties in the vicinity;

Because these angles haven't been properly enforced in the past, they did not apply to the other houses built before ours. It created sort of an architectural conundrum where our house would look odd and out of place if built within the guidelines of the setback angles. So, these conditions are new, due to the angles being enforced properly now but not in the past when other properties in vicinity were developed.

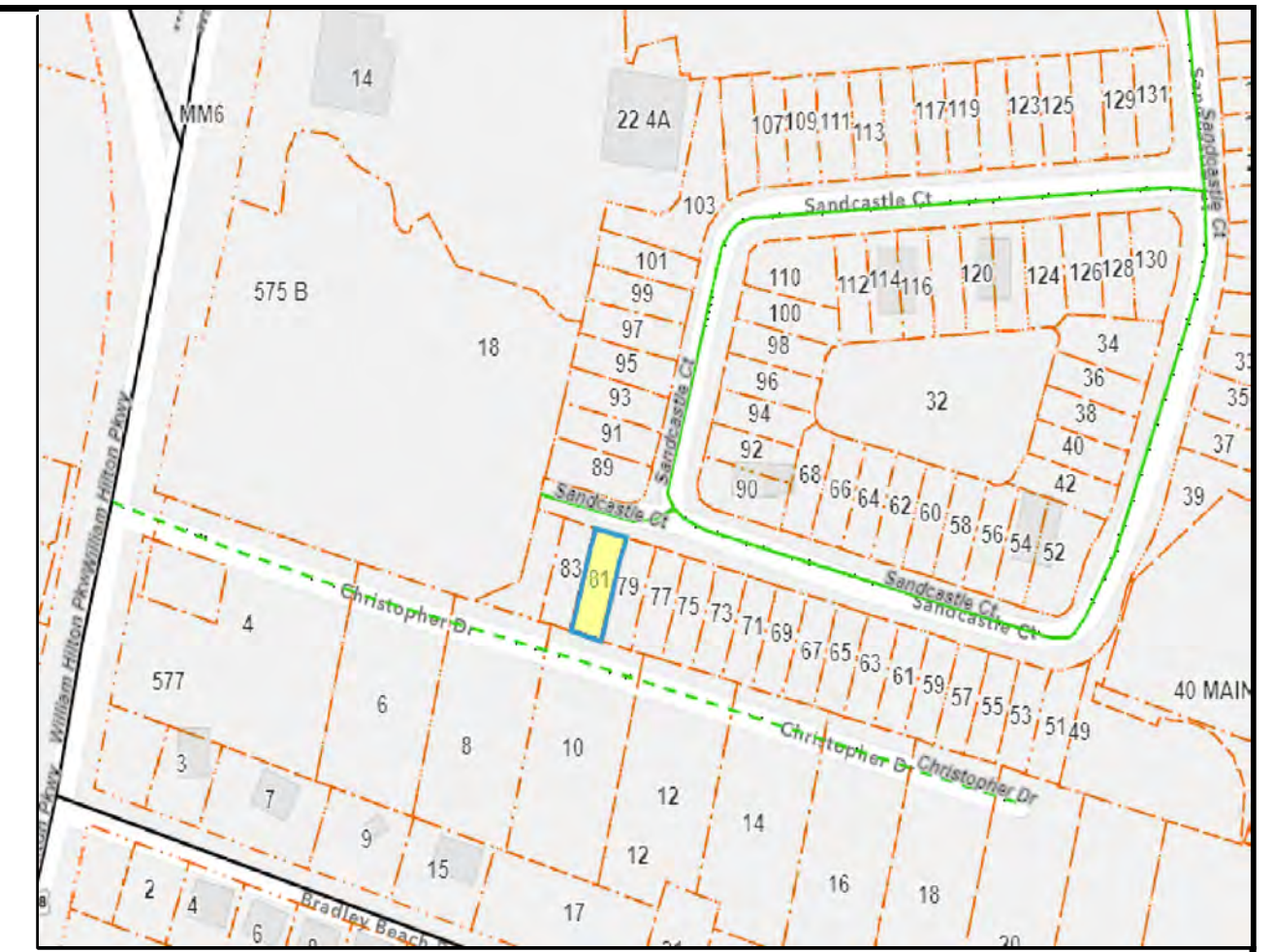
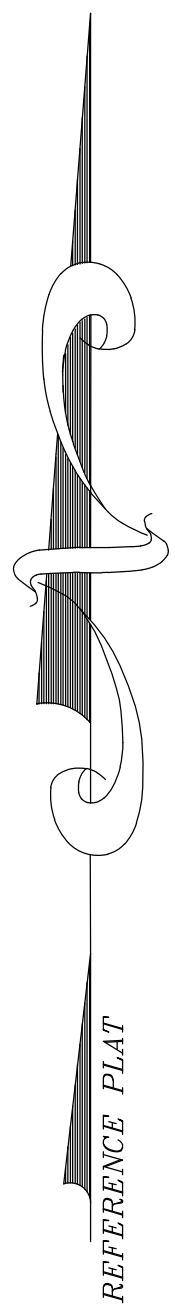
03. Because of these conditions, the application of this Ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property

Here is an excerpt from the neighborhood's architectural guidelines: "All homes are to be minimal two living floors over a garage level. All homes must have a two-car shielded/enclosed garage with room for two additional off-street parking spaces in front of the garage. Under no circumstances shall the garage space be converted to any other use. All vertical construction and improvements shall comply with the minimum building." In essence, we will not be able to comply with the requirements of these architectural guidelines while also following the setback angle guidelines. As mentioned before the setback angles on the sides and front and back would effectively shrink the house to being 1.5 story tall. Have these angles been enforced on the adjoining properties, these houses would not have been able to be built the way they are now. Both of our neighbors on each side have a 2.5 story house. It is virtually impossible to do that now that the angle setbacks are being enforced. Moreover, there are at least 3 houses on our street that have been completed or started construction in the last 12 months that are full 3 story houses and have been approved without the side or back angles requirement. Again, have the setbacks angles been enforced, this would not have been possible. We feel very strongly that these angles restrict proper utilization of our property and make it impossible to develop it in accordance and agreement to the HOA's intent.

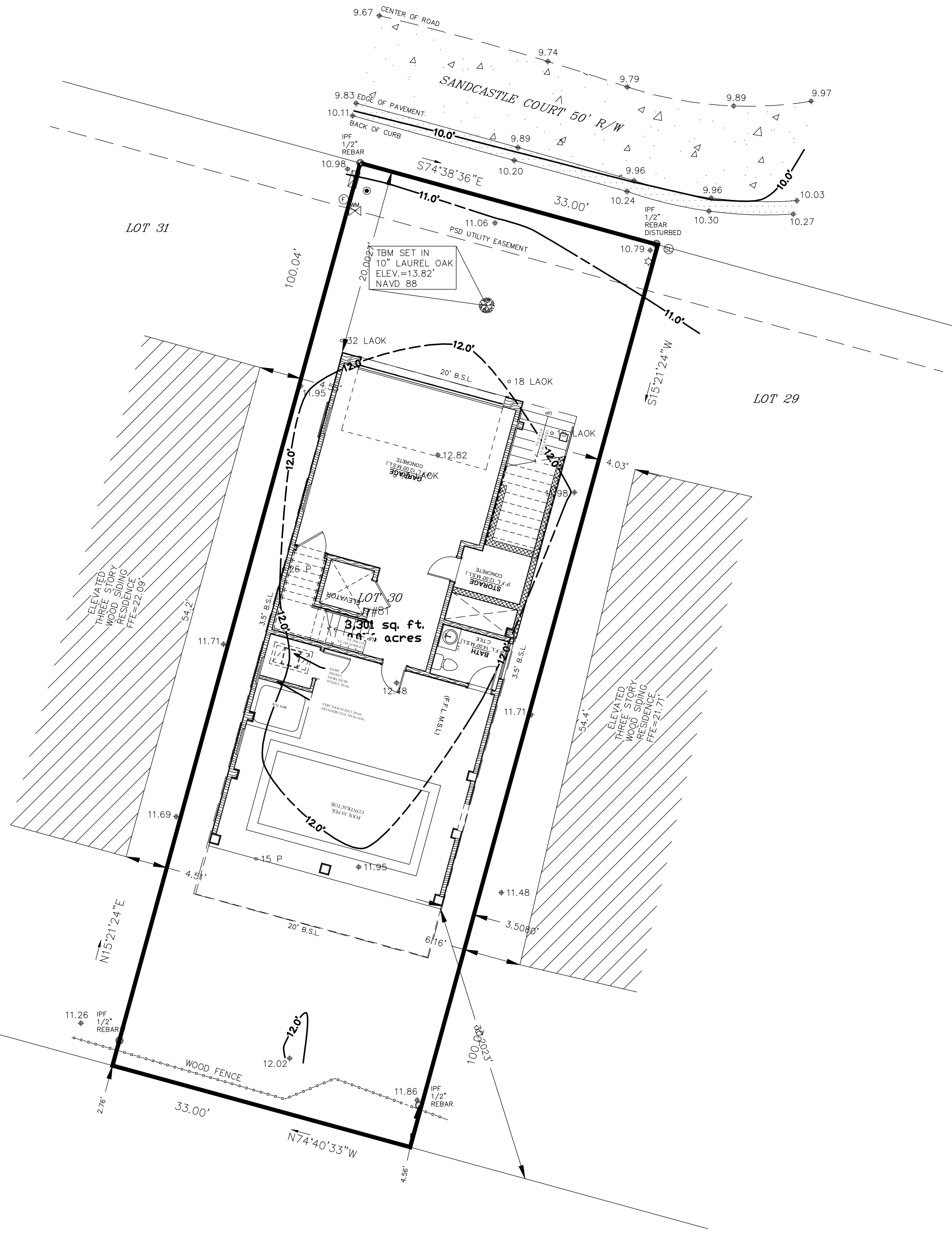
04. The authorization of the Variance will not be of substantial detriment to adjacent property or the public good, and the character of the zoning district where the property is located will not be harmed by the granting of the Variance.

It is our belief that building a house that blends within the neighborhood and does not distract from the overall look of the neighborhood is essential. We also believe that if the angles were enforced the way they are designed it might effectively prohibit us from developing our property.

The plans that we have developed for this property do not aim to differ from the essential character of the neighborhood. On the contrary, they were developed to be in line with the entire design of the neighborhood and based on the observations of what the existing houses looked like as well as the ones being built. They were also developed to be in line with requirements of the architectural guidelines of the HOA.

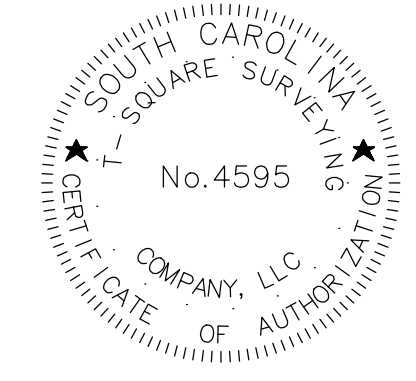


LOCATION MAP NOT TO SCALE



- LEGEND**
- CMS - CONCRETE MONUMENT SET
 - CMF - CONCRETE MONUMENT FOUND
 - IPS - IRON PIN SET
 - IPF - IRON PIN FOUND
 - # - INDICATES STREET ADDRESS
 - TBM - TEMPORARY BENCH MARK
 - B.S.L. - BUILDING SETBACK LINE
 - ⊙ - TELEPHONE PEDESTAL/COMMUNICATOR
 - ⊙ - SEWER LATERAL
 - ⊙ - SANITARY SEWER MANHOLE
 - ⊙ - ELECTRIC BOX
 - ⊙ - SPOT ELEVATION SHOTS
 - - - - - CONTOUR LINES
 - ⊙ - XFMR - TRANSFORMER
 - ⊙ - WATER LATERAL
 - ⊙ - WATER METER
 - ⊙ - IRRIGATION CONTROL VALVE
 - ⊙ - FIRE HYDRANT
 - ⊙ - GRATE INLET
 - ⊙ - POWER POLE
 - O.H.P.L. - OVER HEAD POWER LINE
 - ⊙ - GUY LINE
 - ⊙ - LIGHT POLE
 - ⊙ - STORM DRAIN MANHOLE
 - ⊙ - FIBEROPTICS MANHOLE

- TREE LEGEND**
- WHIOK - WHITE OAK
 - LAAOK - LAUREL OAK
 - LOK - LIVE OAK
 - WOK - WATER OAK
 - ROK - RED OAK
 - PCAN - PECAN
 - MAG - MAGNOLIA
 - HIC - HICKORY
 - MPL - MAPLE
 - PLM - PALMETTO
 - CHY - CHERRY
 - HLY - HOLLY
 - CDR - CEDAR
 - RDB - RED BUD
 - SAS - SASSAFRAS
 - DOG - DOGWOOD
 - SB - SUGARBERRY
 - P - PINE
 - G - GUM
 - B - BAY

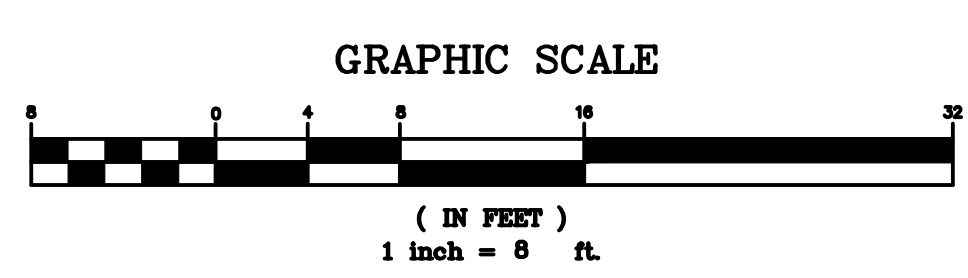


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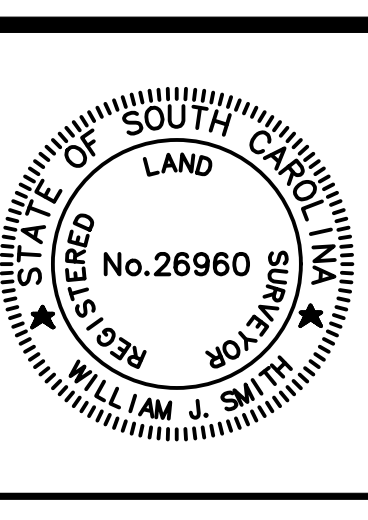
APPROVED BY: W.J.S

PARTY CHIEF: W.J.S

DATE: MAY 16, 2023



T SQUARE SURVEYING
 PROFESSIONAL LAND SURVEYORS
 P.O. Drawer 330
 139 Burnt Church Road
 Bluffton, SC. 29910
 tsquare@hargray.com
 Phone 843-757-2650 Fax 843-757-5738
 JOB No. 23-190T



I HEREBY STATE TO THE BEST OF MY KNOWLEDGE, INFORMATION & BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS A SURVEY AS SPECIFIED THEREIN.

WILLIAM J. SMITH, PLS # 26960

THE ABOVE PLAT PREPARED BY ME AT THE REQUEST OF

LEVEL 5 BUILDERS

A TREE & TOPOGRAPHIC SURVEY OF LOT 30 SANDCASTLE COURT, A PORTION OF BLOCK B, SANDCASTLES BY THE SEA, TOWN OF HILTON HEAD ISLAND, BEAUFORT COUNTY, SOUTH CAROLINA.

DIST. 511, MAP 9, PARCEL 1136

Notes:

1. According To FEMA Flood Insurance Rate Map # 45013C0454G This Lot Appears To Lie In A Federal Flood Plain Zone X, Minimum Required Elevation N/A Ft. NAVD88
2. This Property May Be Subject To Easements, Protective Covenants And Other Facts That May Be Revealed By A Complete Title Search
3. This Survey Was Performed Without The Benefit Of A Wetland Delineation
4. All Building Setback Requirements Should Be Verified With The Proper Authorities Prior To Design And Construction.

Reference Plats:
 PLAT BOOK 113 AT PAGE 164

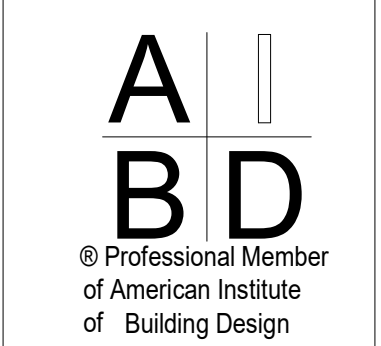
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LEGEND	
ROOF	FIBERGLASS ARCHITECTURAL SHINGLES
	5V METAL ROOF
WAL	HARDIE HORIZONTAL PLANK SIDING
	TABBY STUCCO

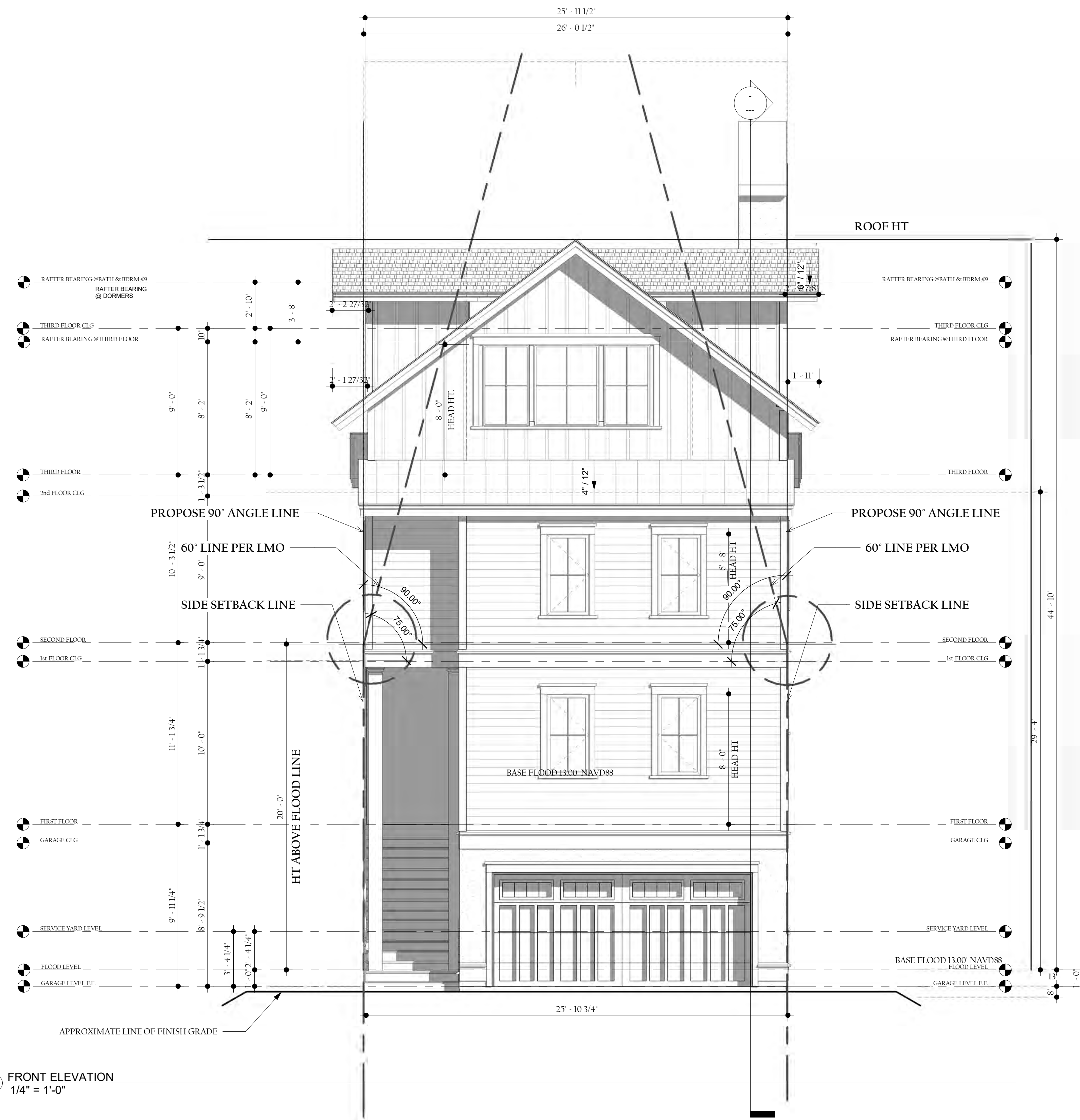
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FLASHING NOTES:

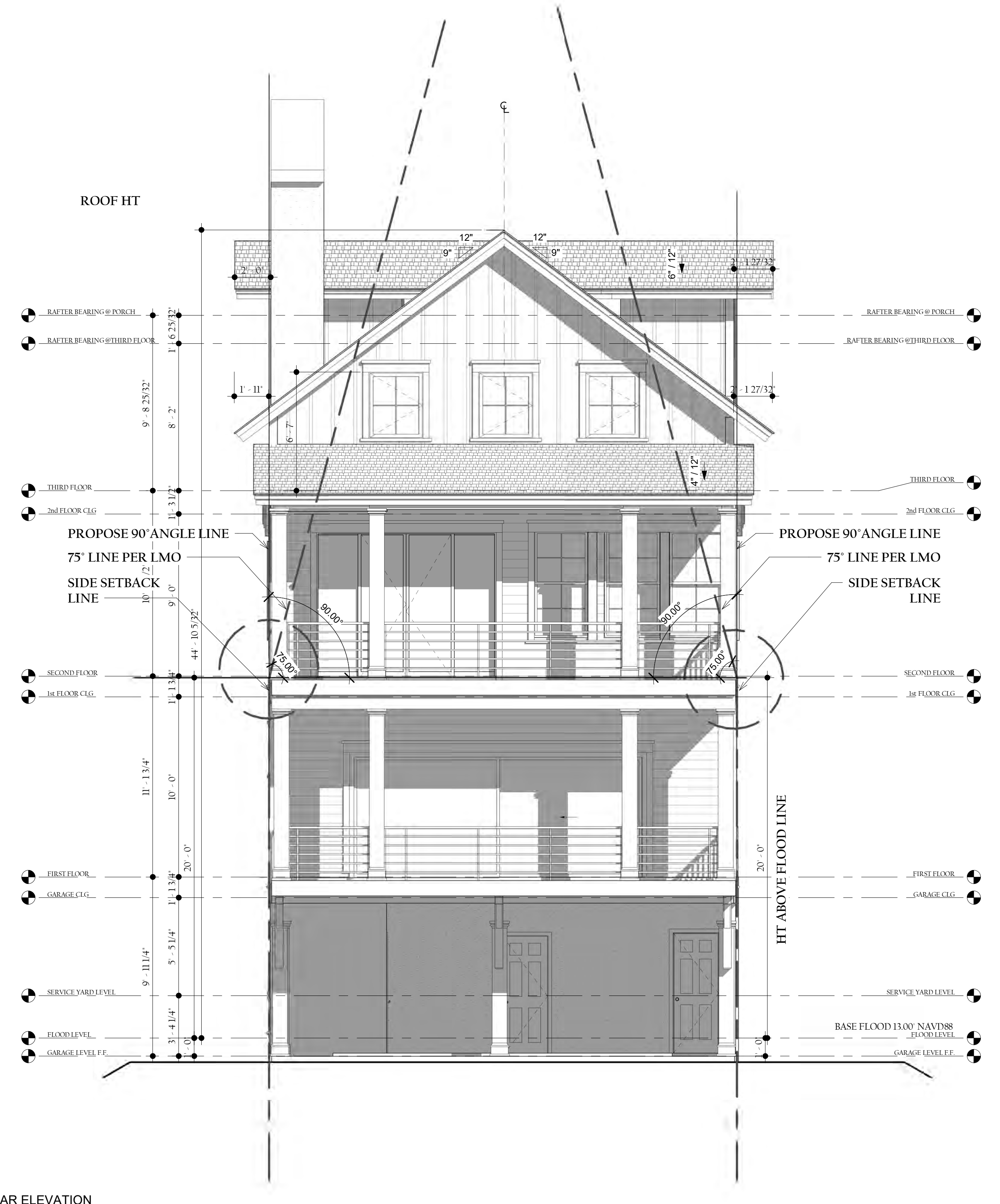
1. PROVIDE ISOLATION MATERIAL BETWEEN DISSIMILAR METALS TO PREVENT GALVANIC REACTION.
2. PROVIDE PREFINISHED CONCEALED METAL FLASHING AT ALL WINDOWS AND DOORS.
3. PROVIDE PREFINISHED OR CONCEALED METAL FLASHING AT ROOF TO WALL APPLICATIONS. IF WALL IS RUNNING AT AN ANGLE, PROVIDE STEP FLASHING. INSTALL PER BUILDING CODE.



Low Tide Designs
 Residential Designers - Architects
 23 Plantation Park Drive-BLDG 100- STE 103
 Bluffton SC 29910 Ph. 843.815.9575
 Certified Professional Building Designer
 Certified Green Professional



1 FRONT ELEVATION
1/4" = 1'-0"



2 REAR ELEVATION
1/4" = 1'-0"

ARB

INITIALS
 OWNERS _____ BUILDER _____

DESIGN FOR
 LEVEL 5 BUILDERS
 LOT#30 7881 SANDCASTLE COURT
 HILTON HEAD, SOUTH CAROLINA
 DATE: 12/12/2023
 REVISION:
 03.19.2024
 04.10.2024

DESIGNED BY
 S. LIBERTI
 DRAWN BY
 MAB
 PROJECT
 24-
 SHEET

A3.1

LOW TIDE DESIGNS HAS NOT BEEN HIRED FOR CONSTRUCTION OR OBSERVATION MANAGEMENT

FLASHING NOTES:

1. PROVIDE ISOLATION MATERIAL BETWEEN DISSIMILAR METALS TO PREVENT GALVANIC REACTION.
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LEGEND	
ROOF	FIBERGLASS ARCHITECTURAL SHINGLES
ROOF	5V METAL ROOF
WAL	HARDIE HORIZONTAL PLANK SIDING
WAL	TABBY STUCCO



Low Tide Designs
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 Certified Professional Building Designer
 Certified Green Professional

ARB

DESIGN FOR
 LEVEL 5 BUILDERS
 LOT#30 781 SANDCASTLE COURT
 HILTON HEAD, SOUTH CAROLINA

DATE: 12/12/2023

REVISION:

03.19.2024
 04.10.2024

DESIGNED BY
 S. LIBERTI
 DRAWN BY
 MAB
 PROJECT
 24-
 SHEET

A3.3

ALL HVAC UNITS WILL BE INSIDE THE SETBACK AREAS

WE UNDERSTAND THAT THIS ENCROACHMENT DOES NOT MEET THE LMO REQUIREMENTS- WE WILL REDESIGN THIS TO MEET THE LMO BEFORE PLAN REVIEW



① LEFT ELEVATION
 1/4" = 1'-0"

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INITIALS
 OWNERS _____ BUILDER _____

LOW TIDE DESIGNS HAS NOT BEEN HIRED FOR CONSTRUCTION OR OBSERVATION MANAGEMENT

FLASHING NOTES:

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LEGEND	
ROOF	FIBERGLASS ARCHITECTURAL SHINGLES
ROOF	5V METAL ROOF
WAL	HARDIE HORIZONTAL PLANK SIDING
WAL	TABBY STUCCO



Low Tide Designs
Residential Designers - Architects
23 Plantation Park Drive-BLDG 100- STE 103
Bluffton SC 29910 Ph. 843.815.9575
Certified Professional Building Designer
Certified Green Professional

ARB

DESIGN FOR
LEVEL 5 BUILDERS
LOT#30 -#81 SANDCASTLE COURT
HILTON HEAD, SOUTH CAROLINA

DATE: 12/12/2023
REVISION:
03.19.2024
04.10.2024

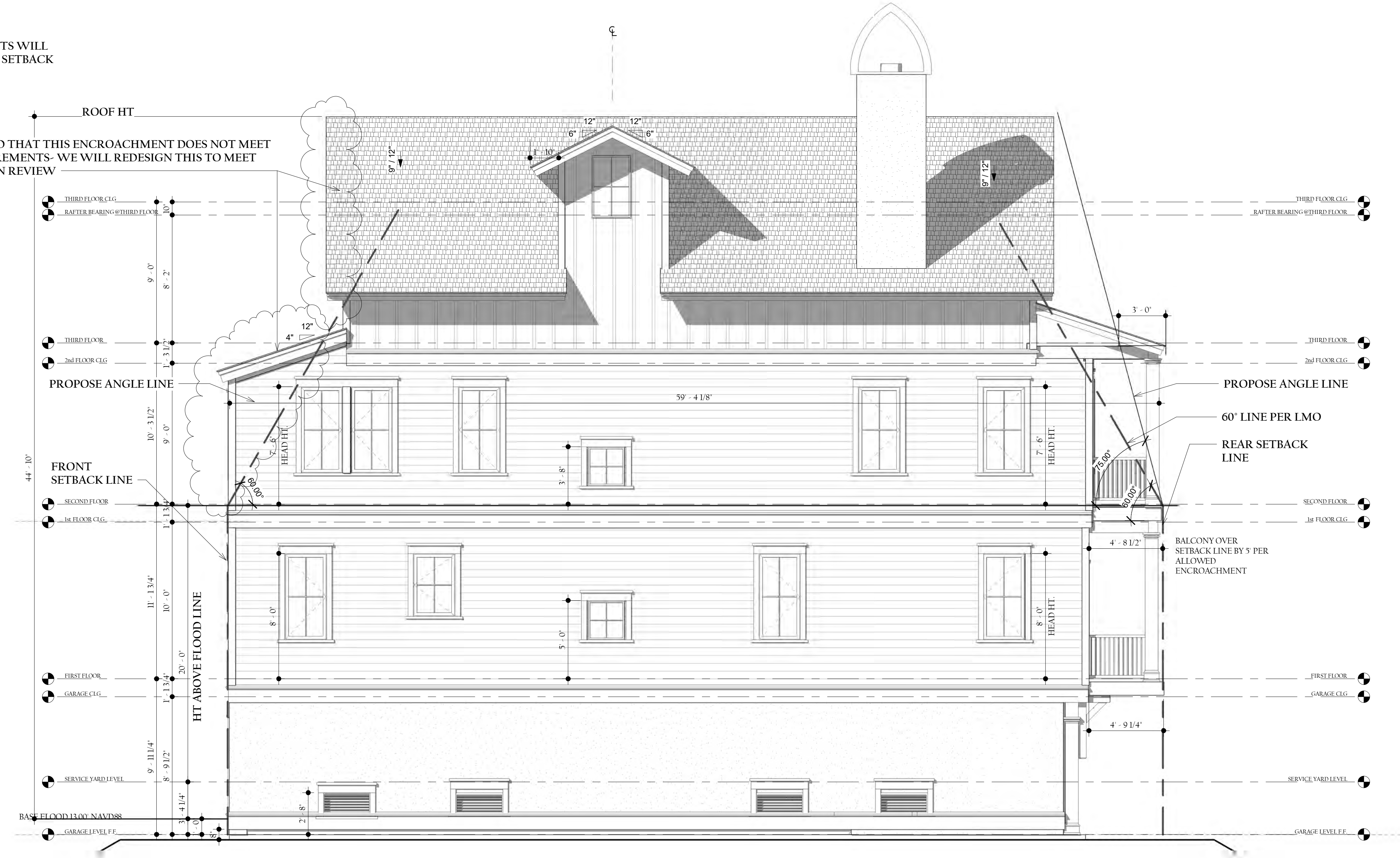
DESIGNED BY
S. LIBERTI
DRAWN BY
MAB
PROJECT
24-
SHEET

A3.2

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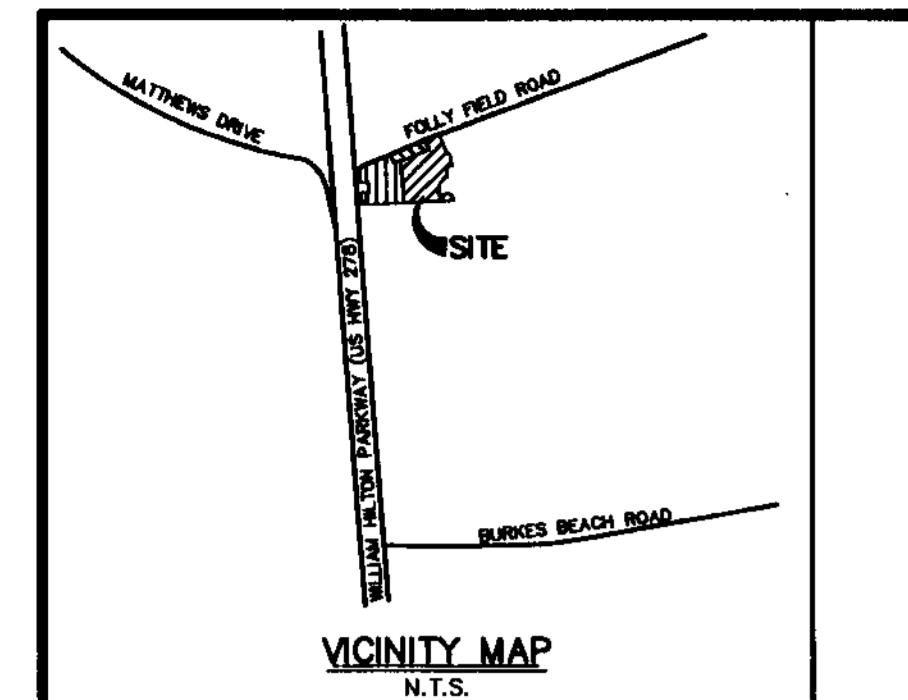
ALL HVAC UNITS WILL BE INSIDE THE SETBACK AREAS

WE UNDERSTAND THAT THIS ENCROACHMENT DOES NOT MEET THE LMO REQUIREMENTS- WE WILL REDESIGN THIS TO MEET THE LMO AT PLAN REVIEW



1 RIGHT ELEVATION
1/4" = 1'-0"

INITIALS
OWNERS _____ BUILDER _____



LINE	LENGTH	BEARING	LINE	LENGTH	BEARING
L1	4.00'	S 04°17'57" E	L71	53.12'	S 68°24'56" E
L2	40.00'	N 64°29'04" E	L72	15.66'	S 58°28'49" W
L3	3.99'	S 71°38'22" E	L73	100.00'	S 72°38'56" E
L4	18.78'	S 18°55'11" W	L74	100.00'	S 72°38'56" E
L5	71.92'	S 71°04'49" E	L75	100.00'	S 72°38'56" E
L6	6.78'	N 18°55'11" E	L76	119.29'	S 85°05'01" E
L7	53.28'	S 04°10'54" W	L77	108.18'	S 85°05'01" E
L8	47.80'	N 78°27'45" E	L78	97.77'	S 87°11'36" W
L9	55.25'	N 20°18'12" W	L79	97.31'	S 85°42'03" E
L10	53.92'	N 04°17'57" W	L80	96.98'	N 85°42'03" E
L11	80.86'	N 74°38'36" W	L81	95.97'	N 85°42'03" E
L12	42.18'	N 18°22'35" E	L82	94.91'	N 85°42'03" E
L13	27.73'	S 32°22'57" E	L83	95.04'	N 85°42'03" E
L14	27.73'	S 32°22'57" E	L84	96.72'	N 85°42'03" E
L15	42.18'	S 18°22'35" W	L85	108.28'	N 85°42'03" E
L16	72.24'	S 13°12'15" W	L86	134.81'	N 85°42'03" E
L17	42.60'	S 13°12'15" W	L87	181.81'	S 44°01'28" W
L18	10.00'	S 85°05'01" E	L88	39.93'	S 85°34'46" E
L19	18.74'	N 52°50'10" W	L89	33.36'	S 85°34'46" E
L20	31.52'	N 15°42'17" W	L90	29.32'	S 85°34'46" E
L21	34.13'	N 09°31'20" W	L91	100.00'	S 72°38'56" E
L22	45.37'	N 2°08'57" W	L92	100.00'	S 72°38'56" E
L23	45.37'	N 04°52'45" W	L93	100.00'	S 72°38'56" E
L24	33.00'	N 04°52'45" W	L94	100.54'	S 72°38'56" E
L25	33.02'	N 08°07'40" W	L95	13.70'	S 72°38'56" E
L26	33.02'	N 08°07'40" W	L96	33.02'	S 72°38'56" E
L27	33.00'	N 04°04'28" W	L97	80.23'	S 72°38'56" E
L28	33.04'	N 01°23'42" W	L98	102.99'	S 15°21'24" W
L29	34.98'	N 04°52'45" W	L99	104.13'	S 15°21'24" W
L30	28.50'	N 28°09'48" E	L100	100.00'	S 15°21'24" W
L31	11.20'	N 85°22'38" E	L101	100.00'	S 15°21'24" W
L32	99.90'	N 04°17'57" W	L102	100.00'	S 15°21'24" W
L33	99.90'	N 04°17'57" W	L103	100.00'	S 15°21'24" W
L34	99.90'	N 04°17'57" W	L104	100.00'	S 15°21'24" W
L35	99.90'	N 04°17'57" W	L105	100.00'	S 15°21'24" W
L36	99.90'	N 04°17'57" W	L106	43.47'	S 15°21'24" W
L37	99.90'	N 04°17'57" W	L107	33.00'	S 15°21'24" W
L38	99.90'	N 04°17'57" W	L108	17.91'	S 15°21'24" W
L39	99.90'	N 04°17'57" W	L109	104.57'	S 74°38'36" E
L40	99.90'	N 04°17'57" W	L110	104.80'	S 74°38'36" E
L41	99.90'	N 04°17'57" W	L111	101.40'	S 72°38'56" E
L42	99.90'	N 04°17'57" W	L112	100.00'	S 72°38'56" E
L43	99.90'	N 04°17'57" W	L113	108.04'	N 78°27'45" W
L44	104.60'	N 04°17'57" W	L114	102.95'	N 78°27'45" W
L45	114.95'	N 04°17'57" W	L115	68.10'	N 04°17'57" W
L46	106.00'	S 78°27'45" E	L116	31.94'	N 04°17'57" W
L47	106.00'	S 78°27'45" E	L117	100.00'	N 04°17'57" W
L48	106.00'	S 78°27'45" E	L118	100.00'	N 04°17'57" W
L49	106.00'	S 78°27'45" E	L119	100.00'	N 04°17'57" W
L50	105.99'	S 74°38'36" E	L120	100.00'	N 04°17'57" W
L51	105.99'	S 74°38'36" E	L121	100.00'	N 04°17'57" W
L52	105.99'	S 74°38'36" E	L122	100.00'	N 04°17'57" W
L53	100.00'	N 15°21'24" W	L123	88.94'	N 04°17'57" W
L54	100.00'	N 15°21'24" W	L124	84.78'	N 04°17'57" W
L55	100.02'	N 15°21'24" W	L125	99.65'	N 04°17'57" W
L56	100.01'	N 15°21'24" W	L126	27.28'	S 62°23'46" E
L57	99.99'	N 15°21'24" W	L127	6.94'	S 62°23'46" E
L58	99.97'	N 15°21'24" W	L128	23.84'	S 32°22'57" E
L59	99.93'	N 15°21'24" W	L129	7.08'	S 69°54'32" E
L60	99.93'	N 15°21'24" W	L130	100.00'	S 69°54'32" E
L61	99.91'	N 15°21'24" W	L131	100.00'	S 69°54'32" E
L62	99.89'	N 15°21'24" W	L132	100.00'	S 69°54'32" E
L63	99.87'	N 15°21'24" W	L133	100.00'	S 69°54'32" E
L64	99.85'	N 15°21'24" W	L134	100.00'	S 69°54'32" E
L65	99.83'	N 15°21'24" W	L135	100.00'	S 69°54'32" E
L66	99.80'	N 15°21'24" W	L136	100.00'	S 69°54'32" E
L67	99.78'	N 15°21'24" W	L137	100.00'	S 69°54'32" E
L68	99.75'	N 15°21'24" W	L138	100.00'	S 69°54'32" E
L69	101.17'	N 15°21'24" W	L139	100.00'	S 69°54'32" E
L70	121.89'	S 15°21'24" W	L140	100.00'	S 69°54'32" E

AREA TABLE	
83 RESIDENTIAL LOTS	= 6.779 Ac.
SANDCASTLE COURT R/W	= 2.313 Ac.
OPEN SPACE	= 1.826 Ac.
TOTAL AREA	= 10.918 ACRES

NOTES

- I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREIN WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN; ALSO THERE ARE NO OBVIOUS, APPARENT OR VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.
- THIS PROPERTY IS LOCATED IN ZONE A-7, A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY H.U.D. PANEL 14-D, COMMUNITY NO. 450250, MAP DATED 9/29/86, BASE ELEVATION 14.0'. FLOOD HAZARD ZONE AND BASE ELEVATION SHOULD BE VERIFIED BY PROPER TOWN OR COUNTY BUILDING INSPECTIONS DEPARTMENT.
- UNDERGROUND UTILITIES NOT LOCATED EXCEPT AS SHOWN.
- I.N. DENOTES IRON NEW, 1/2" REBAR SET. ALL LOT CORNERS TO BE WITH I.N. UPON FINAL APPROVAL, RECORDING AND WHEN ROAD CONSTRUCTION IS COMPLETE.
- UPON APPROVAL AND RECORDING, PROPERTY CORNERS WILL BE SET.
- THE ONLY ACTIVITIES PERMITTED IN THE EXTERIOR SUBDIVISION BUFFER AS LABELED ON THOSE LISTED IN PERMITTED ACTIVITY IN OTHER BUFFER AREAS AS PER THE LMO.

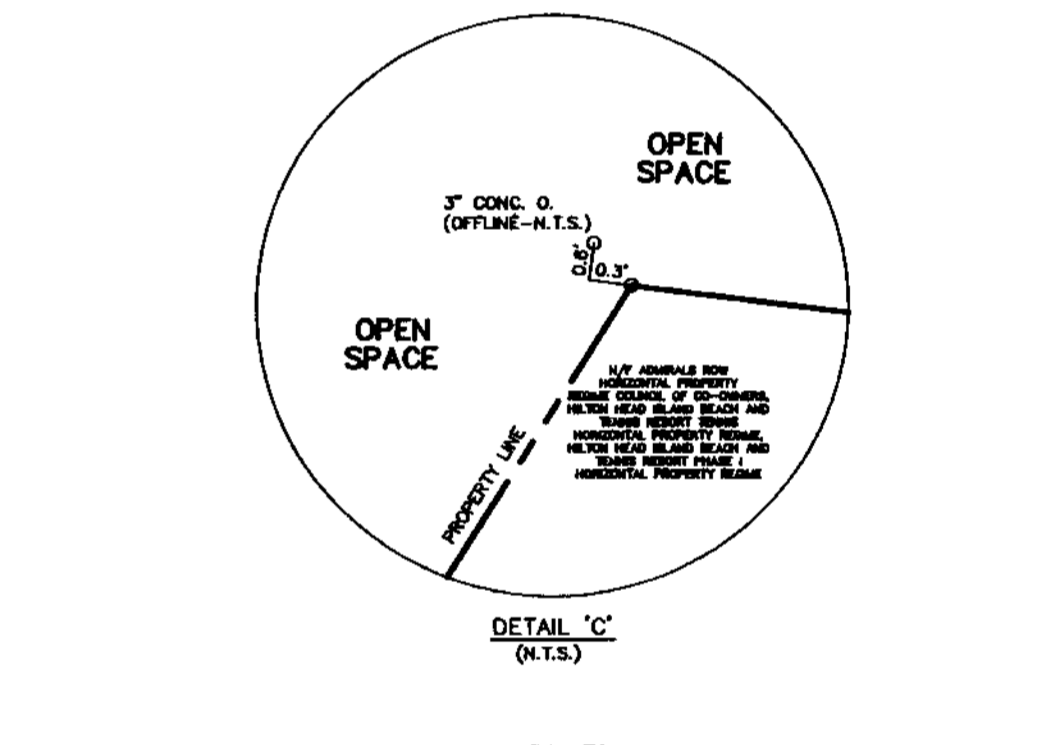
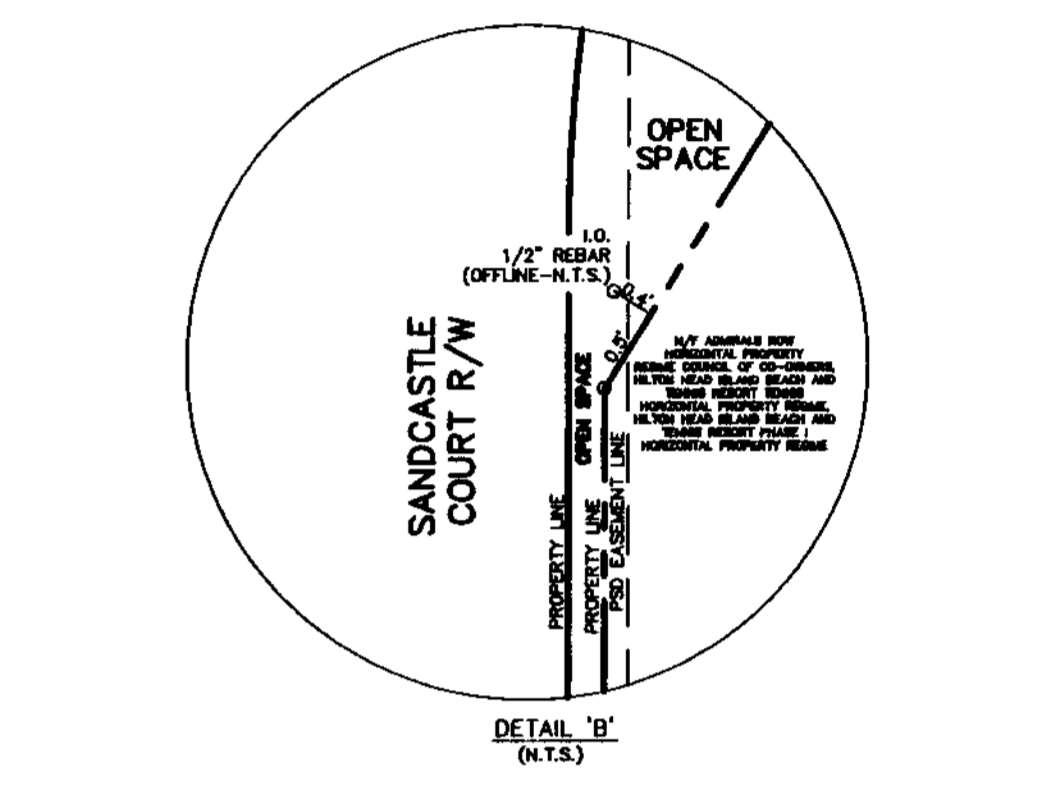
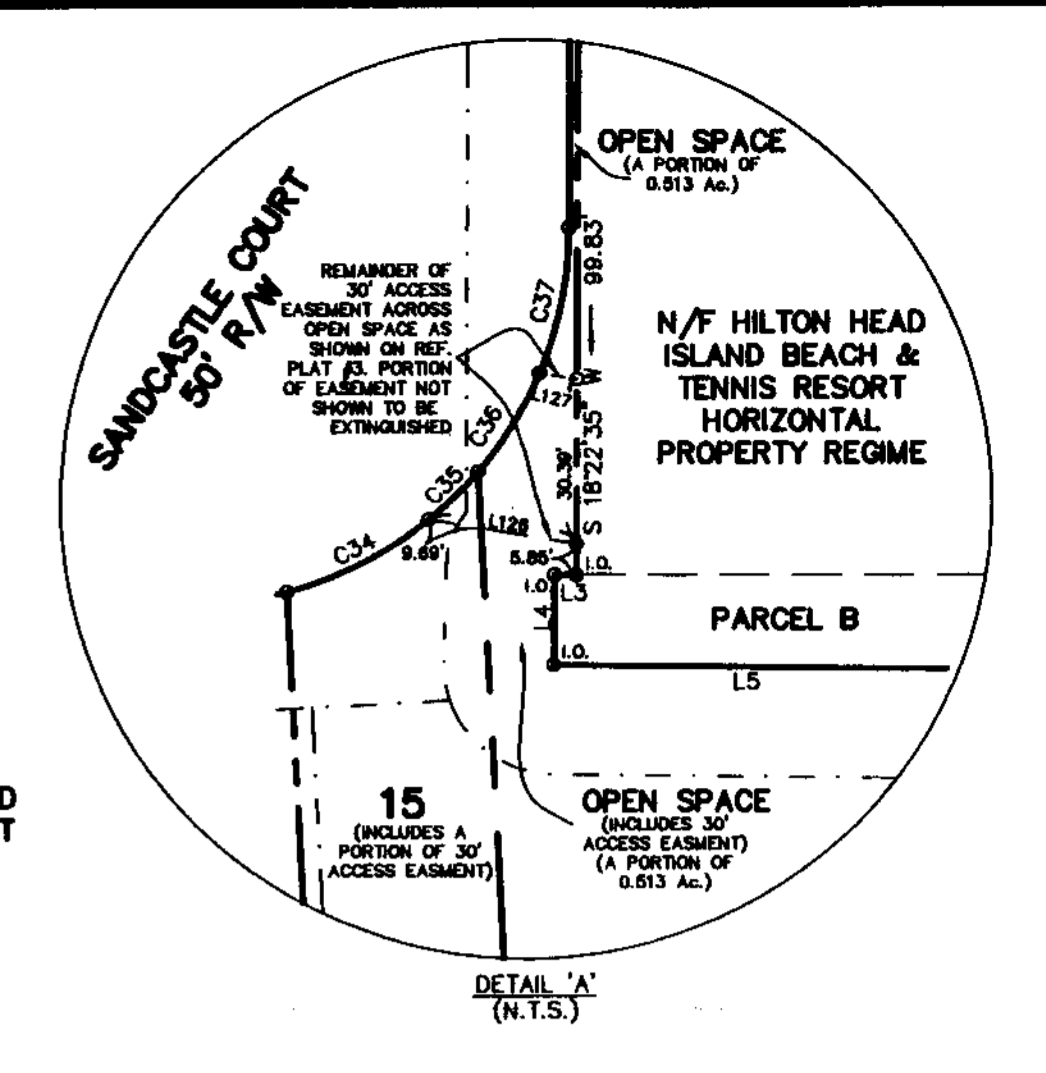
REFERENCE PLATS:

- ASBUILT SURVEY OF 14.249 AC. TRACT, FOLLY FIELD ROAD & U.S. HIGHWAY 278, DATED: 5/5/2000, BY: TERRY G. HATCHELL, S.C.R.L.S. NO. 11059.
- ALTA/ACSM LAND TITLE SURVEY OF PARCEL A, 3.26 AC. AND PARCEL B, 0.08 AC., WILLIAM HILTON PARKWAY, THE FORMER ALTA TERGOSIAN TRACT, CHARLUM PLANTATION, DATED: 12/10/2003, REVISED: 4/28/2004, BY: TERRY G. HATCHELL, S.C.P.L.S. NO. 11059.
- 14.28 ACRES COMMERCIAL & MULTI-FAMILY TRACT, A SECTION OF FOLLY FIELD ROAD AREA, DATED: 4/20/93, REVISED: 4/21/93, RECORDED: P.B. 46, PG. 127, 10/17/93.
- BOUNDARY PLAT OF 16.013 AC. TRACT AT THE INTERSECTION OF FOLLY FIELD ROAD & WILLIAM HILTON PARKWAY, DATED: 10/13/2004, REVISED: 12/14/2004, BY: TERRY G. HATCHELL, S.C.R.L.S. NO. 11059.
- BOUNDARY PLAT OF 9.327 ACRES, SINGLE FAMILY RESIDENTIAL TRACT, AT THE INTERSECTION OF FOLLY FIELD ROAD & WILLIAM HILTON PARKWAY, DATED: 11/29/2004, BY: TERRY G. HATCHELL, S.C.P.L.S. NO. 11059.
- BOUNDARY PLAT OF 6.886 ACRES, COMMERCIAL TRACT, AT THE INTERSECTION OF FOLLY FIELD ROAD & WILLIAM HILTON PARKWAY, DATED: 11/7/2004, BY: TERRY G. HATCHELL, S.C.P.L.S. NO. 11059.
- BOUNDARY PLAT OF 17.51 AC. TRACT, AT THE INTERSECTION OF FOLLY FIELD ROAD & WILLIAM HILTON PARKWAY, DATED: 5/9/2005, REVISED: 6/9/2005, BY: TERRY G. HATCHELL, S.C.R.L.S. NO. 11059 RECORDED: P.B. 107, PG. 90.

SPECIAL NOTE
Some or all areas on this plat are flood hazard areas and have been identified as having at least a one percent chance of being flooded in any given year by rising tidal waters associated with possible hurricanes. Local regulations require that certain flood hazard measures be incorporated in the design and construction of structures in these designated areas. Reference shall be made to the development covenants and restrictions of this development and requirements of the Town Building Official. In addition, federal law requires mandatory purchase of flood insurance as a prerequisite to federally insured mortgage financing in these designated flood hazard areas.

I, the undersigned, as the Owner of Record of parcel R510-009-000-1099-0000, agree to the recording of this plat.
 SIGNATURE: *[Signature]* DATE: 5-19-2006

Exhibit B - Sandcastles by the Sea Subdivision Plat
VAR-000603-2024



SUBDIVISION CONTROL POINTS
(THESE POINTS TO BE SET AFTER FINAL ROADWAY CONSTRUCTION)

CP1	N 134426.47	E 2094162.22
CP2	N 134296.35	E 2094174.26
CP3	N 134110.87	E 2094171.82
CP4	N 133926.67	E 2094114.32
CP5	N 133864.72	E 2094081.39
CP6	N 133795.49	E 2094134.47
CP7	N 133892.95	E 2093658.59
CP8	N 134152.67	E 2093678.84
CP9	N 134187.01	E 2093719.22
CP10	N 134218.10	E 2094132.76

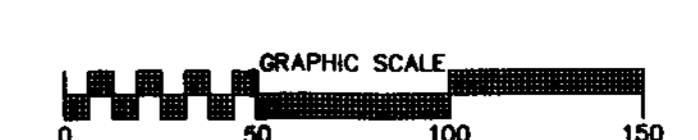
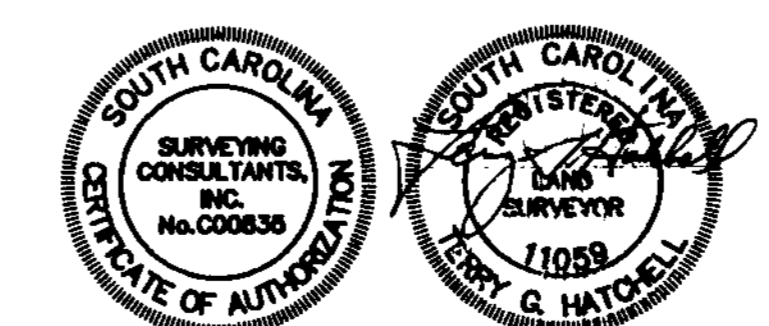
TOWN OF HILTON HEAD BEACH, SOUTH CAROLINA
 THE TOWN ENGINEER HAS REVIEWED THIS PLAT IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA AND HAS AUTHORIZED THIS PLAT.
 Date of approval: 7/10/05
 Application Number: 05105002
 Certified by: *[Signature]*
 Title: *[Signature]*
 COUNTY OF BEaufort, SOUTH CAROLINA
 BEAUFORT COUNTY, SOUTH CAROLINA

SUBDIVISION PLAT OF
SANDCASTLES BY THE SEA
 FOLLY FIELD ROAD
 HILTON HEAD ISLAND, BEAUFORT COUNTY, SOUTH CAROLINA
 SCALE: 1" = 50' DATE: 6/15/2005 JOB NO: 89319L
 REVISED 05/19/2006: TO SHOW OFFSET PROPERTY CORNERS

BEAUFORT COUNTY SC - ROD
 BK 00113 PG 0194
 FILE NUM 2006040075
 06/19/2006 03:37:01 PM
 RECT BY B BING R077# 41804
 RECORDED FEES 10.00

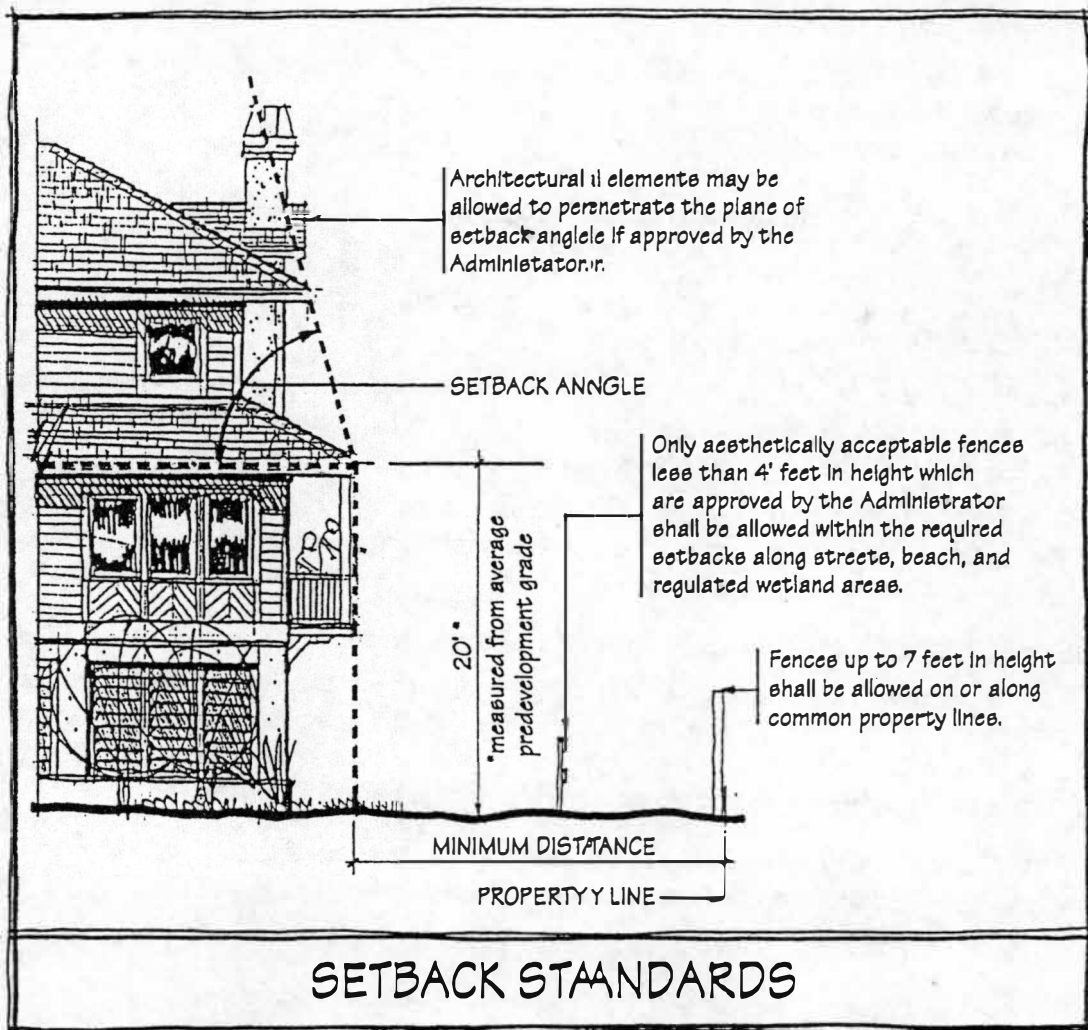
SURVEYING CONSULTANTS
 17 Sherington Drive, Suite C, Bluffton, SC 29910
 Telephone: (843) 815-3304 FAX: (843) 815-3306
 COPYRIGHT © BY SURVEYING CONSULTANTS

PREPARED FOR: STAR FISH INVESTMENTS, LLC
 TAX PARCEL I.D. NO. R510-009-000-1099-0000



Proposed Use		Adjacent Use			
		Single Family	Multifamily Recreational	Institutional, Commercial	Industrial, Warehouse
Single Family *	Min. Distance	20'	20'	30'	40'
	Max. Angle	75°	75°	60°	45°
Multifamily, Recreational	Min. Distance	20'	20'	25'	30'
	Max. Angle	75°	75°	75°	60°
Institutional, Commercial	Min. Distance	30'	25'	20'	20'
	Max. Angle	60°	75°	75°	75°
Industrial, Utility	Min. Distance	40'	30'	20'	20'
	Max. Angle	45°	60°	75°	75°

[*NOTE: Single family subdivision exterior boundary only]



Sec. 16-5-711. - Setbacks for Zero Lot Line Development

Sec. 16-5-701. - Purpose and Function

The function of a setback is to provide separation between structures and property lines or between structures and the street right-of-way line. Setbacks facilitate adequate air circulation and light by allowing natural areas to separate developments.

Sec. 16-5-702. - Exemptions

No setback shall be required for landscaping, lagoons, retaining walls, streets, parking, street lights, and other amenities that, in the opinion of the Administrator, would normally be considered as aesthetically acceptable.

(Revised 6/15/99—Ordinance 1999-19)

Sec. 16-5-703. - Determination of Setback

- A. Required setbacks for any development shall be determined according to the relationship of the proposed use to the existing contiguous use on each property adjacent to the development.
- B. For purposes of determining the appropriate setback distance where the adjacent property is vacant, it shall be classified as the use which would require the greatest setback allowed by right in that district.
- C. The required setback and setback angle as set forth below shall be measured inward from the property line to the closest portion of a structure located on the property.

(Revised 6/15/99—Ordinance 1999-19)

Sec. 16-5-704. - Minimum Required Setback Area

The minimum required setback area is set forth in the tables below. Minimum setback distances are for structures up to 20 feet in height, measured from the minimum elevation required by FIRM/FEMA or average pre-development grade where no FIRM/FEMA floor elevation is established. Structures exceeding this 20-foot height shall require additional setback according to the appropriate setback angle set forth below.

- A. **Adjacent Use Setback.** All development shall conform to the following minimum setback distances and maximum setback angles, except as expressly provided in this Article. Adjacent use setbacks between two adjoining parcels that are functioning as one development may be eliminated as deemed appropriate by the Administrator.

(Revised 3/6/07—Ordinance 2007-05)

Proposed Use	Adjacent Use				
	Single Family	Multifamily, Recreational	Institutional, Commercial	Industrial, Warehouse	
Single Family*	Min. Distance	20'	20'	30'	40'
	Max. Angle	75°	75°	60°	45°
Multifamily, Recreational	Min. Distance	20'	20'	25'	30'
	Max. Angle	75°	75°	75°	60°
Institutional, Commercial	Min. Distance	30'	25'	20'	20'
	Max. Angle	60°	75°	75°	75°

Industrial, Utility	Min. Distance Max. Angle	40' 45°	30' 60°	20' 75°	20' 75°
[*NOTE: Single family subdivision exterior boundary only]					
<p>1. For all minor subdivisions and Abbreviated Development Plan Review (ADPR) applications, the entire single family exterior boundary setback may be reduced by 50% in area. The setback area shall not be reduced to less than 5 feet wide at any point. The total boundary setback area shall not be required to exceed 20% of the original parcel.</p> <p>2. <u>Sec. 16-5-205</u> requires a 5-foot setback along all internal property lines for lots divided for single family detached homes. A side setback may be reduced to less than 5 feet as long as the resultant setback combined with the adjacent lot is at least 10 feet wide and shown on the recorded subdivision plat.</p> <p>3. For properties located in the CCW, DCW, and SMU zoning districts, the adjacent use setback requirement may be reduced in accordance with <u>Section 16-5-402A</u>.</p>					

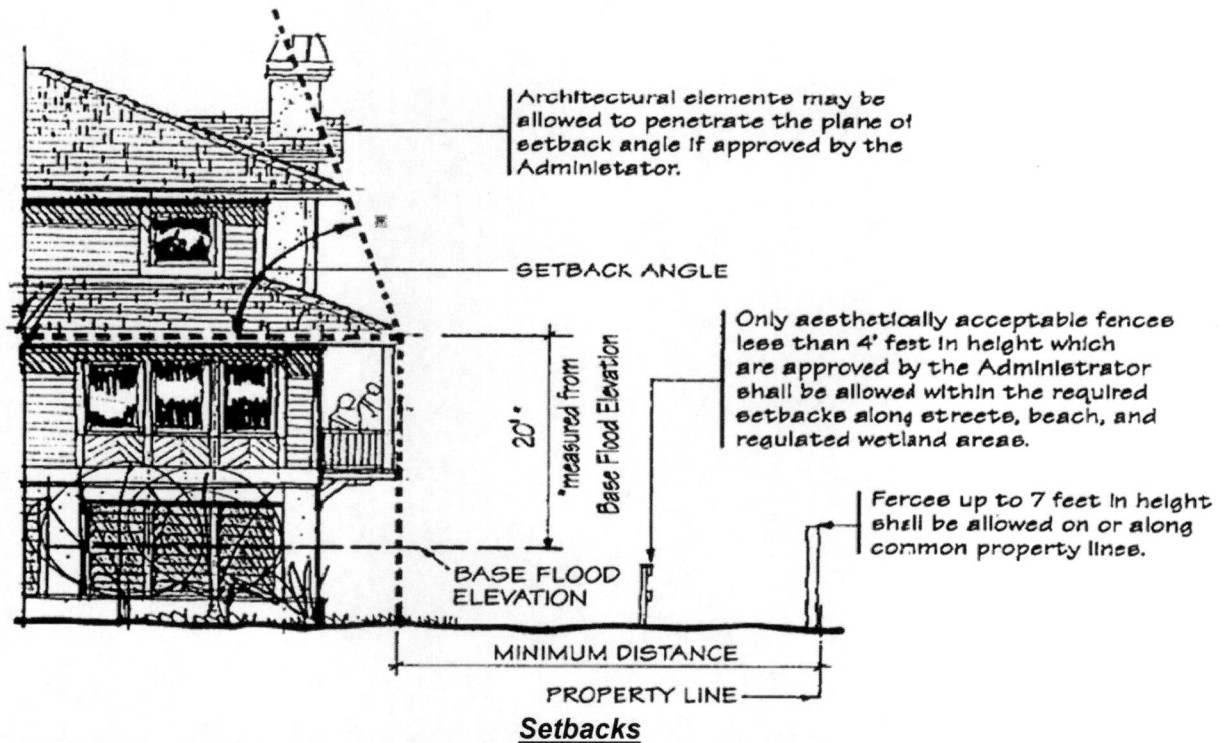
(Revised 9/5/06—Ordinance 2006-19; Revised 3/6/07—Ordinance 2007-05)

B. Adjacent Street Setback. Minimum setback distances from adjacent roads are specified in the table below.

(Revised 3/6/07—Ordinance 2007-05)

Proposed Use		Major Arterials	Minor Arterials	All Other Streets
Single Family Residences	Min. Distance Max. Angle	50' 75°	40' 70°	20* 60°
Structures > 24" in height	Min. Distance Max Angle	50' none	30' none	10' none
Structures < 24" in height				
All Other Uses	Min. Distance Max. Angle	50' 75°	40' 70°	20' 60°
<p>*Note: For all corner lots, the 20 ft. adjacent street setback may be reduced to 10 ft. for one street. The 20 ft. adjacent street setback shall apply to the street having the highest number of average daily vehicle traffic (ADT) as determined by the Administrator. If both streets have equal ADT the property owner may choose which street the residence will front. For properties located in the CCW, DCW, and SMU zoning districts, the adjacent street setback requirement may be reduced in accordance with <u>Section 16-5-402B</u>.</p>				

(Revised 3/6/07—Ordinance 2007-05)



(Revised 6/15/99—Ordinance 1999-19; Revised 4/25/00—Ordinance 2000-13; Revised 4/2/02—Ordinance 2002-10; Revised 6/21/05—Ordinance 2005-19)

Sec. 16-5-705. - Exceptions For Setback Angle Requirements

- A. Architectural elements may be allowed to penetrate the plane of the setback angle if approved by the Administrator. Architectural elements are parts of a structure which provide visual interest to that structure and are generally non-habitable and decorative in nature. These elements include, but are not limited to, pitched roofs, dormer windows, cupolas, bay windows, eaves and overhangs, chimneys, and church spires.
- B. Exceptions may be allowed by the Administrator only if the applicant demonstrates that:
 1. The required setback angle cannot be met for the architectural elements using alternate site layouts without major modifications to an otherwise acceptable application; and
 2. The excepted architectural elements will not cause detriment to adjacent properties through alteration of natural elements; and
 3. The excepted architectural elements shall not be major or dominant features of the structure; and
 4. The excepted architectural elements will not penetrate the plane of the minimum required setback; and
 5. The exception is the minimum reasonably required to achieve the architectural goal; and, if applicable,
 6. The placement of the structure provides protection of prominent natural features on the site such as trees and wetlands, or historic sites.

Sec. 16-5-706. - Setbacks for Fences

- A. Fences up to 7 feet in height shall be allowed on or along common property lines.
- B. Only aesthetically acceptable fences less than 4 feet in height which are approved by the Administrator shall be allowed within the required setbacks along streets, beach and regulated wetland areas.

Sec. 16-5-707. - Setbacks for Flag Poles

Setbacks shall be required for flag poles higher than 20 ft. with flags larger than 40 sq. ft.

(Revised 10/21/03—Ordinance 2003-31)

Sec. 16-5-708. - Setbacks at Intersections

Setbacks at intersection shall be governed by the requirements for sight triangles set forth in Sec. 16-5-508.

Sec. 16-5-709. - Setbacks for PUD

For the application of setback requirements to a PUD, refer to Article IX.

Sec. 16-5-710. - Setbacks for Signs

For the application of setback requirements to signs see Sec. 16-5-1308.G.

Sec. 16-5-711. - Setbacks for Zero Lot Line Development

Subdivisions may be developed with zero lot lines provided that applicable restrictive covenants require all lots to be developed as zero lot lines. However, the perimeter of the subdivision shall be subject to setbacks required in this section.

Hilton Head Island, South Carolina, Land Management Ordinance >> CHAPTER 5. - DESIGN AND PERFORMANCE STANDARDS >> ARTICLE VIII. - BUFFER STANDARDS >>

ARTICLE VIII. - BUFFER STANDARDS

Sec. 16-5-801. - Purpose and Function

Sec. 16-5-802. - Landscape Plan Required

Sec. 16-5-803. - Location of Buffer Area

Sec. 16-5-804. - Measuring Average Buffer Depth

Sec. 16-5-805. - Buffer Design Standards

Sec. 16-5-806. - Required Buffers

Sec. 16-5-807. - Specific Buffer Requirements

Sec. 16-5-808. - Permitted Activity in Street Buffers

Sec. 16-5-809. - Permitted Activity in Other Buffer Areas

Sec. 16-5-810. - Buffer Materials

Sec. 16-5-811. - Review of Installed Buffer

Sec. 16-5-801. - Purpose and Function

TOWN OF HILTON HEAD ISLAND

One Town Center Court, Hilton Head Island, S.C. 29928

(843) 341-4600 Fax (843) 842-7728

www.hiltonheadislandsc.gov

John J. McCann
Mayor

October 31, 2022

Sent Via: Email

William D. Harkins
Mayor ProTem

Council Members

Thomas W. Lennox
David Ames
Tamara Becker
Glenn Stanford
Alexander Brown, Jr.

Rick Dietrich
90 Capital Drive
Suite 101-A
Hilton Head SC. 29926

Marc Orlando
Town Manager

Re: 57 Sandcastle Court, Permit #BLDR-000489-2022, 65 Sandcastle Court, Permit #BLDR-003018-2022, 131 Sandcastle Court, Permit #BLDR-002038-2022

Mr. Dietrich,

On September 22, 2022, Town staff became aware of a setback angle encroachment, Land Management Ordinance, Section 16-5-102.D(1), at 57 Sandcastle Court, building permit number BLDR-000489-2022. The permitted construction was subsequently placed under a stop work order. Since that time, we have determined that you have two additional permitted jobs with the same setback angle encroachments, and they also were placed under a stop work order. These properties are 65 Sandcastle Court, building permit BLDR-003018-2022, and 131 Sandcastle Court, building permit BLDR-002038-2022 respectively.

Over the last month, Town staff has been working with you to identify a mutually agreeable path forward to resolving these concerns. In furtherance of these efforts, the Town agreed to release the stop work order on 57 Sandcastle Court, once we received a revised roof plan showing the new stepped back location of the front dormer on the third floor. On Friday, October 28, 2022, Town staff received the revised roof plans and removed the stop work order from 57 Sandcastle Court.

The Town has now also agreed to remove the stop work order on 131 Sandcastle Court, and 65 Sandcastle Court, thereby allowing you the ability to move forward with the swimming pools and foundation work. This rescission was completed on Thursday, October 27, 2022, and the corresponding stop work orders were removed from both 65 Sandcastle Court, and 131 Sandcastle Court.

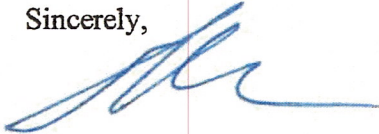
In order to appropriately address these issues, the Town will draft and route a Land Management Ordinance amendment, that if adopted, will remove the setback angle requirements from the Land Management Ordinance as it would otherwise apply to these units. Once the amendment is approved, we will allow you to continue with the full

construction of the two homes as initially submitted. If the amendment is not approved, we will continue to work with you to the fullest extent possible on any plan modifications that may be accomplished to allow the construction of the two homes to continue.

On October 31, 2022, Town staff received an application for your appeal to the Board of Zoning Appeals regarding the previously issued stop works orders. With the Town's subsequent removal of the stop work order for these properties, your appeal as submitted appears to be moot. As such, we would respectfully request that you withdraw your application with the understanding that the Town will be pursuing a Land Management Ordinance amendment that will hopefully address this situation. Such a withdrawal would not prevent you from resubmitting an appeal in the future if we are not otherwise able to successfully resolve this matter as proposed. If you are in agreement, please let me know of your desire to withdraw your application via email so that we may expeditiously issue you a full refund of the application fee.

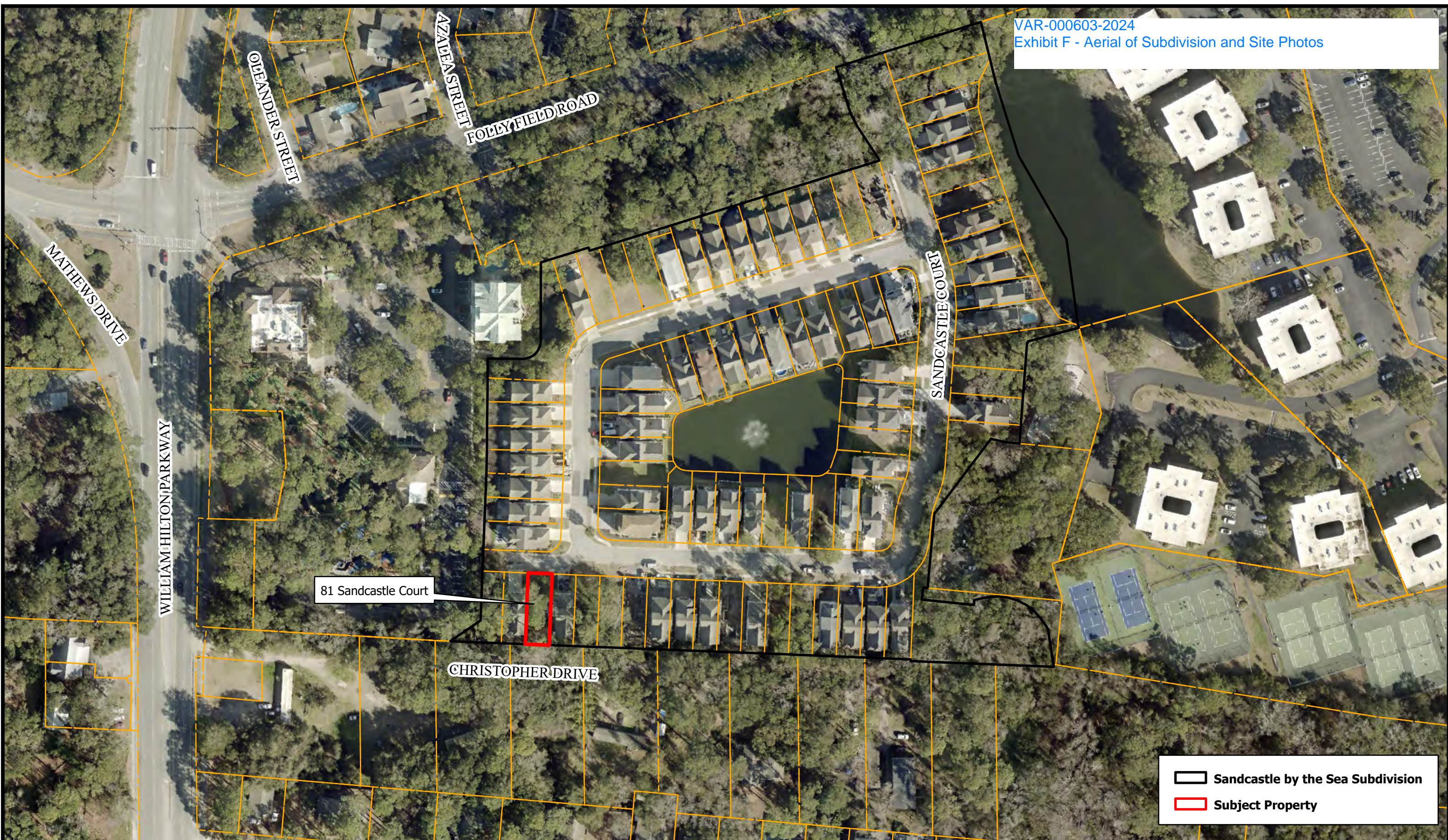
If you have any questions or concerns about the contents of this letter, please feel free to contact me directly at shawnc@hiltonheadislandsc.gov or at 843-341-4696.

Sincerely,



Shawn Colin,
Assistant Town Manager, Community Development
Town of Hilton Head Island

Cc: Marc Orlando, Town Manager
Josh Gruber, Deputy Town Manager
Chris Yates, Development Services Manager



 Sandcastle by the Sea Subdivision
 Subject Property



SEA TURTLE
VACATION RENTALS
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SEATURTLEVACATION.COM
NV600
SEA TURTLE
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(800) 755-7777

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ARCHITECTURAL REVIEW GUIDELINES

FOR

Sandcastles by the Sea

Folly Field Road
Hilton Head Island, SC 29928

Version 1.2 (Revised 08/11/15)



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SECTION I – INTRODUCTION

Sandcastles by the Sea, a private residential community, is located in the Folly Field area of Hilton Head Island, conveniently situated mid-Island near the intersection of William Hilton Parkway (U. S. Highway 278 Business) and Folly Field Road, close to schools, shopping, recreation, medical and professional services, and the beaches of the Atlantic Ocean. Sandcastles by the Sea contains a total of 83 single family residential lots on 10.918 acres.

A. AIM OF THE DEVELOPMENT

The primary aim of the development of Sandcastles by the Sea is the achievement of a high quality, aesthetically pleasing single family residential community which strives to preserve and enhance the value of each property owner's investment.

B. PURPOSE OF THE ARCHITECTURAL REVIEW COMMITTEE

The purpose of the Architectural Review Committee (the "ARC") is to protect the overall quality of the community while enhancing the value of each property owner's investment by guiding both the building design process and the long term aesthetics of the community for the mutual benefit of all property owners. The ARC, in their review process, will not, as a general rule, dictate any particular architectural style or hinder personal design preferences. It will, however, strive to insure a cohesive character in the community. Traditional design details may be incorporated in the design but "pure styles" which tend to create disharmony are discouraged. The general overall architectural theme of this community of a Bermudian/Charleston style, with the use of coastal colors. A palette of these colors is available from the ARC. No two adjacent homes may be of the same color. All homes shall utilize a darker roof shingle colors.

C. ARCHITECTURAL REVIEW GUIDELINES

These Architectural Review Guidelines are intended to provide guidance to applicants for architectural approval for construction or other improvements on a lot in Sandcastles by the Sea. These Guidelines may be amended from time to time by the ARC with the approval of the Board of Directors of Sandcastles by the Sea Owners Association, Inc.

SECTION II – ARCHITECTURAL REVIEW COMMITTEE

All projects reviewed by the ARC are evaluated with consideration of the Covenants, Conditions and Restrictions for Sandcastles by the Sea recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Record Book 2380 at Page 1162 (the "Covenants"), aesthetics, and current policies of the ARC. The ARC is concerned with all aspects of aesthetics. The ARC is not responsible for the enforcement of building codes, accuracy of plans, specifications, drawings, or structural details, or techniques of construction. Submissions may be disapproved for purely aesthetic reasons deemed contrary to the goals and objectives of the ARC.



Submissions for the final review process must be received before noon on the Monday prior to the ARC meeting at which the application will be reviewed. Submissions for the concept review process or the preliminary review process will be received until 5:00 p.m. on the Wednesday prior to the ARC meeting at which the application will be reviewed. The ARC will meet every other Tuesday at a time determined by the ARC, beginning July 11, 2006; *provided, however,* that the ARC may revise its meeting schedule as it deems appropriate.

The ARC may defer or delay action on any application depending on its complexity; *provided, however,* that no application may be deferred or delayed for more than two meetings of the ARC except for good cause.

In general, the ARC will provide written responses only to applications for final review approval. In an effort to avoid misunderstandings, the ARC prefers to meet with each applicant to review issues in a constructive and positive manner.

The ARC will welcome input and comments on its review process in an effort to improve our methods toward a more “Welcome to Sandcastles by the Sea” attitude without losing sight of the main objective of a pleasing and harmonious community.

There is a non-refundable review fee for all architectural review applications to the ARC. The ARC will review and adjust the review fee schedule as it deems appropriate. The current schedule of review fees is set forth in Section IV below.

Final architectural review approvals granted by the ARC are valid for a period of twelve calendar months from the date of issue. If substantial construction of approved improvements does not begin during this period, the approval shall be void, and a new application conforming to current ARC policies must be submitted to the ARC for review.

SECTION III – ARCHITECTURAL DESIGN GUIDELINES

A. IN GENERAL

The following are Architectural Design Guidelines that will be utilized by the ARC as it reviews applications for construction in Sandcastles by the Sea. The design parameters in these guidelines will provide the common thread to weave the fabric of an aesthetically pleasing residential community. Declarant is exempt from submitting plans and required information herein as long as the Declarant is in charge and performing the duties of the ARC. The Declarant will provide construction information for Property Management to have on file.

B. BUILDING SIZES AND SETBACK REQUIREMENTS

Single family residential structures shall contain a minimum of 1,700 square feet of heated interior space, and a maximum of 4,800 square feet of heated interior space. All homes are to be minimal two living floors over a garage level. All homes must have a two car shielded/



enclosed garage with room for two additional off-street parking spaces in front of the garage. Under no circumstances shall the garage space be converted to any other use.

All vertical construction and improvements shall comply with the minimum building setback lines established on that certain plat of survey entitled "Subdivision Plat of Sandcastles by the Sea" prepared by Surveying Consultants, Terry G. Hatchell, SCRLS 11509, dated June 15, 2005, last revised May 19, 2006, and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Plat Book 113 at Page 164; *provided, however*, that the ARC may in its discretion require greater setbacks based on aesthetic concerns.

C. DESIGN PARAMETERS

Single family residential structures shall have a minimum heated finished first floor elevation of 14.0' msl. The ground (garage) floor elevation shall be a minimum of 1.0' and a maximum of 1.5' above the top of curb elevation of the adjacent roadway. In addition to a two-car enclosed garage, the ground floor may contain such elements outside and inside entry stairs, elevator foyer, pool cabana, storage and utility rooms as allowed by building codes.

The maximum height of any structure at the highest roof ridge shall be 45.0' above base flood elevation (14.0 msl), not including such accessory architectural elements as chimneys, widow's walk railings, cupolas, etc.

The minimum roof pitch for all single family residences shall be at least 4 to 12 on at least the two (out of 4 sides) larger sides of the roof.

Asphalt drives and parking areas are not permitted.

Flagpoles are not permitted.

Flags are not permitted to be mounted on the front of the homes, rear only.

Covered pools and accessory structures are permitted within setback lines, provided they do not have a material adverse impact on a neighbor's sight lines.

Exterior lighting should not adversely affect neighbors. Lights activated by motion detectors shall not be permitted.

Individual docks in the lagoons in Sandcastles by the Sea are prohibited, bulk heads are permissible.

Individual basketball goals and gym sets (playground equipment) shall not be permitted.

Wood chimney covering is prohibited.

Masonry (stucco) and or cement board (hardy as an example) siding will be the primary exterior finishes and shall appear on all elevations.



Landscape plans shall be sensitive to the natural local conditions, including factors such as water consumption requirements. Irrigation and turf shall be extended to the area along the road. At least two flowering trees are required. A detailed landscape section is found in Section V of these Guidelines. All drainage plans must meet municipal code approvals.

Residences will be reviewed for their compatibility with Town of Hilton Head Island, FEMA, and other applicable governmental laws, ordinances, rules and regulations, although enforcement in these areas is handled by the respective agencies.

Satellite dishes must be reviewed and approved prior to installation. Satellite dishes shall be concealed, and shall not have a dish diameter exceeding 24.0 inches.

Propane tanks must be buried in the rear yard.

Mailboxes shall be of a common design, a copy of which is available from the ARC.

No building or sign may use the Sandcastles by the Sea name without written permission of the Declarant.

SECTION IV – REVIEW PROCESS

A. IN GENERAL

No construction activity of any nature within Sandcastles by the Sea, including, without limitation, tree cutting, lot clearing, or site preparation, may begin before all of the following has been accomplished:

- * Final Plans have been approved by the ARC;
- * Landscape Plan deposit has been paid to the ARC;
- * Receipt by the ARC of a signed Drainage/Compliance Agreement;
- * Receipt by the ARC of a signed Acknowledgement letter;
- * Contractor's deposit for site compliance has been paid to the ARC;
- * Issuance of a Town of Hilton Head Island Building Permit; and
- * Issuance by the ARC of a Sandcastles by the Sea Building Permit

All proposed construction requires the submission to the ARC of a completed, signed and dated application on a form approved by the ARC, with the appropriate fees. Plans will not be reviewed by the ARC without the completed application and fee.

To provide a systematic and uniform review of proposed construction, the ARC has established the following application submission and approval guidelines.

B. APPLICATION REQUIREMENTS



All proposed construction requires the submission to the ARC of a completed application on a form approved by the ARC, signed and dated, and the payment to the ARC of the appropriate fee as set forth below.

C. FEE SCHEDULE

Single Family Residence up to 4,800 heated square feet	\$2,500.00
Covered Additions	\$150.00
Uncovered Additions	\$100.00
Pools, Decks, Fences, Enclosing Covered Areas, etc.	\$100.00
Re-staining or re-painting Residence	No Charge
Replacement of shingles	No Charge
Concept, Concept Site, or Preliminary Approval	No Charge
Re-Inspections, including Stake-out or Compliance Inspection, caused by Owner or Builder	\$50.00

Declarant exempt from all costs in association with building homes.

D. STAGES OF PLAN REVIEW- All requests, reviews, deposits and Fees are handled by the property management company and all fees and deposits are made out to HOA.

1. **Conceptual Review** – No fee is required for this review. This submission shall contain information depicting the exterior of the proposed structure with information as to materials and colors. Two copies of a scale drawing of the site plan with the footprint within setback lines should be included, accompanied by the completed application form and the appropriate review fee.

2. **Preliminary Review** – If conceptual review has not been requested, this submission shall include two copies of a site plan with setbacks lines, preliminary floor plans, and elevations with materials and colors clearly indicated. All plans and drawings shall be to scale. The drawing should be accompanied by the completed application form and the appropriate review fee (unless paid with a conceptual review).

3. **Final Review** – This review assumes that either one or both of the conceptual review or preliminary review has been made. Plans receiving preliminary review and having issues and concerns of the ARC, if any, adequately addressed will likely receive final review approval, with any further issues and concerns of the ARC generally being addressed as conditions to the approval. With a conditional approval, the remainder of this review will be handled in a manner so as to insure compliance with the conditions of approval. A final review submission must contain the following items:

- a. A completed, signed and dated Application form approved by the ARC;
- b. The payment of the required ARC review fee; and
- c. Completed plans, specifications and working drawings, including:



Site Plan at a 1/8" = 1" scale, including:

1. Site survey with property lines and building setback lines, signed and sealed by a South Carolina licensed surveyor.
2. Elevations of property corners, center of building, culvert inlets, edge of roadway and finished floor elevation and top of adjacent curb elevations.
3. Tree and topographic survey signed and sealed by a South Carolina licensed surveyor showing contours at one foot intervals and the location and species of all trees six (6") inches or larger in diameter four feet above grade, with trees proposed to be removed indicated with an (X).
4. Building outline, including service yard, patios, decks, air conditioning compressors, and front and rear corners of adjacent buildings.
5. Driveways, parking areas, walks, patios, etc., including type of material for these items (Note: asphalt driveways and parking areas are not allowed). A common driveway design shall be required within Sandcastles by the Sea consisting of concrete with troweled edges (picture framed on all separation joints and edges). It is the responsibility of each lot owner whose lot is adjacent to sidewalks as shown on the Sandcastles by the Sea Master Plan to construct their portion of the sidewalk as part of their respective lot development.
6. Drainage and grading plan with the existing contours indicated by solid lines. On sites where the finished floor elevation is less than three feet above the center elevation of the lot, the drainage pattern may be indicated by arrows to show that the final grading will not direct drainage unto adjacent properties. It is the responsibility of the Owner and the Owner's agent to insure that drainage is in accord with the approved plans and the master drainage plan of the community. Use of rain gutters is preferred on all homes and required on homes adjacent to lagoons, where they shall be piped into the lagoon to a depth of a minimum of 3' below normal pool water elevation. All such pipes shall have a minimum of 12" cover and be turned up at a 45° angle underwater to minimize erosion.
7. Location and identification of special features such as drainage ditches, lagoons, easements, bulkheads, retaining walls, and so forth.

Floor Plans showing the roof outline, entry steps, service yard details such as screening, and all other architectural features.

Roof Plan indicating the roof pitch, an outline of the building walls below, the roof outline, and any other pertinent features.

Elevation Drawings including all four elevations, with existing grades and finished grades, finished floor elevations above mean sea level, exterior finishes of materials,



roof pitch, window and door designs, service yard enclosure, and any other pertinent information, such as the windscreen for any chimney. The ARC prefers to see a predominant use of masonry on the exteriors.

Color Sample Board containing the actual materials and their colors, mounted on a rigid 8 ½" x 11" board. Any material and color information required in the Application is to be completed in addition to the color sample board.

Detail Drawings showing wall sections, service area enclosure details, and other architectural details, including a schedule of window types and finish colors.

Electrical Plan showing the location of the electric meter setting in the service yard, locations and specifications of exterior lighting, including security lighting, and other electrical equipment for pools or other outdoor facilities.

Landscape Plan showing proposed plantings and landscaping. Changes to landscape plans that meet or exceed the standards approved on the original landscape plan may be approved at on-site field inspections.

Two sets of plans and drawings are required for each submission, one to be returned to the applicant with any comments and one to be retained for ARC records. Declarant exempt from review process.

E. ON-SITE STAKE-OUT

After all conditions for final review approval are met and before lot clearing can commence, a stake-out of the building, drives, and service yard must be installed and approved by an on-site inspection performed by the ARC or its designee. For stake-out review, the property lines and foundation perimeter must be clearly marked on the site by a series of stakes each with a minimum of 3 feet exposed connected by string. Trees to be removed are to be flagged with red flagging ribbon. Under no circumstance may any tree removal or site clearing commence before the issuance of a Sandcastles by the Sea building permit.

F. ISSUANCE OF PERMIT TO BUILD

A Sandcastles by the Sea building permit will be issued after the on-site stake-out inspection has been made and approved, provided that the site conditions comply with the approved status of the final review and that all deposits have been made. A copy of the Town of Hilton Head Island building permit must be on file with the ARC prior to the issuance of a Sandcastles by the Sea building permit.

G. PROGRESS INSPECTIONS

The progress of construction will be monitored by the ARC or its designee to insure compliance with the approved design. An "As-Built" footing/garage level slab survey



confirming that all construction is within appropriate setbacks and elevations must be provided to the ARC prior to the start of vertical construction.

H. REQUEST FOR INSPECTION

A request for inspection of any type shall be made to the ARC.

SECTION V – LANDSCAPING

A. IN GENERAL

In order to assure all residents of Sandcastles by the Sea that our residential community will continue to be an attractive and pleasant place to reside, the ARC requires a landscape plan for all new residential construction. A building permit will not be issued to the contractor until a \$2,500.00 landscape plans deposit is received. The landscape plan must be submitted for review at the same time construction plans are submitted for review. The landscaping work shall be completed within the earlier of one year of the commencement of construction start, or 90 days after occupancy. Upon completion of landscaping work in accordance with approved plan, the landscape plans deposit will be refunded to the owner. Declarant exempt from deposit or plan submittal.

B. LANDSCAPING CRITERIA

A landscape plan shall be prepared according to the following criteria:

1. Preserve existing vegetation within setback/buffer zones to maintain natural buffers and character of the homesite.
2. Provide landscaping to enhance the beauty of the property and the residence while providing continuity between the residence and surrounding vegetation.
3. Minimize the visual intrusion of the built environment by mitigating areas disturbed during construction.

C. OBJECTIVES

All single family residential home sites shall be landscaped immediately after construction. The design of the landscaping will vary, depending on size, shape, topography, location of the property and the design of the structure. It is the intent of the landscaping to accomplish the following objectives:

1. Beautify



- a) Soften the vertical structure from the horizontal ground plane with foundation plantings of sufficient density and size to cover construction scars and screen the foundation.
 - b) Soften the impact of corners and broad wall areas with vertical and spreading foliage.
 - c) To soften and reduce apparent height of house, foundation planting at the front should be layered from the ground plane using small plants towards the front and then transitioning up to larger plants near the foundation. A single row of uniformly spaced plants of equal size arranged in a single row along the foundation is not acceptable. Installing plant material of different sizes and textures in natural groupings is a preferred alternative. Plant selection shall provide for a seasonal color change. A minimum of one canopy/shade tree shall be required in the front and rear yards.
2. Visually screen compressors, propane tanks, service yards, recreation equipment, parking, and other hard or unsightly areas.
 3. Restoration of site due to construction.
 4. It is the responsibility of each property owner to handle surface water on their property to minimize its impact on adjoining lots and insure that water is moved to the appropriate areas to flow into the subdivision's master drainage plan.
 5. A minimum of 40% of non-building/pavement areas shall be sodded (non- Bermuda), extending to the adjacent edge of curbs. Landscaping shall be designed to tie into adjacent existing landscaping in a "seamless" manner.
 6. Owners are encouraged to plan for the conservation of water by planting native and drought resistant flora, and to consider rain seasons, drip irrigation along foundations and two-phase irrigation for watering grass separately.

D. PLANS

1. The landscaping plan must be professionally prepared on a tree and topographic survey indicating the existing and proposed vegetation, drawn at a scale of 1/8 or 1/10 inch equals one foot. The plan must graphically illustrate location, lot number, adjoining lot border lines, sizes of plant material, lawn, mulched areas, and open areas such as lagoons, etc. Plant symbols must represent the mature spread of each proposed plant. A schedule must be included on the planting plan indicating the following specifications for each plant.
 - a) Botanical and common name
 - b) Plant height at time of planting
 - c) Plant spread at time of planting
 - d) Plant quantities



- e) Root specifications
 - f) Square feet of grass and mulched areas.
2. Original drawings are not acceptable for review.
 3. Existing trees six (6”) inches or larger in diameter four feet above grade must be identified as to exact location, size of trunk (diameter four feet above grade), genus name, and where possible, the species.
 4. All existing site features such as roads, walks, bike paths, walls, bulkheads, docks, etc. must to be graphically noted on the landscape plan.
 5. All surfacing materials are to be clearly noted and described. Texturing or other surface treatment of concrete paving is to be indicated, including color presentation.
 6. All planted areas shall be irrigated. All irrigation must be installed by a licensed irrigation contractor in accordance with applicable Town of Hilton Head Island codes.
 7. A minimum of two flowering trees is required, one in the front yard and one in the rear yard. The extent of rear yard landscaping depends upon the exposure of these areas.
 8. The plan shall include all exterior furnishings and lighting.
 9. Sod shall be incorporated along front property line and shall extend to each side property line.

E. SUGGESTED PLANT LIST

A list of suggested planting material is available from the ARC.

F. INSPECTION

All planting is to be completed within the earlier of one year of the commencement of construction start, or 30 days after occupancy. A planting completion is required, and must be scheduled with the ARC. The landscaping deposit will be returned after a satisfactory inspection.

SECTION VI – CONSTRUCTION RULES AND REGULATIONS

A. IN GENERAL

These Construction Rules and Regulations must be complied with by all contractors, subcontractors, material suppliers, maintenance personnel, and any others engaged in construction or related activities in Sandcastles by the Sea. These Construction Rules and Regulations are not intended to restrict, penalize, or impede reasonable construction activity



within Sandcastles by the Sea; rather, they will be enforced fairly to achieve the objectives enumerated below and in the Covenants, and to facilitate orderly and controlled construction activity, thereby preserving the overall quality of the appearance of Sandcastles by the Sea. Violations are subject to assessments and repeated violations may be cause for denial of access to Sandcastles by the Sea.

B. RULES AND REGULATIONS

1. Contractor Surety Deposit.

The contractor, before proceeding with any work on site, is to post a \$7,500.00 cash deposit in order to protect the Association's common grounds, roadways, fencing, gates, landscaping, and other improvements; in the event that the contractor, or any of his subcontractors, service, or delivery men, damages any of same.

2. Site Clearing

Site clearing or construction on any property within Sandcastles by the Sea is not permitted without first obtaining a Sandcastles by the Sea Building Permit (See Section II above). Site clearing material must be transported in a covered truck.

3. Trash Receptacles

Each construction site must have a suitable trash receptacle. Construction sites must be cleared of litter each day, and all litter must be stored in the trash receptacle for removal when full. Dumping of construction trash is not permitted inside Sandcastles by the Sea. Trash containers (dumpsters) shall be emptied on a regular basis. Overflowing dumpsters shall be subject to fines.

4. Portable Toilets

Each construction site must have at least one portable toilet prior to any on-site construction, which shall be placed in an inconspicuous location, not closer than 20' from the street or 5' from any adjoining residential property lots, with the door facing away from any view from any adjacent street or house. All toilets must be kept in a clean and sanitary condition. Portable toilets may not contain phone numbers or advertising, and colors should be nature blending.

5. Compliance with ARC Approvals

All building and landscape plans must be approved in writing by the ARC. Both the property owner and the contractor are jointly and severally responsible for



compliance with approved plans in all respects. All construction must be complete to a point of being granted a Certificate of Occupancy without exception by the Town of Hilton Head Island within one year of commencement. All landscaping is also to be completed within the earlier of one year of the commencement of construction or within thirty (30) days of the issuance of a Certificate of Occupancy without exception by the Town of Hilton Head Island. Any change to the exterior of the house, siting, driveway, garage, etc., must receive prior written approval from the ARC. Failure to strictly comply with approved plans may result in an assessment (See the schedule below).

6. Street Number Identification

The Enhanced 911 system utilized by the Town of Hilton Head Fire and Rescue has specific requirements for the posting of street address along roadways. Sandcastles by the Sea has an approved design for this sign, which must be posted within 20 feet of the road.

7. Signs

No sign of any nature may be erected within Sandcastles by the Sea unless approved by the ARC. To minimize visual clutter, the ARC may establish a job site sign standard to be used on all construction sites. Individual contractors will be responsible for providing their own graphic panels, which must be approved by the ARC. All construction sign stanchions must include a plan holder tube and space on the rear to display building permits.

8. P.O.A. Regulations

Any construction work within Sandcastles by the Sea must comply with the Covenants and all rules, regulations and guidelines of the Sandcastles by the Sea Owners Association.

9. Schedule of Assessments for Violations

The following is a schedule of assessments that will be levied and enforced when a contractor or owner violates any approval by the ARC or any applicable rule, regulation or guideline. The assessments collected will be used for grounds beautification, in common areas, and will not be refunded to the contractor. Any assessment may be appealed as set forth below.

Schedule of Assessments	
Type of Violation	Assessment
Not providing proper trash receptacles for construction or keeping site clean of debris	\$100.00 per violation
Trash fires	\$100.00 per violation
Clearing of site without stake-out approval or obtaining a Sandcastles by the Sea building	\$500.00 per violation. This violation may also result in expulsion of the contractor and denial



permit, including unauthorized tree removal	of further construction within Sandcastles by the Sea.
Improperly hauling trash	\$100.00 per violation. This violation may also result in revocation of vehicle access to Sandcastles by the Sea.
Construction or landscaping that does not conform to plans approved by the ARC	\$500.00 per violation. This violation may also result in expulsion of the contractor and denial of further construction within Sandcastles by the Sea.
Failure to provide properly sited portable toilet.	\$50.00 per violation
Noncompliant sign	\$50.00 per violation
Pets on construction sites.	\$25.00 per violation
Fishing in lagoons.	\$25.00 per violations.
Trespass on, or storage of equipment or materials on, adjoining lots and properties.	\$500.00 per violation.

10. Assessment Appeal

Assessments levied by the ARC may be appealed in writing to the Chairman of the ARC within fifteen days of the assessment.





TOWN OF HILTON HEAD ISLAND COMMUNITY DEVELOPMENT DEPARTMENT

One Town Center Court	Hilton Head Island, SC 29928	843-341-4757	FAX 843-842-8908
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STAFF REPORT VARIANCE

Case #:	Public Hearing Date:
VAR-000174-2025	April 28, 2025

Parcel or Location Data:	Property Owner	Applicant
Address: 124 Arrow Road		
Parcel#: R552 015 000 0111 0000	Atlantic Best Cleaning 124 Arrow Road Hilton Head Island, SC 29928	Selena Brown 124 Arrow Road Hilton Head Island, SC 29928
Zoning: LC (Light Commercial District)		
Overlay: COR (Corridor Overlay District)		

Application Summary:

Request from Selena Brown, on behalf of Atlantic Best Cleaning, owner of 124 Arrow Road, also identified as Beaufort County Tax Map Parcel R552 015 000 0111 0000, for a variance from LMO Section 16-4-102.B.7.k.i & ii.05, use specific restrictions, to allow a tattoo shop within 500 feet of another tattoo facility; and within 1,000 feet of publicly owned land.

Staff Recommendation:

Staff recommends the Board of Zoning Appeals find the request to be consistent with the Town's Our Plan and serves to carry out the purposes of the LMO, based on those Findings of Facts and Conclusions of Law as determined by the LMO Official and enclosed herein. Staff recommends that the Board of Zoning Appeals *approve the application*.

Background:

The subject parcel is a developed commercial lot situated at the southern end of Hilton Head Island, forming part of the Palmetto Bay Road Commercial Subdivision. The current

configuration of the lot was established in 1986 when Lots 12 and 13 of the subdivision were combined, as shown in Plat Book 33, Page 227, making this lot larger than most other parcels in the vicinity (see Attachment B, Palmetto Bay Road Commercial Subdivision). The property currently features a building approximately 27,772 square feet in size.

Within a 500-foot radius of the property, there is an eclectic collection of land uses, including Adult Entertainment, Animal Services, Auto Repair, Bicycle Shop, Contractor's Office, Convenience Store, Gas Sales, Grocery Store, Eating Establishment, Light Industrial, Major Utility, Minor Utility, Multifamily, Other Commercial Services, Other Office Uses, Open Space, Shopping Center and a Tattoo Facility. The property containing the existing Tattoo Facility is 93 feet away from 124 Arrow Road, which is less than the 500 feet requirement prescribed in LMO Section 16-4-102.B.7.k.i.

This parcel falls within the Light Commercial (LC) District and the Corridor Overlay. It is accessible from Arrow Road, a Minor Arterial, as well as Target Road. The intent of the LC District, in the Land Management Ordinance (LMO) Section 16-3-105.D.1, “is to provide lands for light commercial uses such as offices, banks, restaurants, and lower intensity retail sales and services uses. Permitted uses are generally auto-oriented and easily accessed.”

In 2009, the Town acquired several pieces of land on Beaufort County's Tax Map 15, specifically parcels 279, 327, and 347 (see Attachment C, Quit Claim Deed). Parcel 347 is labeled as “LAGOON 1.85 ACRES” (now publicly owned land) as shown on Attachment B, Palmetto Bay Road Commercial Subdivision, and is located 60 feet away from the subject property, less than the 1,000 feet requirement prescribed in LMO Section 16-4-102.B.7.k.ii.05.

Prior to the current LMO, which was approved in 2014, the previous iteration from 1998 did not list Tattoo Facilities as an allowable principal use on Hilton Head Island, because South Carolina State Law prohibited tattooing until June 17, 2004, when South Carolina Code of Laws, Title 44, Chapter 34 was adopted, allowing tattooing.

The Town issued business licenses to two tattoo establishments: Incredible Ink at 37 New Orleans Road received its business license on February 7, 2013, while Island Tattoo Co., at 115 Arrow Road was licensed on May 29, 2008. Both establishments were classified as Retail Sales and Services, a category which, according to the 1998 LMO, encompassed personal services (see Attachment D, Business Licenses).

The current LMO now lists Tattoo Facilities as an allowable use only permissible with use specific conditions, LMO Section 16-4-102.B.7.k, in the LC District. The LMO defines “Tattoo Facility” as “an establishment primarily engaged in the practice of tattooing—i.e., the indelible marking or coloring of human skin by subcutaneous introduction of nontoxic dyes or pigments.”

The use-specific conditions specified in LMO Section 16-4-102.B.7.k are:

- i. The site must not be situated within 500 feet of an existing tattoo facility.
- ii. The site must not be located within 1,000 feet of:
 01. A religious institution;

- 02. A daycare or youth activity center, or any public or private elementary or secondary school;
- 03. A playground;
- 04. A recreational area provided by the public;
- 05. Publicly owned land.

iii. Distances are measured as a straight line between the nearest points of the property boundaries of the tattoo facility and the property from which separation is required.

In October 2023, Atlantic Best Cleaning acquired the subject property following the approval of the 2014 LMO, which outlined specific conditions for Tattoo Facilities. This acquisition took place after the Town obtained parcel 347 (“LAGOON 1.85 ACRES”) and the establishment of Island Tattoo Co., at 115 Arrow Road (see Attachment F, Deed).

Today, the subject property at 124 Arrow Road operates as a Shopping Center. The property is located 60 feet away from publicly owned land and is 93 feet from Island Tattoo Co., (see Attachment E, Locational Map).

124 Arrow Road hosts five business licenses: Tienda Y Tortilleria San Jose, a retail/grocery business; Classic Consignments Inc., a consignment store; Waters Dry Cleaning, a dry cleaning business; Annie O’s, a restaurant serving alcohol; and Pamela/Custom Cuts & More, a hairdresser/booth rental.

Upon request of Gavan Daly, potential tenant of 124 Arrow Road, Town staff researched Tattoo Facility feasibility per the LMO. Staff conducted a feasibility analysis (see Attachment G, Tattoo Facility Analysis), which indicates that the existing zoning regulations effectively preclude the establishment of a Tattoo Facility in Hilton Head, as prescribed by the use specific conditions required in LMO Section 16-4-102.B.7.k. There is only one location on Hilton Head Island where a Tattoo Facility could be permitted, and that location is within the Hilton Head Island Motor Coach Resort (see Attachment G, Tattoo Facility Analysis). However, Tattoo Facilities are not permitted in the Hilton Head Island Motor Coach Resort (see Attachment F, Hilton Head Motor Coach).

The applicant seeks a variance from these specific conditions, particularly regarding reducing the required distance in LMO Section 16-4-102.B.7.k.i and LMO Section 16-4-102.B.7.k.ii.05 to permit a Tattoo Facility at this location (see Attachment A, Applicant’s Narrative and Site Plan).

LMO Section 16-2-102.S.4.a allows the Board of Zoning Appeals to grant variances from the LMO where the Ordinance would result in unnecessary hardship.

Applicant’s Grounds for Variance, Summary of Facts and Conclusions of Law:

Grounds for Variance:

- Per the application, the applicant is seeking a variance from LMO Section 16-4-102.B.7.k.i & ii.05, use specific conditions, to allow a tattoo facility within 500 feet of another tattoo facility; and within 1,000 feet of publicly owned land.

Summary of Fact:

- The applicant seeks a variance as set forth in LMO Section 16-2-103.S.

Conclusion of Law:

- The applicant may seek a variance as set forth in LMO Section 16-2-103.S.

Summary of Facts and Conclusions of Law:

Summary of Facts:

- Application was submitted on February 19, 2025, as set forth in LMO Section 16-2-102.C and Appendix D-19.
- Notice of the Application was published in the Island Packet on April 6, 2025 as set forth in LMO Section 16-2-102.E.2.
- Notice of the Application was posted on April 1, 2025 as set forth in LMO Section 16-2-102.E.2.
- Notice of Application was mailed on April 8, 2025 as set forth in LMO Section 16-2-102.E.2.
- The Board has the authority to render the decision reached here under LMO Section 16-2-102.G.

Conclusions of Law:

- The application is in compliance with the submittal requirements established in LMO Section 16-2-102.C.
- The application and notice requirements comply with the legal requirements established in LMO Section 16-2-102.E.2.

As provided in LMO Section 16-2-103.S.4, Variance Review Standards, a variance may be granted in an individual case of unnecessary hardship if the Board determines and expresses in writing all of the following findings of fact.

Summary of Facts and Conclusions of Law:

Criteria 1: There are extraordinary and exceptional conditions pertaining to the particular piece of property (LMO Section 16-2-103.S.4.a.i.01):

Findings of Fact:

- The LC District is the only district that allows Tattoo Facilities.
- Tattoo Facilities are subject to use specific conditions, including the requirements that Tattoo Facilities shall comply with the following locational restrictions: The site shall not be located within 500 feet of an existing tattoo facility; and the site shall not be located

within 1,000 feet of: A religious institution; or a daycare or youth activity center or public or private elementary or secondary school; or a playground; or a place that is provided by the public for recreation; or publicly owned land.

- 124 Arrow Road is being used as a Shopping Center and hosts five business licenses: a retail/grocery business, a consignment store, a dry cleaning business, a restaurant serving alcohol, and a hairdresser/booth rental.
- The owner acquired the property after the 2014 LMO was adopted containing the use specific conditions for Tattoo Facilities, and after the Town purchased parcel 347 “LAGOON 1.85 ACRES” (publicly owned land), and after a tattoo facility had been established 93 feet away.
- Staff’s feasibility analysis indicates that the existing zoning regulations effectively preclude the establishment of a Tattoo Facility on Hilton Head Island, as prescribed by the use specific conditions required in LMO Section 16-4-102.B.7.k.

Conclusions of Law:

- The LC District allows Tattoo Facilities, subject to use specific conditions. Those conditions include: the site shall not be located within 500 feet of an existing tattoo facility and the site shall not be located within 1,000 feet publicly owned land. The proposed site does not meet these locational restrictions.
- The current Tattoo Facility is located 93 feet from the subject parcel, 124 Arrow Road, while the publicly owned land, lagoon, is 60 feet away.
- The Town’s feasibility analysis found no viable options for establishing a Tattoo Facility under current zoning regulations, indicating extraordinary and exceptional restrictive conditions throughout the Island, including this particular property.
- This application meets the criteria as set forth in LMO Section 16-2-103.S.4.a.i.01 because there are extraordinary and exceptional conditions that pertain to this particular property.

Summary of Facts and Conclusions of Law:

Criteria 2: These conditions do not generally apply to other properties in the vicinity (LMO Section 16-2-103.S.4.a.i.02):

Findings of Fact:

- The use specific conditions required for Tattoo Facilities as provided in LMO Section 16-4-102.B.7.k did not take effect until 2014, after two Tattoo Facilities were approved in the Town as Retail Sales and Services.
- The Town’s feasibility analysis found no viable options for establishing a Tattoo Facility under current zoning regulations, indicating extraordinary and exceptional restrictive conditions throughout the Island.
- 124 Arrow Road is being used as a Shopping Center and hosts five business licenses: a retail/grocery business, a consignment store, a dry cleaning business, a restaurant serving alcohol, and a hairdresser/booth rental.

- The owner acquired the property after the 2014 LMO was adopted, after the Town purchased parcel 347 “LAGOON 1.85 ACRES”, and after Island Tattoo Co., had been established 90 feet away.

Conclusions of Law:

- The use specific conditions required for Tattoo Facilities as provided in LMO Section 16-4-102.B.7.k did not take effect until 2014, after two Tattoo Facilities were approved in the Town as Retail Sales and Services.
- This application meets the criteria as set forth in LMO Section 16-2-103.S.4.a.i.02 because there are extraordinary and exceptional conditions that pertain to this particular property because the Town’s feasibility analysis found no viable options for establishing a Tattoo Facility under current zoning regulations, indicating extraordinary and exceptional restrictive conditions throughout the Island.

Summary of Facts and Conclusions of Law:

Criteria 3: Because of these conditions, the application of this Ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property (LMO Section 16-2-103.S.4.a.i.03):

Findings of Fact:

- The property is located within the LC District and resides in the Corridor Overlay. It has been developed and is currently being used as a Shopping Center.
- The use specific conditions prohibit the development of a Tattoo Facility on the property.
- The Town’s feasibility analysis found no viable options for establishing a Tattoo Facility under current zoning regulations.

Conclusion of Law:

- The property currently functions as a Shopping Center in the LC District which does not restrict the use of a Tattoo Facility, it’s the use specific conditions that restrict the Tattoo Facility in this location.
- This application meets the criteria as set forth in LMO Section 16-2-103.S.4.a.i.03 because the Town’s feasibility analysis found no viable options for establishing a Tattoo Facility under current zoning regulations, therefore the use specific conditions for this use would unreasonably restrict the utilization of the property.

Summary of Facts and Conclusions of Law:

Criteria 4: The authorization of the Variance will not be of substantial detriment to adjacent property or the public good, and the character of the zoning district where the property is located will not be harmed by the granting of the Variance (LMO Section 16-2-103.S.4.a.i.04):

Findings of Facts:

- The LC District is the only district that allows Tattoo Facilities.
- The property is in the LC District and is also in the Corridor Overlay.
- Within a 500-foot radius of the property, there is an eclectic collection of land uses, including Adult Entertainment, Animal Services, Auto Repair, Bicycle Shop, Contractor's Office, Convenience Store, Gas Sales, Grocery Store, Eating Establishment, Light Industrial, Major Utility, Minor Utility, Multifamily, Other Commercial Services, Other Office Uses, Open Space, Shopping Center, and a Tattoo Facility.
- The property is in the Corridor Overlay which aims to “protect the aesthetic and visual character of lands on Hilton Head Island adjacent to the major streets, the waterfront, and the marshfront...”
- The applicant is seeking a variance from the locational restrictions of tattoo facilities and publicly owned land.

Conclusions of Law:

- The LC District is the only district that allows Tattoo Facilities.
- The property is in the LC District and is also in the Corridor Overlay.
- There is an eclectic collection of land uses within the 500-foot radius of the property, including Adult Entertainment, Animal Services, Auto Repair, Bicycle Shop, Contractor's Office, Convenience Store, Gas Sales, Grocery Store, Eating Establishment, Light Industrial, Major Utility, Minor Utility, Multifamily, Other Commercial Services, Other Office Uses, Open Space, Shopping Center, and a Tattoo Facility.
- This application meets the criteria set forth in LMO Section 16-2-103.S.4.a.i.04 because the variance will not be a substantial detriment to the adjacent property or public good.

LMO Official Determination:

Based on the above Findings of Facts and Conclusions of Law, the LMO Official determines the request to be consistent with the Town’s Our Plan and serves to carry out the purposes of the LMO and recommends that the request for a variance should be approved to the applicant.

BZA Determination and Motion:

The “powers” of the BZA over variances are defined by the South Carolina Code, Section 6-29-800, and in exercising the power, the BZA may grant a variance “in an individual case of unnecessary hardship if the board makes and explains in writing ...” their decisions based on certain findings or “may remand a matter to an administrative official, upon motion by a party or the board’s own motion, if the board determines the record is insufficient for review.”

This State law is implemented by the Hilton Head Island Land Management Ordinance, Chapter 2, Article 103 and the Rules of Procedure for the BZA.

A written Notice of Action is prepared for each decision made by the BZA based on findings of fact and conclusions of law.

The BZA can either Approve the application, Disapprove the application, or Approve with Modifications. Findings of Fact and Conclusions of Law must be stated in the motion.

PREPARED BY:

MC

Michael Connolly
Senior Planner

4-12-25

REVIEWED BY:

TL

Trey Lowe
Development Services Program Manager

4-21-25

REVIEWED BY:

ML

Missy Luick
Director of Planning

4-21-25

ATTACHMENTS:

- A) Applicant's Narrative and Site Plan**
- B) Palmetto Bay Road Commercial Subdivision**
- C) Quit Claim Deed**
- D) Business Licenses**
- E) Locational Map**
- F) Deed**
- G) Town of Hilton Head Island Tattoo Facility Analysis**
- F) Hilton Head Island Motorcoach Resort Property Enhancement Guidelines.**

A Local Artist's Request for a Variance to Open a Tattoo Shop on Hilton Head Island

My name is Gavan Daly, and I got my first tattoo at the age of 30. I never felt the need to have one until I did. Then, all at once, it was all I could think about. I started drawing designs and saving up for my next tattoo, like a little kid obsessed with a sport or hobby. I never, in a million years, thought I would become a tattoo artist. My friends had tattoos, but they just weren't for me. I even prayed about it, both before my first tattoo and when I decided to try and become an artist. I guess my prayers were answered because I've actually become one of the most well-known tattoo artists in the world.

I am now 50 and have been in the business for almost 20 years. I would like to open my own shop on Hilton Head Island. I have a family and a reputation, and it would be nice to tattoo and work in a safe, sterile place in my hometown—a place I can be proud of, a destination where clients can come, get tattooed, and return home with something to remember both me and this tiny island we call home.

1. These are extraordinary and exceptional conditions pertaining to this particular piece of property

I've been searching for a properly zoned property to open my own shop for many years without success. After reviewing every property on the island with the help of the town, we realized that no location fits both the proper zoning and the additional requirements necessary for a tattoo business. The law states that tattoo shops are allowed, but the conditions prohibit any location on the island from meeting all of the necessary criteria. I need to be in a light commercial zoning area, and the conditions are as follows:

1. The site must not be within 500 feet of an existing tattoo facility.
2. The site must not be within 1,000 feet of any of the following:
 - A religious institution
 - A daycare or youth center
 - A public or private elementary or secondary school
 - A playground
 - A place for public recreation
 - Publicly owned land

While I love this beautiful island and do not wish to change the law, I believe I should be able to work, provide for my family, and operate my business in a safe and professional environment. This particular property meets the zoning requirements and most of the conditions. The only issue is that it is just under 500 feet from another tattoo shop and just under 1,000 feet from a drainage ditch, which is town-owned property. However, this location is not on a main road and is a simple, modest space

where I could work if I were granted a variance for these two condition requirements. This unit is also fully compliant with all DHEC rules and regulations for this type of business.

2. These conditions do not generally apply to other properties in the vicinity

Other properties in the area are occupied by businesses that have been there for years. Some are too close to a church (about halfway down the road) or a daycare further down the road. In fact, the 1,000-foot radius for these businesses covers most of the length of the road. This property is on a side road and is essentially hidden from direct view; it cannot be seen from the main road. It's around the corner, out of view from another tattoo shop.

I do not wish to interfere with any church, school, or daycare—this is not my intention at all. This particular property is unique because it is far enough away from these institutions to meet the conditions. I have been searching for any property that meets these zoning requirements without success. With the help of the town, we focused on the least restrictive conditions, starting with proximity to another tattoo shop, but this still didn't change our search results. There are no properties that meet all the necessary conditions.

Next, we considered the public-use or town-owned properties within 1,000 feet, excluding the main parks, and found only a few options, such as a McDonald's, a miniature golf course, long-established businesses, or storage units. The problem is that the businesses I need to stay 1,000 feet away from are in the same zoning district. Many public-use properties are right next to light commercial-zoned areas, such as the airport or the water company treatment plant. However, this is not the case with this property. Most businesses on this street are within 1,000 feet of a large church and a daycare that has been there for years. This parcel, however, is well beyond the 1,000-foot requirement from both the church and the daycare while still being on the same road (Arrow Road).

Most businesses in this area do not have to follow these same conditions, but tattoo shops are the only businesses subject to these restrictions. Churches, parks, and town-owned properties are all located within this zoning area. This property's only issues are that it is too close to a drainage ditch, which falls under the category of town-owned property and another existing tattoo shop. Other than that, it meets all the conditions.

3. Because of these conditions, applying this ordinance to this property would effectively prohibit or unreasonably restrict its use.

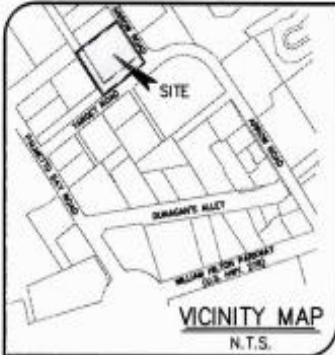
By not allowing a tattoo shop in the shopping center where this property is located, you are effectively restricting the use of the center. As a result, this restriction prevents a business that is properly zoned for the area from operating. I believe these conditions exist solely to prevent the

opening of another tattoo shop, which is why I'm applying for the variance. I do not want to change the zoning, as this area is already zoned for tattoo parlors. It's clear that opening a tattoo shop on Hilton Head is legal, but these conditions restrict it in ways that I believe are unreasonable.

4. Granting the variance would not be a substantial detriment to adjacent properties or the public good. The character of the zoning district would not be harmed by granting the variance.

I believe that granting this variance would contribute to the redevelopment and revitalization of this area. Many of the existing businesses have been there for years and are tucked away out of sight. Opening a new shop would bring something fresh to the area, with a local artist who has the community's best interests at heart. I've lived here my whole life, and I love this island. I would be grateful for the opportunity to open a business where people from the community can see what I have to offer and compare it to other tattoo artists and shops.

Being close to one of the only other two tattoo shops on the island would allow us to collaborate, sending clients to each other if one shop is too busy, offering people more options and exposure to different styles. The zoning district's purpose is to bring together businesses with similar interests and create a community. I also hope to bring in guest artists from around the country, further exposing the island to new talent and vice versa. I'm excited about this opportunity and am very protective of this island. I'm not trying to change the law or open the floodgates to many tattoo shops. I just believe that, as a local resident for over 40 years, I should have the right to work, provide for my family, and serve the community with the talent I've been blessed with.

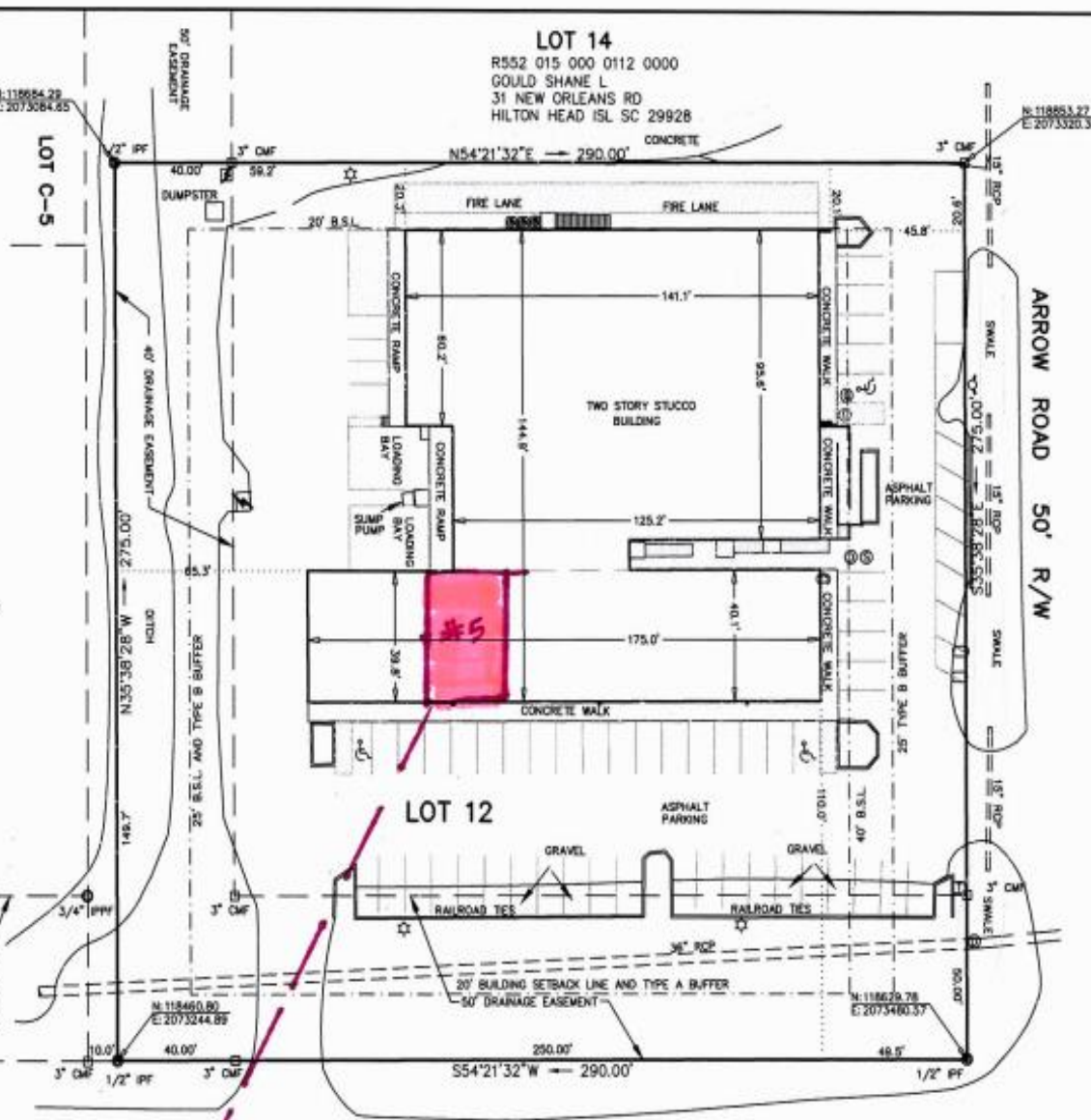


LOT 14
 R552 015 000 0112 0000
 GOULD SHANE L
 31 NEW ORLEANS RD
 HILTON HEAD ISL SC 29928

LOT 3
 R552 015 000 0102 0000
 PALMETTO BAY LODGES LLC
 800 EAST CANAL STREET SUITE 1900
 RICHMOND VA 23219

- SYMBOLS**
- ⊞ - ELECTRIC TRANSFORMER
 - ☐ - TELEPHONE SERVICE
 - - WATER METER
 - ⊙ - SANITARY MANHOLE
 - ⊕ - STORM MANHOLE
 - ⚡ - FIRE HYDRANT
 - ⊙ - SIGN
 - ☆ - LIGHT POLE
 - ⊙ - CLEANOUT
 - ⊙ - AIR CONDITIONER
 - ⊙ - 3/4" IRON PIPE FOUND
 - ⊙ - 1/2" IRON PIPE FOUND
 - ⊙ - 1/2" IRON PIN FOUND
 - ⊙ - 3" CONCRETE MONUMENT FOUND
 - ⊙ - GREASE TRAP
 - B.S.L. - BUILDING SETBACK LINE

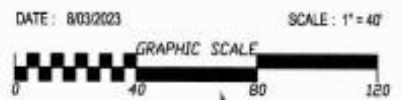
PROPERTY AREA = 1.83 AC. 79,750 S.F.
 ADDRESS: 120 ARROW ROAD
 DISTRICT: 552, MAP: 15, PARCEL: 111
 THIS PROPERTY LIES IN F.E.M.A. ZONE X & X SHADED - N/A
 COMMUNITY NO. 450250, PANEL: 0442G, DATED: 3/23/2021



- NOTES:**
- THIS PLAT HAS BEEN PREPARED WITHOUT BENEFIT OF A COMPLETE TITLE SEARCH BY NANDINA, INC.
 - THIS PROPERTY MAY BE SUBJECT TO EASEMENTS OF RECORD AND COVENANT RESTRICTIONS AS RECORDED IN THE OFFICE OF THE ROD FOR BEAUFORT COUNTY.
 - SUBJECT PROPERTY DOES NOT APPEAR TO BE AFFECTED BY THE BEACH-FRONT SETBACK REQUIREMENTS OF THE S.C. BEACH PROTECTION ACT OF JULY 1, 1988.
 - BUILDING SETBACKS, WHETHER SHOWN OR NOT, SHOULD BE VERIFIED BY THE LOCAL BUILDING AUTHORITY OR ARCHITECTURAL REVIEW BOARD.
 - USE OF THIS PROPERTY MAY BE AFFECTED BY THE TERMS OF COVENANTS RELATING TO THIS PLANNED COMMERCIAL SUBDIVISION.

- REFERENCE PLAT**
- A PLAT OF PALMETTO BAY ROAD COMMERCIAL SUBDIVISION COMPOSITE, A SECTION OF THE LANDS OF SEA PINES PLANTATION CO. HILTON HEAD ISLAND, SOUTH CAROLINA, COUNTY OF BEAUFORT, DRAWN: 4/29/74, LAST REVISED: 4/14/75, RECORDED IN BOOK 33, PAGE 227, DATED 6/2/86 RMC, BEAUFORT COUNTY, SC BY: JERRY L. RICHARDSON S.C.R.L.S. #4784
 - A BOUNDARY RECONFIGURATION SURVEY OF LOT 12, PALMETTO BAY ROAD COMMERCIAL SUBDIVISION, HILTON HEAD ISLAND, BEAUFORT COUNTY, DRAWN: 5/14/07, RECORDED IN BOOK 120, PAGE 92, DATED 6/11/07 ROD, BEAUFORT COUNTY, SC BY: MARK R. RENEW S.C.R.L.S. # 25437

ASBUILT SURVEY OF:
 LOT 12, PALMETTO BAY ROAD COMMERCIAL
 SUBDIVISION, HILTON HEAD ISLAND,
 BEAUFORT COUNTY, SOUTH CAROLINA
 PREPARED FOR: ATLANTIC BEST CLEANING, LLC



d/b/a Sea Island Land Survey, Inc.
 10 Oak Park Drive, Unit C1,
 Hilton Head Island,
 SC 29926
 FILE No.: 07065.4
 Tel (843) 681-3248
 Fax (843) 689-3871
 E-mail: admin@nandinainc.com
 DWG No.: 2-07065.4
 CAD 24, FILE 38

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 SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN, ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.



NOT VALID UNLESS EMBOSSED

Supporting Evidence

Tattoo Facilities

A tattoo facility shall comply with the following locational restrictions:

- i. The site shall not be located within 500 feet of an existing tattoo facility ; and
- ii. The site shall not be located within 1,000 feet of:
 01. A religious institution ; or
 02. A daycare or youth activity center or public or private elementary or secondary school; or
 03. A playground; or
 04. A place that is provided by the public for recreation; or
 05. Publicly owned land.
- iii. This distance shall be measured as the length of an imaginary straight line between the two closest points of the perimeter boundary of property on which any tattoo facility use is located, and the perimeter boundary of the property on which any use from which the separation is required.

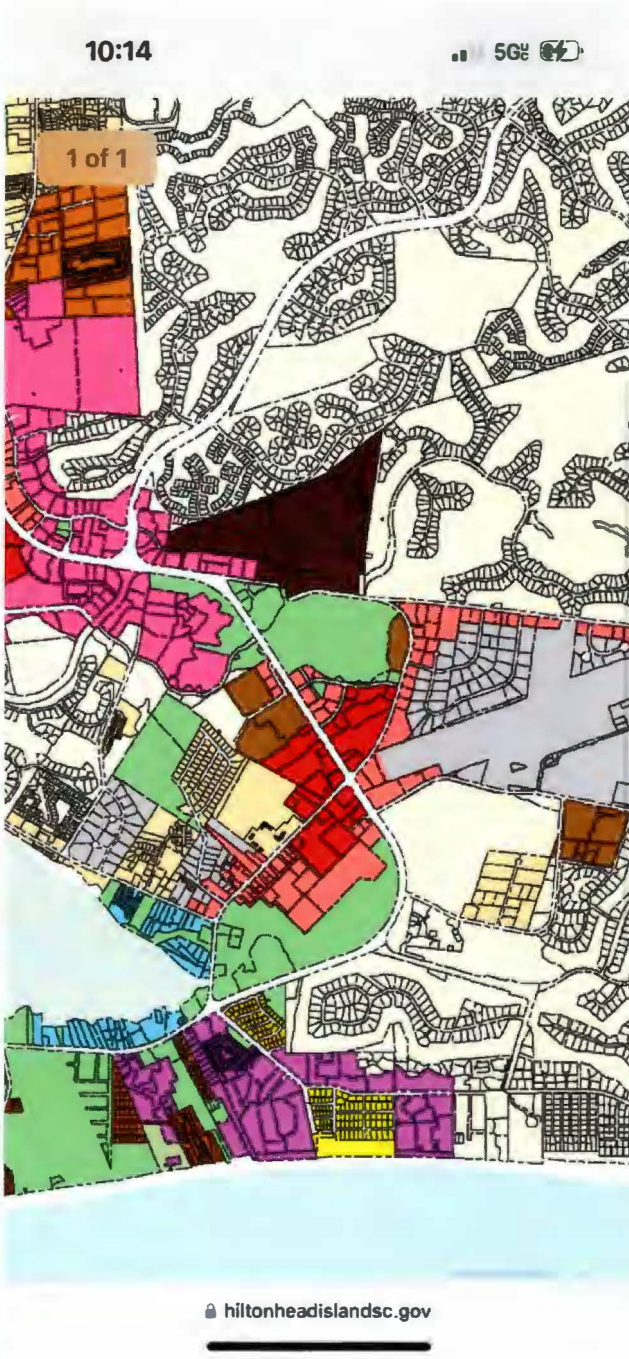
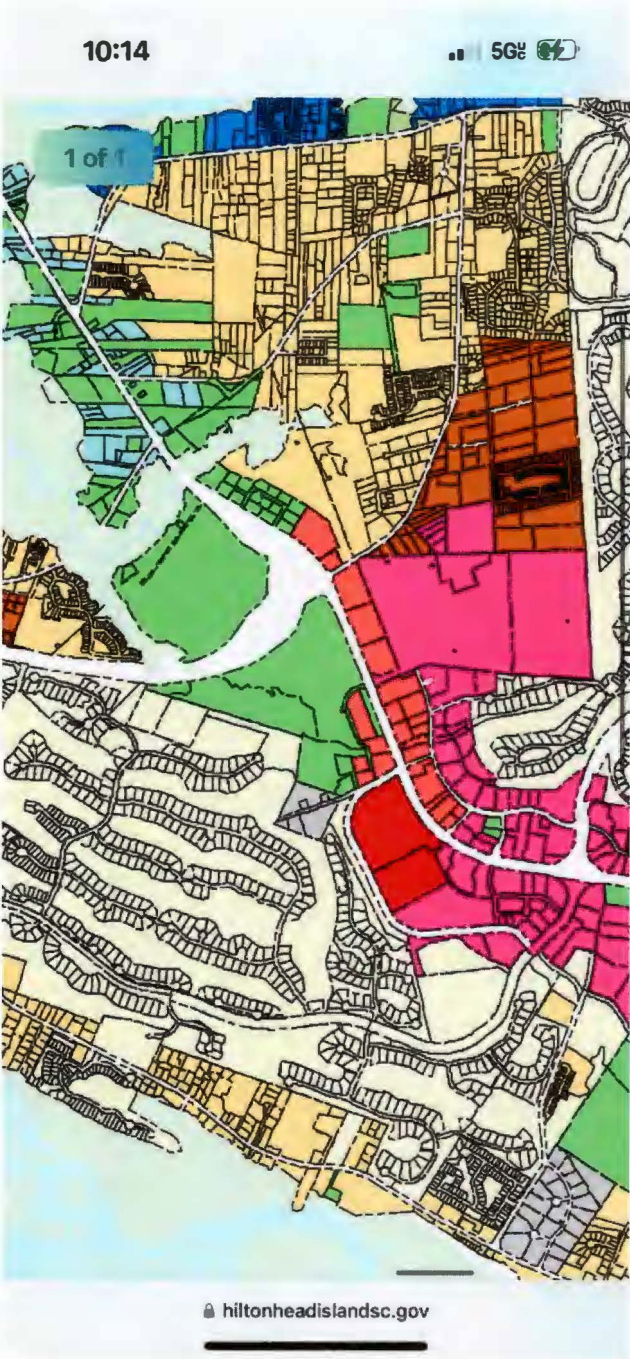
Gav-

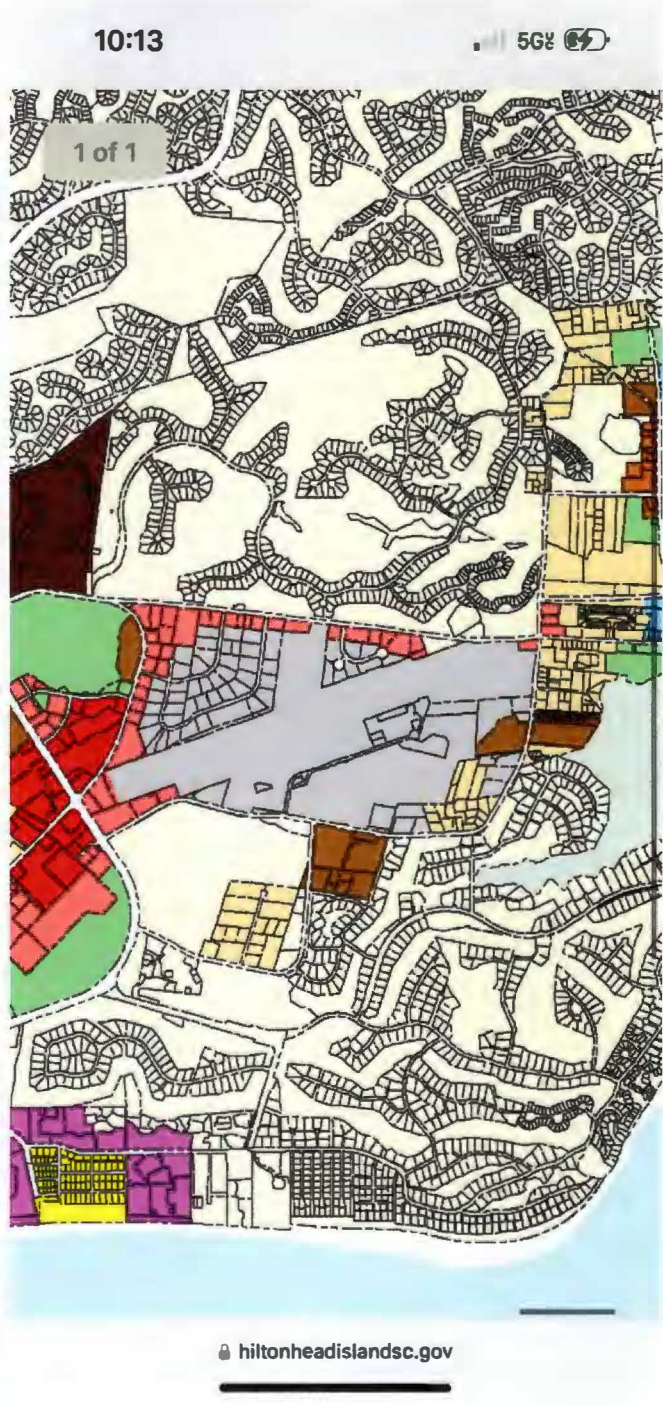
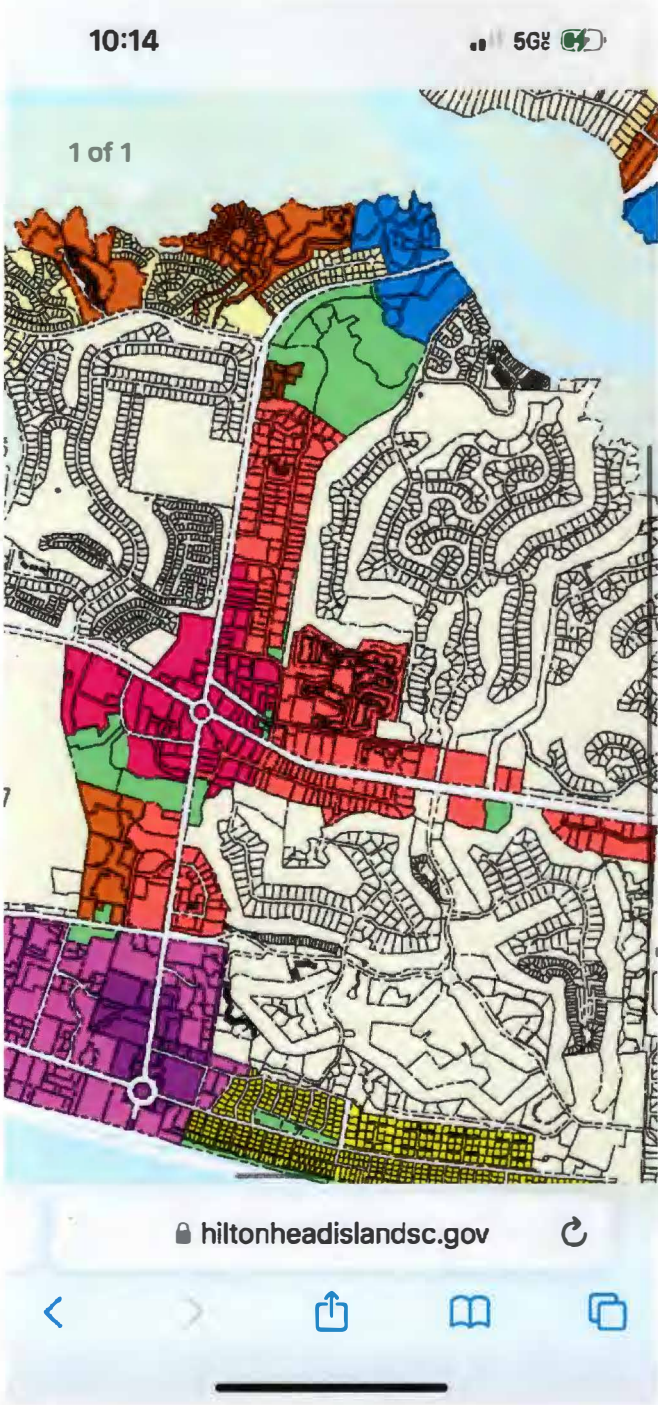
The Executive Park area gets omitted because of the churches as well as the Fire Station (publically owned land). The New Orleans Road may be an option if the restrictions are reduced for proximity to publically owned land. The yellow box is around properties that are 1000 feet from the Central Church, so take a look at these. These properties along with Wexford are omitted because of Town Owned Property. The Town owns Dunnagans Alley.

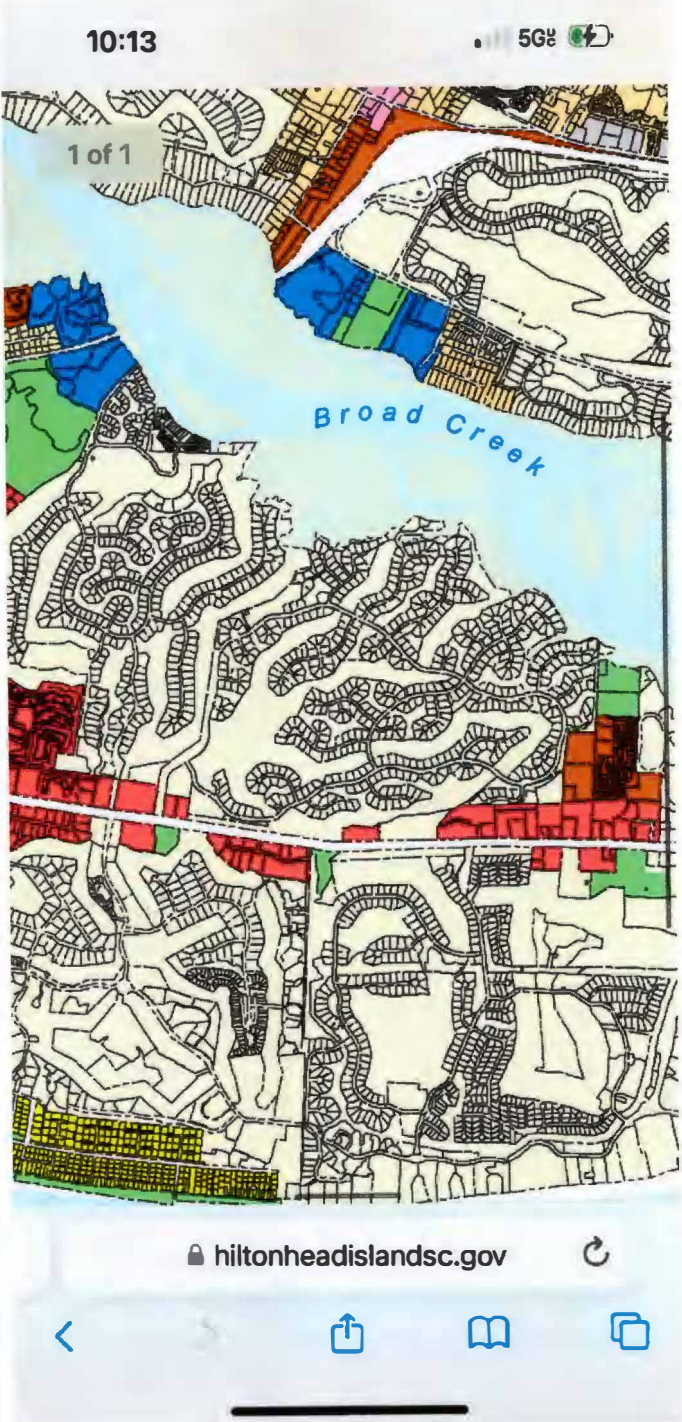
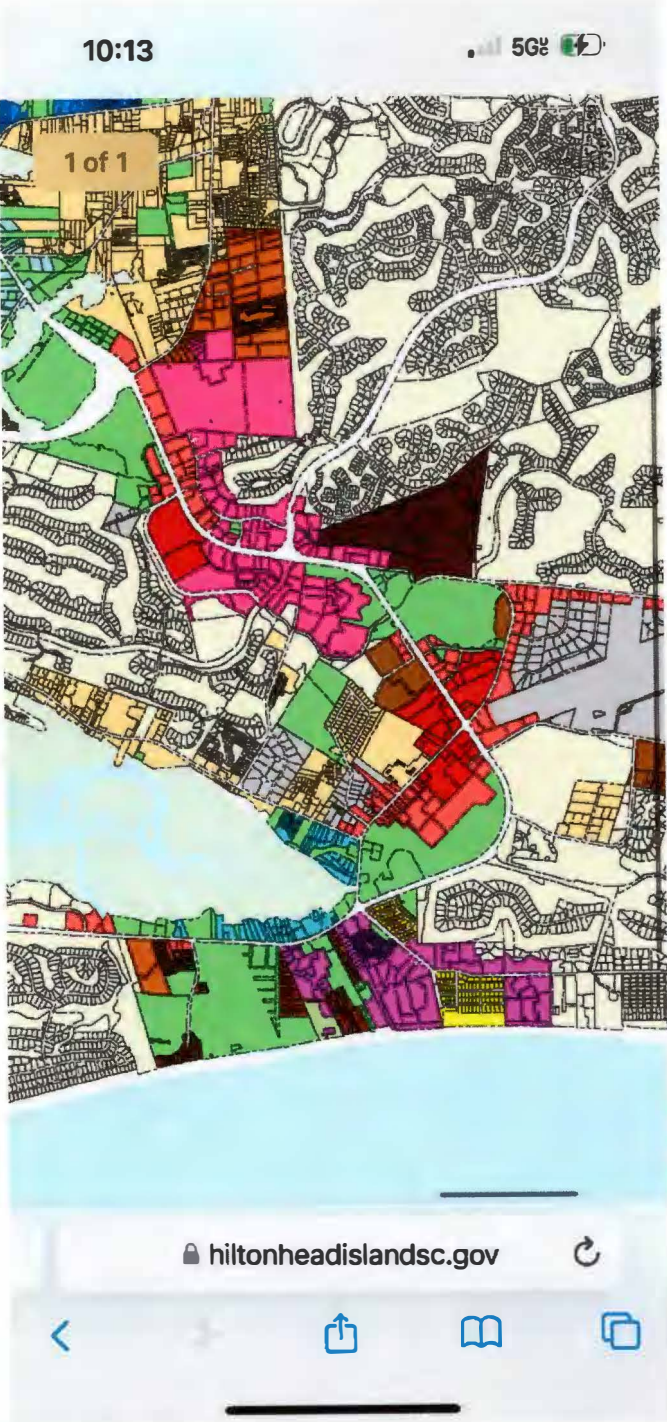
I'll check out Mathews Drive next, but have meetings now.

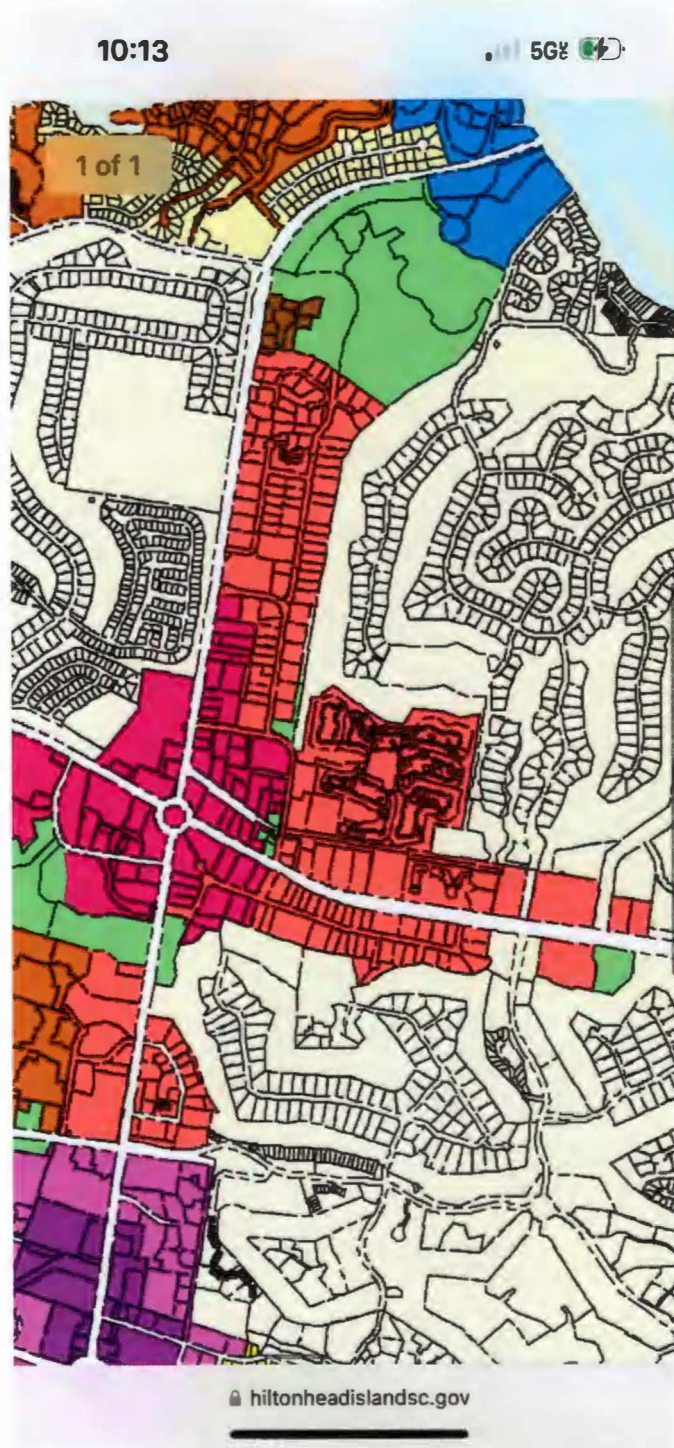


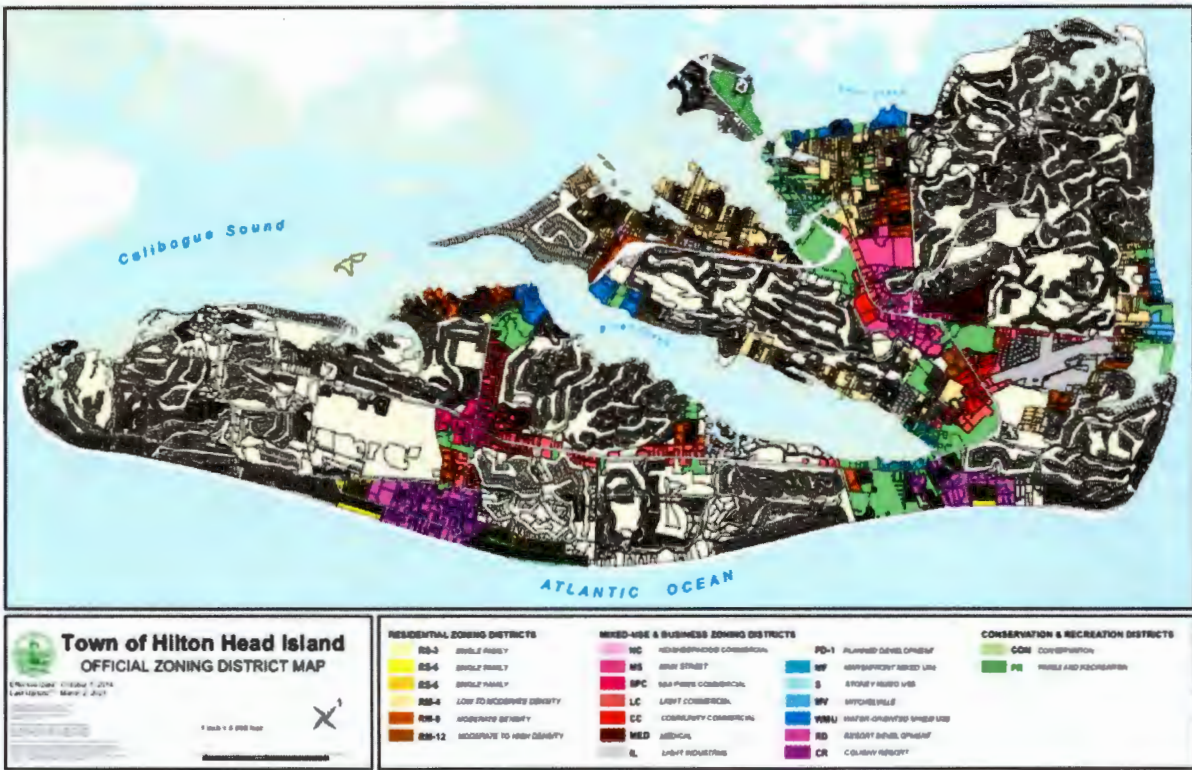
Beaufort County GIS Aerial Tax Map











Supporting Evidence



Shawn Leininger Oct 1, 2024
to Marc, Christian, me, Missy, Jaco... ▾

Yes. The analysis examines the entire island to identify eligible areas of the island. This results in one area of the island remaining where Tattoo Facilities would be permitted based on the LC zoning district and buffer distances from certain uses. It is essentially portions of Hilton Head Motorcoach, which is of course already developed for another purpose. Fountain Center is not an eligible location based on the SPC zoning district not allowing Tattoo Facilities.

Missy is exploring other alternatives such as a variance to the location requirements. This would allow Mr. Daly to better focus his search based on LC zoning district properties and understanding of the process that would be needed for approval. Otherwise the LMO needs to be modified to change the zoning districts and location requirements for Tattoo Facilities. This has already been flagged for the LMO amendment.

Sincerely,

Shawn Leininger, AICP
Assistant Town Manager
Office: (843) 715-4321
Mobile: (854) 255-9881

From: Marc Orlando
<marco@hiltonheadislandsc.gov>
Sent: Tuesday, October 1, 2024 7:59 PM

THIS MESSAGE ORIGINATED OUTSIDE YOUR ORGANIZATION

Ok thank you . Still waiting on confermation from the owner of this location .

On Mon, Nov 4, 2024 at 4:41 PM Trey Lowe <TreyL@hiltonheadislandsc.gov> wrote:

Gavan,

This one is within 500 feet of another Tattoo Facility and within 1000 feet from Publicly Owned Land (that is just drainage), therefore we would have to get a Variance from those to Use Specific Criteria. If the owner is on-board and will sign the Owner's Affidavit attached then we can get a meeting together with the Board Coordinator for the Board of Zoning Appeals to walk you through the process.

Kind Regards,



Trey Lowe
DEVELOPMENT SERVICES PROGRAM
MANAGER

What do you think?

On Fri, Oct 11, 2024 at 4:03 PM Knarly Gav
<Knarlygav@knarlygav.com> wrote:

Good afternoon sir ,

I checked the locations u told me about and there isn't anything available at the moment. The spot on new orlenas .I relized isn't zoned properly . I'm really focused on [17 Executive park road](#) . It is however next to the fire department and a little under the 1000foot distance from Saint Luke's church . Door to door we are way over a thousand feet but because the parking lot is so big at 17 executive and the front lawn on the church is rather large . This spot is low key and off of the main road . Do you think we could try and apply for a variance at this locations for a tattoo shop . Maybe even an art studio with a secondary use as a tattoo shop or private studio ?

Thank you ,


Gavan Daly 917-548-

6445

style shop . Maybe even private . So I can do my work and bring visitors from all over the world as a destination .
Thank you ,
Gavan Daly aka Knarly Gav
9175486445

 me Aug 27, 2024
to Missy ▾  

Hey good morning ,
How about 51 New Orleans road ?
That seems to fit every requirement including zoning . Let me know .

 me Aug 27, 2024
to Missy ▾  

Or 19 Dunnigans alley has a nice spot for rent .
Thank You , Gavan Daly
9175486445

 me Sep 5, 2024
to Missy ▾  

Hey, I hope you guys are having a good day. So after looking at every single property within the light commercial zoning with all the special requirements I've decided I probably need to file for a variance on 17 executive Park. There is not a single location that fits the requirements that are written in law on the island. So I'm wondering if this is my only next option? I also asked Brian if maybe we can sit down and look



Town of Hilton Head Island
Potential Tattoo Shop Location Analysis
September 2024

Gavin,


Good evening. Attached is a map that depicts the required zoning for a tattoo facility (LC zoning district) and shows the various distance requirements based on the use-specific conditions that apply to tattoo facility use (see code excerpt below). There is an extremely limited area where tattoo facilities can be located per our current regulations. There are 2 existing tattoo facilities on the Island. Both shops existed prior to the LMO changes that took effect October 2014 where the use restrictions were enacted. These existing tattoo facilities are considered legal nonconformities (or "grandfathered").

I have already flagged this use for our LMO Amendment Project, as we are actively engaged in a full code amendment project. During that process, we will explore zoning district applicability and use-specific criteria for tattoo facilities. We anticipate that the full LMO Amendment Project will be completed by the end of 2025.


In the meantime, I'm checking with our legal counsel to explore if any relief can be considered by the Board of Zoning Appeals. I'll let you know what I find out.

Thank you,

Missy

 me Aug 27, 2024
to brianE ▾

They also offered me a place at 19 Dunnigan Alley I think that's the official name of that building now but it's the same one that Ruby leaves was in and I think it's called kind of blue now. Let me know if that works. Thank you so much much. Hope you had a great day.

 Brian Eber Aug 27, 2024
to me ▾

Knarly,

I am sorry but [19 Dunnagans](#) is adjacent to Town owned land.

Brian



Brian Eber, CFM,CSPR,CEPSCI

DEVELOPMENT SERVICES MANAGER

Office: (843) 341-4682





Mobile: (843) 247-4798

Website: hiltonheadislandsc.gov

Tattoo shop zoning External Inbox

 Summarize this email

 me Aug 27, 2024
Hey good morning , How about 51 New Orleans roa...

 Brian Eber Aug 27, 2024
to me, Trey ▾

I checked on this one and it is about 400 feet from the Compass Rose Park.

I have included Trey Lowe on this email, so that in the future you can reach out to us both when you have questions about a location for your tattoo shop.

Thanks

Brian




Brian Eber, CFM,CSPR,CEPSCI



 me Aug 31, 2024
to Brian ▾

And another spot at 32 Palmetto Bay Rd. which is upstairs in the village exchange. Would you please let me know sometime this week when you guys get back to work if any of these fit the criteria. Thank you so much. Gavan Daly
9175486445

 Brian Eber Sep 3, 2024
to me ▾

Knarly,

1. [32 Palmetto Bay Rd](#) is 550 ft away from Town land and would not meet the 1,000 ft requirement.
2. 55 Fountain Center is 100 ft away from Town land and would not meet the 1,000 ft requirement.
3. [32 Office Park Rd](#) only 50 ft away from Town land and would not meet the 1,000 ft requirement.

Thank you,

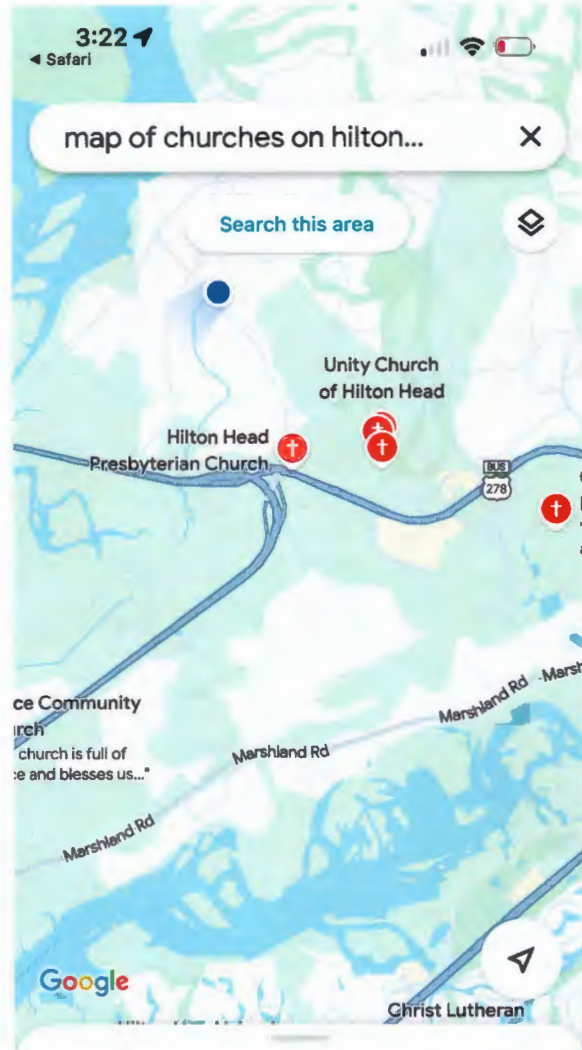
Brian





Results X

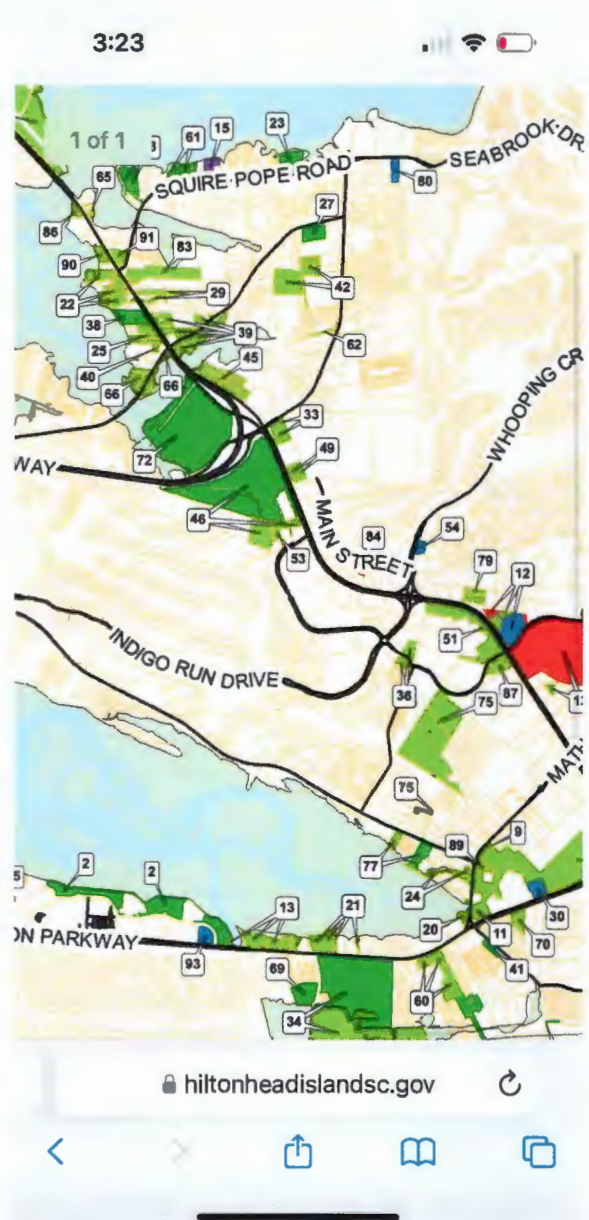
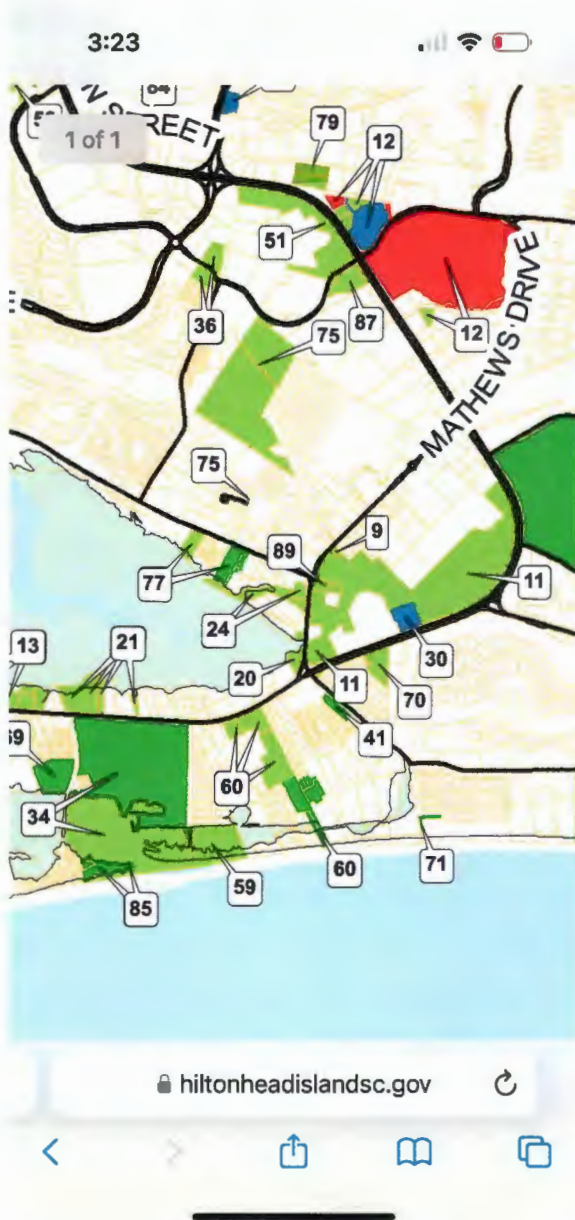
Sort by Open now Top rated Whee

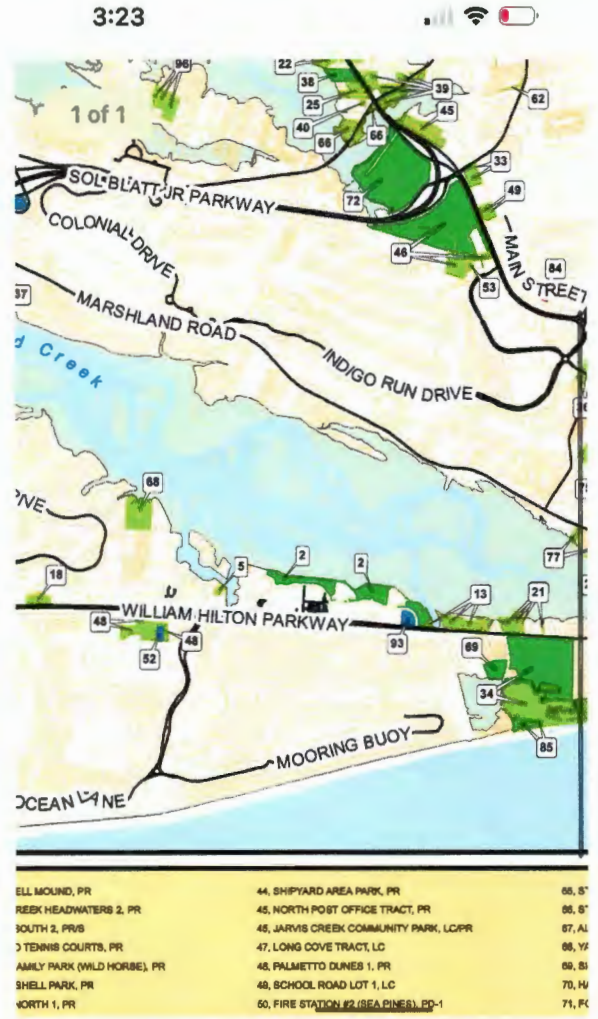


Results X

Sort by Open now Top rated Whee



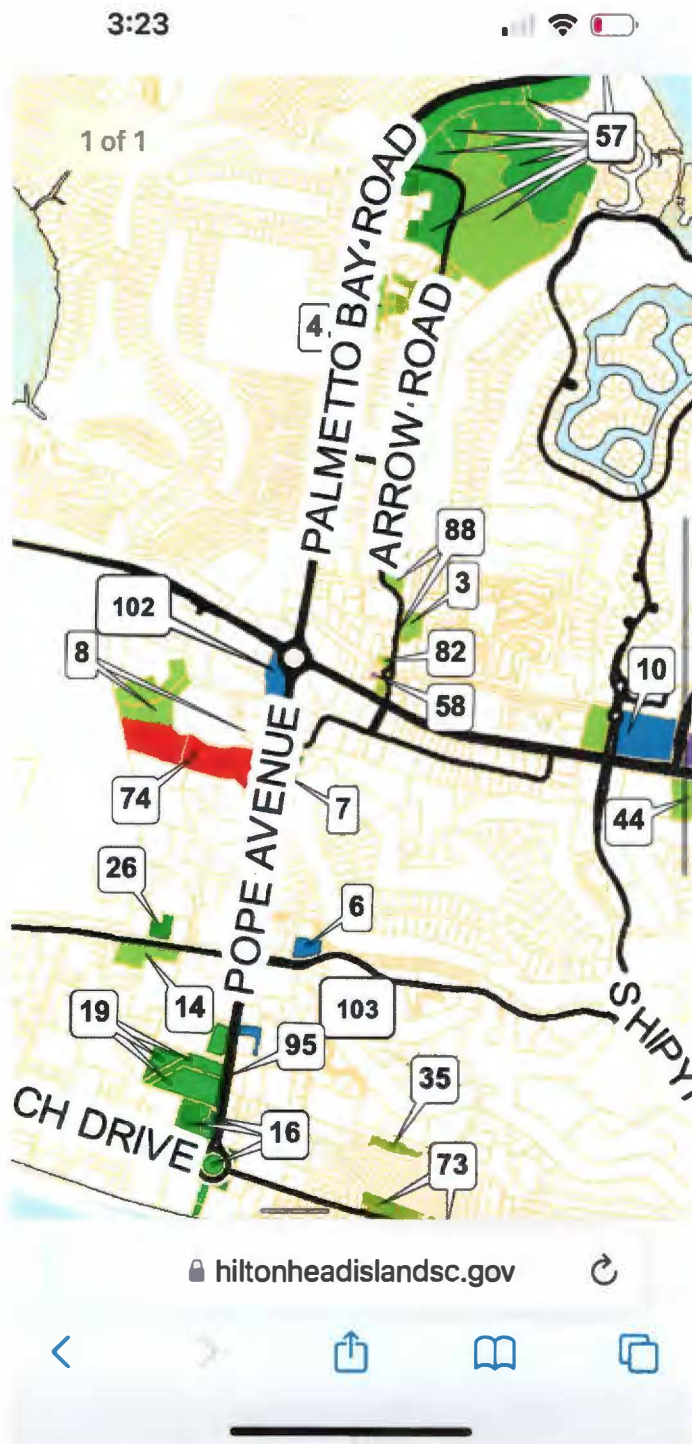




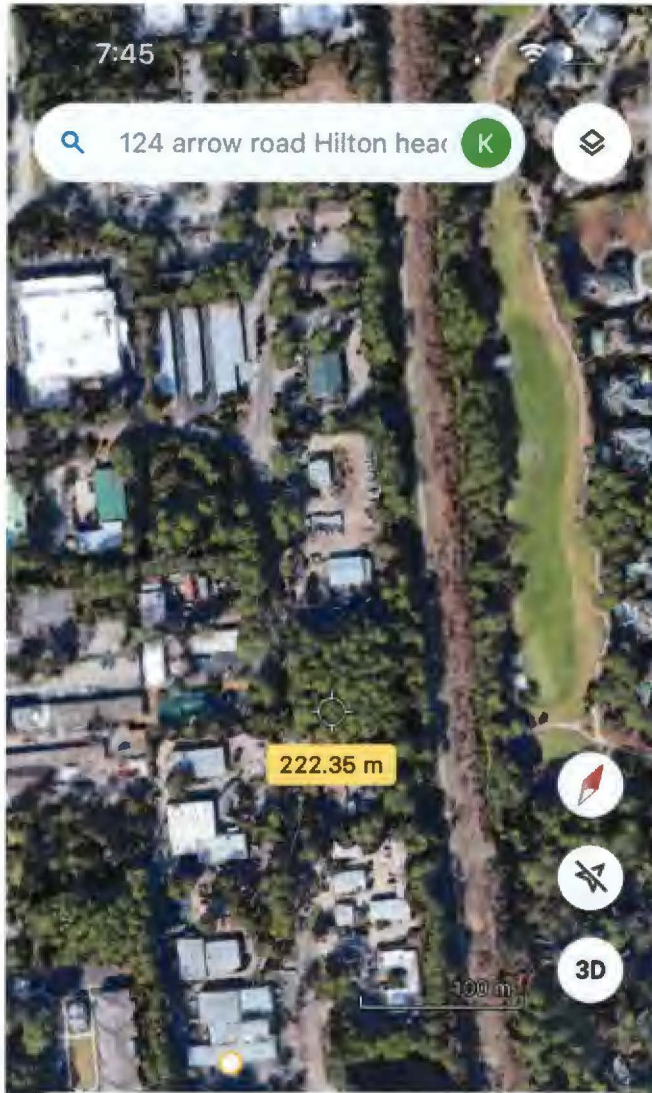
- | | | |
|------------------------------|--|--------|
| ELL MOUND, PR | 44. SHIPYARD AREA PARK, PR | 66. 5' |
| REEK HEADWATERS 2, PR | 45. NORTH POST OFFICE TRACT, PR | 66. 8' |
| SOUTH 2, PR/IS | 45. JARVIS CREEK COMMUNITY PARK, LC/PR | 67. AL |
| TENNIS COURTS, PR | 47. LONG COVE TRACT, LC | 68. YF |
| FAMILY PARK (WILD HORSE), PR | 48. PALMETTO DUNES 1, PR | 69. 8I |
| SHELL PARK, PR | 48. SCHOOL ROAD LOT 1, LC | 70. HU |
| NORTH 1, PR | 50. FIRE STATION #2 (SEA PINES), PD-1 | 71. PC |

hiltonheadislandsc.gov

hiltonheadislandsc.gov



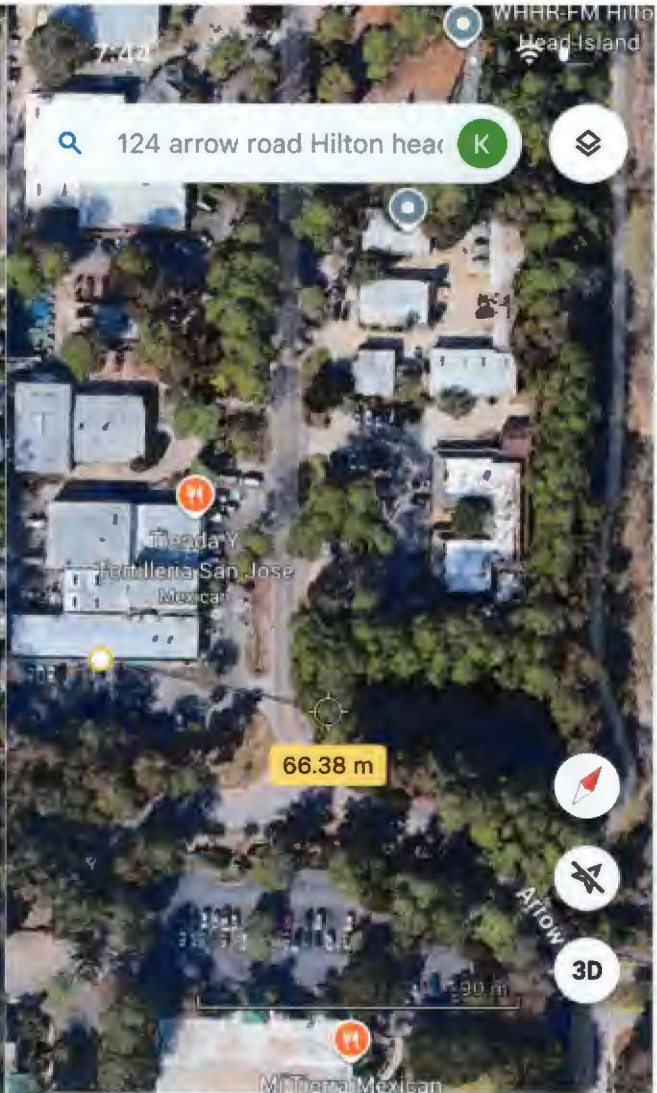




Measure

Move the map and add points to measure distances and area

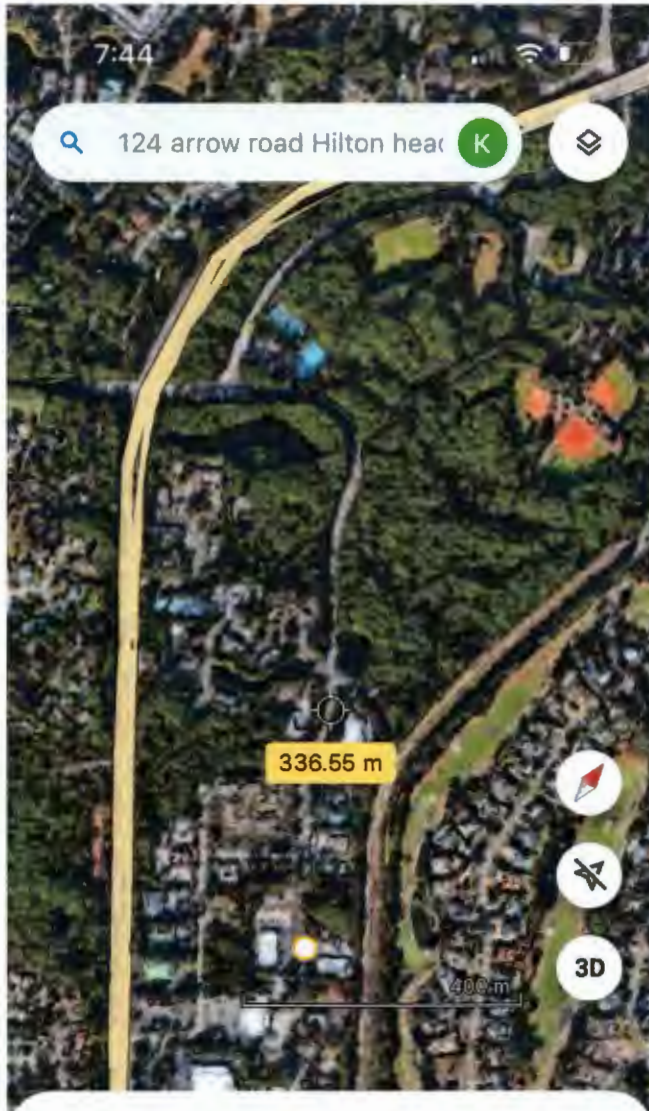
+ Add point



Measure

Move the map and add points to measure distances and area

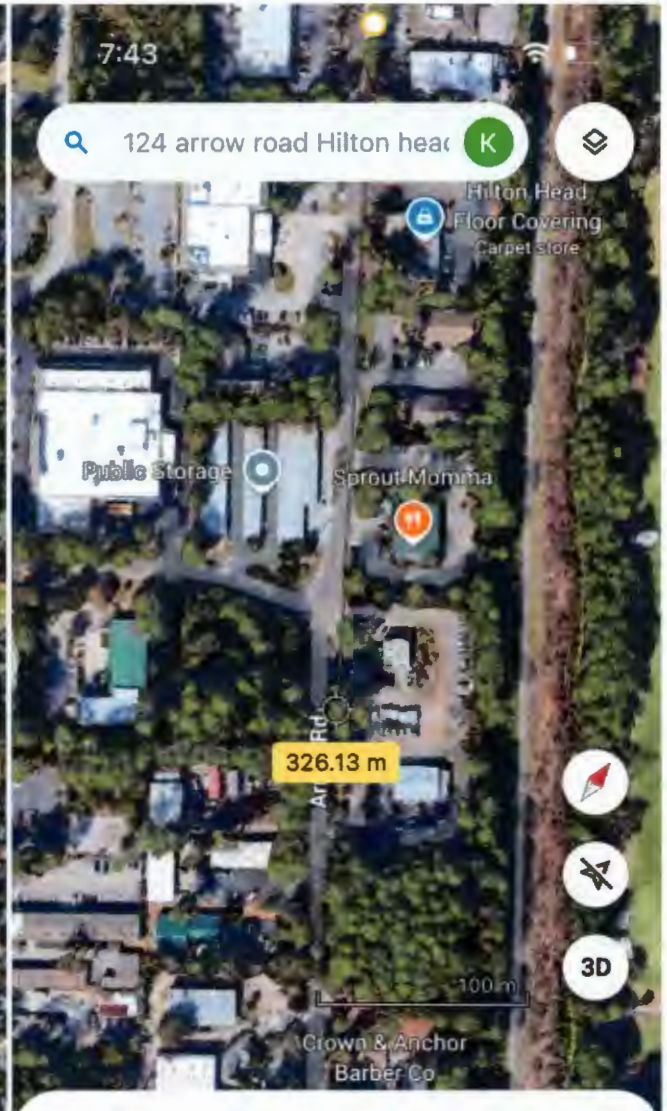
+ Add point



< Measure ? ↻

Move the map and add points to measure distances and area

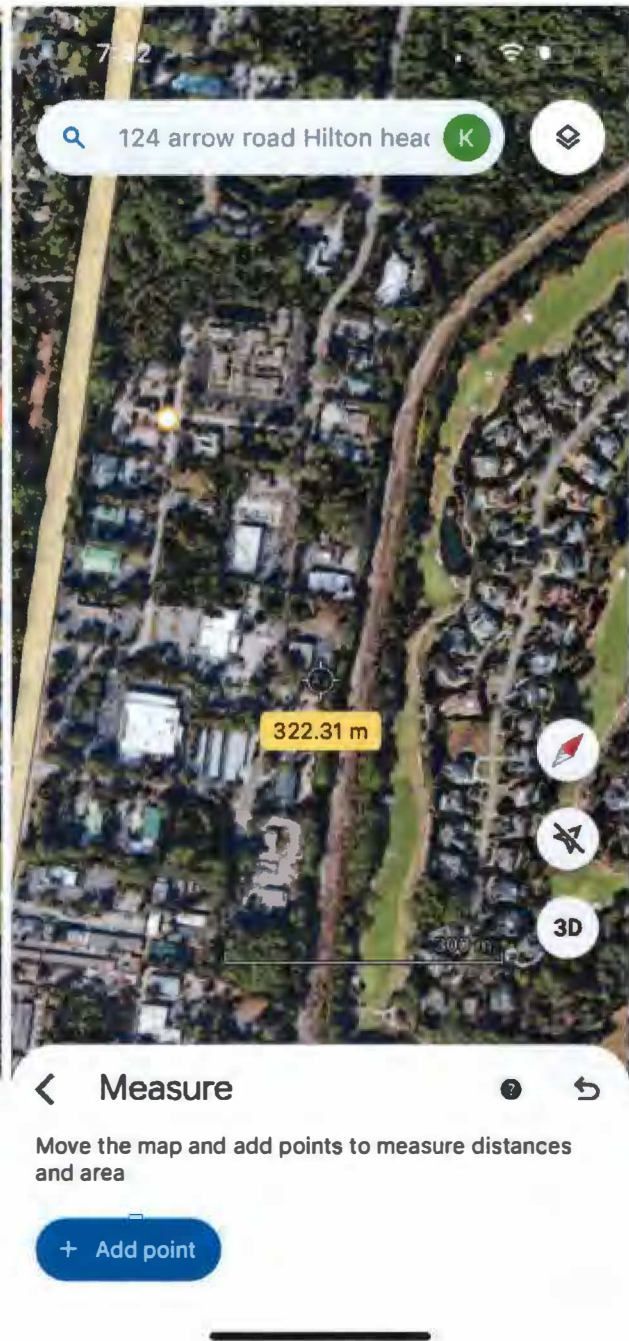
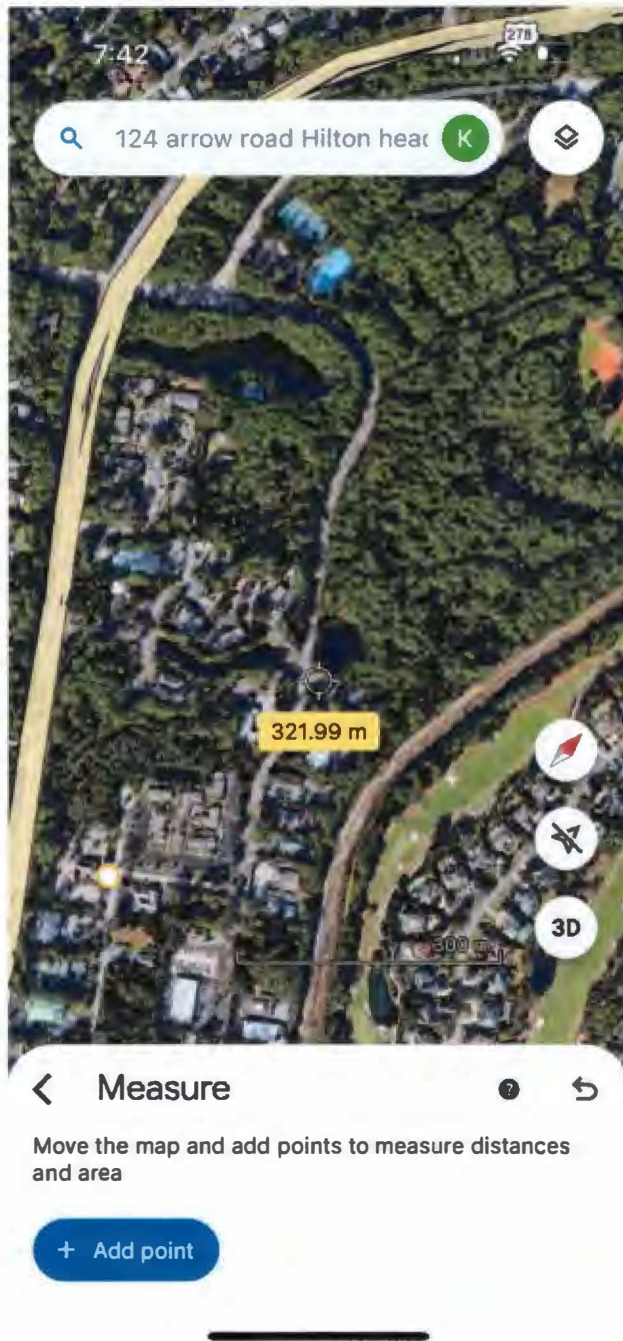
+ Add point

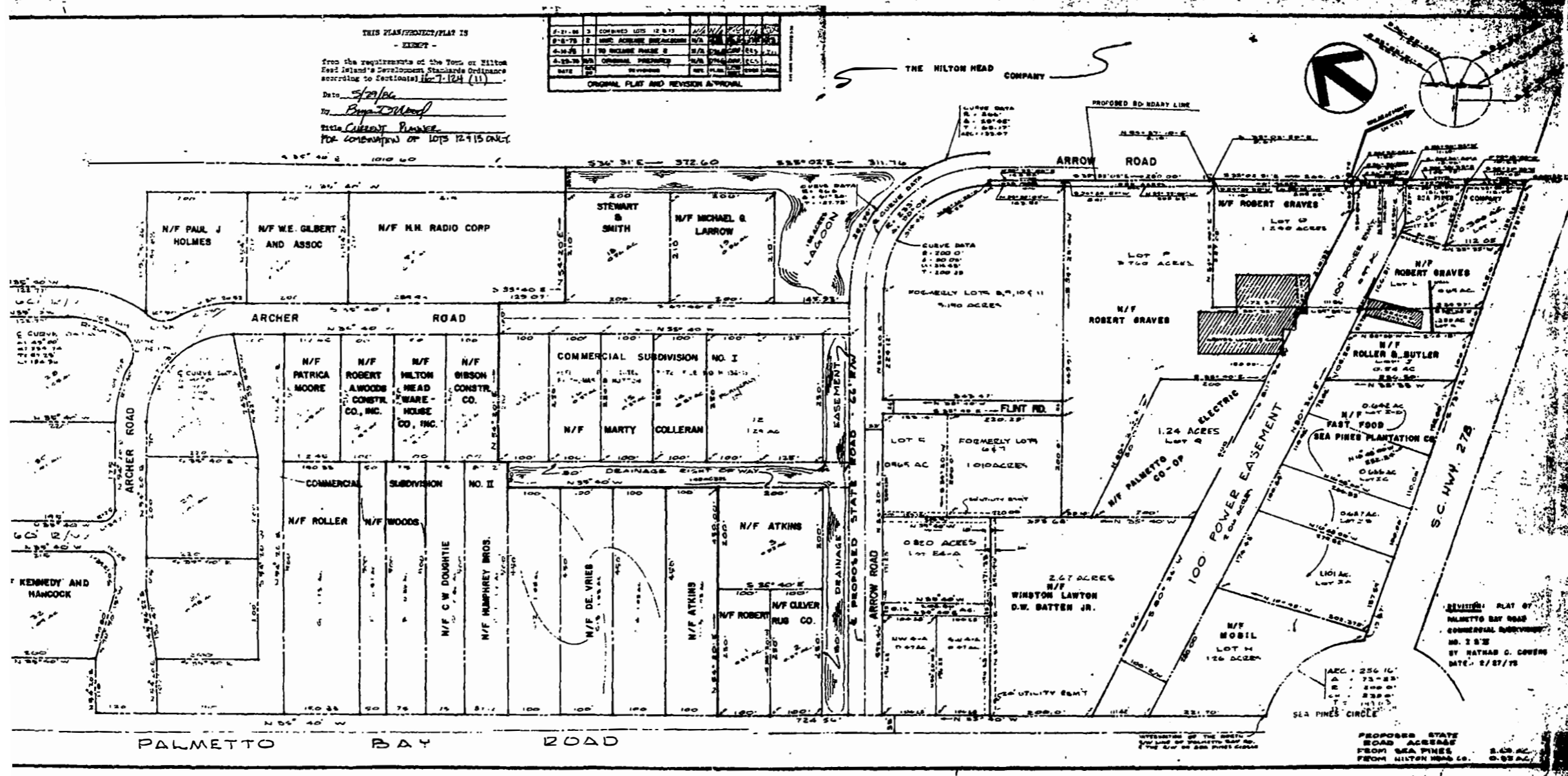


< Measure ? ↻

Move the map and add points to measure distances and area

+ Add point





Palmetto Bay Rd. Commercial S/P

EXHIBIT "A" TO DEED/ASSIGNMENT

ALL that certain piece, parcel or lot of land situate, lying and being on Hilton Head Island, Beaufort County, South Carolina, shown and described as "LAGOON 1.85 ACRES" on a plat entitled "A Plat of Palmetto Bay Road Commercial Subdivision Composite, A Section of Lands of Sea Pines Plantation Co., Hilton Head Island, South Carolina, Beaufort County" dated April 29, 1974, and revised April 14, 1975, prepared by Richardson & Assoc., Inc., certified by Jerry L. Richardson, SCRLS No. 4784, and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina, in Plat Book 33 at Page 227.

LESS AND EXCEPT approximately 0.027 acres located at the southeastern corner of the "LAGOON 1.85 ACRES" previously conveyed out as additional right of way for Arrow Road.

TMS# R552 015 000 0347 0000

AND ALSO

ALL those certain pieces, parcels or lots of land situate, lying and being on Hilton Head Island, Beaufort County, South Carolina, shown and described as ".061 ACRES" and ".023 ACRES" on a plat entitled "A Plat of Palmetto Bay Road Commercial Subdivision Composite, A Section of Lands of Sea Pines Plantation Co., Hilton Head Island, South Carolina, Beaufort County" dated April 29, 1974, and revised April 14, 1975, prepared by Richardson & Assoc., Inc., certified by Jerry L. Richardson, SCRLS No. 4784, and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina, in Plat Book 33 at Page 227. Said ".061 ACRES" parcel being bounded by "Lot O 1.240 ACRES" and "ARROW ROAD", and said ".023 ACRES" parcel being bounded by "100' POWER ESM'T" and "ARROW ROAD" on the above-referenced plat.

TMS# R552 015 000 0279 0000

AND ALSO:

ALL that certain piece, parcel or lot of land situate, lying and being on Hilton Head Island, Beaufort County, South Carolina, consisting of 0.501 acres, more or less, shown and described as "60' INGRESS & EGRESS EASEMENT" on a plat entitled "A Plat of Central Park Commercial Center Subdivision A Section of Shipyard Plantation" dated August 13, 1981, last revised June 4, 1982, prepared by Jerry L. Richardson, SCRLS, which is recorded in the Office of the Register of Deeds for Beaufort County, South Carolina, in Plat Book 48 at Page 48.

A portion of TMS # R550 015 000 0326 0001

2012 BUSINESS AND PROFESSIONAL LICENSE

TOWN OF HILTON HEAD ISLAND
ONE TOWN CENTER COURT, HILTON HEAD ISLAND, SC 29928

Exhibit D -Business Licenses
VAR-000174-2025

Business License No. 15415

LICENSE INFORMATION

MAILING ADDRESS

INCREDIBLE INK LLC
PO BOX 7872
HILTON HEAD ISLAND, SC 29938-7872

Classification
7200IT

Issue Date
02/07/2013

Expiration Date
12/31/2013

BUSINESS NAME AND ADDRESS

INCREDIBLE INK LLC
37 NEW ORLEANS RD STE Y
HILTON HEAD ISLAND, SC 29928-4747



AUTHORIZED SIGNATURE

TO BE POSTED IN A CONSPICUOUS PLACE

NON TRANSFERABLE

This license may be revoked any time by Town Council.

TATTOO SHOP

The Business License is subject to the following regulations/procedures:

Anyone generating gross income in the Town is required to obtain a Business License annually. The license fees shall be paid on or before April 30th, of each calendar year to avoid penalties.

(NOTIFICATION TO THE REVENUE SERVICES OFFICE IS REQUIRED PRIOR TO ANY CHANGE IN LOCATION, NAME OR OWNERSHIP)



Status: Closed

Exhibit D -Business Licenses VAR-000174-2025

Current Due \$0.00

Receive Email Notices

Not Assigned

RateType: Class 6 In Town

[Edit](#)

Name:

Business

DBA:

Mailing

Address:

Same Address

City: State: Zip:

Do Not Validate Addresses

Phone Business

Private

- Business Attributes
- Account Notes
- Contacts
- Approvals
- Billing Info
- Transaction History
- Linked Accounts
- Linked Files
- Additional Fields
- Permits

Revenue Recovery

Change Bus Type for Space
 Restoration/ Construction/ Expansion
 Home Occupation
 Space Vacant 12 Months

Short Term Rental
Zoning
LMO Use
Development *Select a Value*

Restriction *Select a Value*
 Long Term Rental
OLD SIC
OLD BusType

OLD BusSub
Audit Status *Select a Value*
 Timeshare
BL Gross Year

Audit Amount Billed
Audit \$ Collected
Audit Performed By *Select a Value*
Revenue Recovery Year *Select a Value*

2007 BUSINESS AND PROFESSIONAL LICENSE

TOWN OF HILTON HEAD ISLAND
ONE TOWN CENTER COURT, HILTON HEAD ISLAND, SC 29928

Exhibit D -Business Licenses
VAR-000174-2025

Business License No. 8265

LICENSE INFORMATION

MAILING ADDRESS

ISLAND TATTOO CO.
130 ARROW RD STE 103A
HILTON HEAD ISLAND, SC 29928-7341

Classification
8120 IT

Issue Date
05/29/2008

Expiration Date
12/31/2008

BUSINESS NAME AND ADDRESS

ISLAND TATTOO CO.
115 ARROW RD UNIT 1
HILTON HEAD ISLAND, SC 29928-7314



AUTHORIZED SIGNATURE

TO BE POSTED IN A CONSPICUOUS PLACE

NON TRANSFERABLE

This license may be revoked any time by Town Council.

TATTOO STUDIO

The Business License is subject to the following regulations/procedures:

Anyone generating gross income in the Town is required to obtain a Business License annually. The license fees shall be paid on or before April 30th, of each calendar year to avoid penalties.

(NOTIFICATION TO THE REVENUE SERVICES OFFICE IS REQUIRED PRIOR TO ANY CHANGE IN LOCATION, NAME OR OWNERSHIP)



Status: Renewal Sent

[Print Notice](#)

Current Due \$0.00

Receive Email Notices

Not Assigned

RateType: Class 4 In Town

[Edit](#)

Exhibit D -Business Licenses VAR-000174-2025

Name: Business

DBA:

Address: Mailing

City: State: Zip: Same Address

Do Not Validate Addresses

Phone Business Private

- Business Attributes
- Account Notes
- Contacts
- Approvals
- Billing Info
- Transaction History
- Linked Accounts
- Linked Files
- Additional Fields
- Permits
- Revenue Recovery

Change Bus Type for Space Restoration/ Construction/ Expansion Home Occupation Space Vacant 12 Months

Short Term Rental Zoning CC-Community Commer... LMO Use Development *Select a Value*

Restriction *Select a Value* Long Term Rental OLD SIC OLD BusType

OLD BusSub Audit Status Timeshare BL Gross Year

Audit Amount Billed Audit \$ Collected Audit Performed By Revenue Recovery Year *Select a Value*

- LMO Distance
- Walkable Distance to Publicly Owned Land - **228.75 ft.**
- Walkable Distance to Tattoo Shop - **692.67 ft.**
- Island Tattoo Co.
- 124 Arrow Road
- 115 Arrow Road
- Parcels
- Public Park



TOWN OF HILTON HEAD ISLAND
 ONE TOWN CENTER COURT
 HILTON HEAD ISLAND, S.C. 29928
 PHONE (843) 341-4600
 Date Created: Tuesday, March 11, 2025

Town of Hilton Head Island

124 Arrow Road; Tattoo Shop Variance
 March, 2025

2,000 0 2,000 4,000 6,000 Feet

Exhibit E - Locational Map

VAR-000174-2025



The information on this map has been compiled from a variety of sources and is intended to be used only as a guide. It is provided without any warranty or representation as to the accuracy or completeness of the data shown. The Town of Hilton Head Island assumes no liability for its accuracy or state of completion or for any losses arising from the use of the map.

BEING the same property conveyed to Charles D. Howell by deed of Property Research Holdings, Inc. dated April 5, 2007 and recorded on June 11, 2007, in Book 02581, Page 2496 in the ROD Office for Beaufort County, South Carolina;

AND BEING the same property conveyed to Charles D. Howell by deed of Chase Electric and Air Conditioning Co., Inc. dated November 22, 1978 and recorded on December 28, 1978 in the ROD Office for Beaufort County, South Carolina in Book 275 at page 131.

AND BEING the same property conveyed to Charles D. Howell by deed of Howell Enterprises of Hilton Head Island, Inc. dated November 22, 1978 and recorded on December 7, 1978 in the ROD Office for Beaufort County, South Carolina in Book 274 at page 309.

TMS #R552 015 000 0111 0000

Property Address: 120, 122 & 124 Arrow Road, Hilton Head Island SC 29928

Grantee's Mailing Address: PO Box 5521, Hilton Head Island, SC 29938

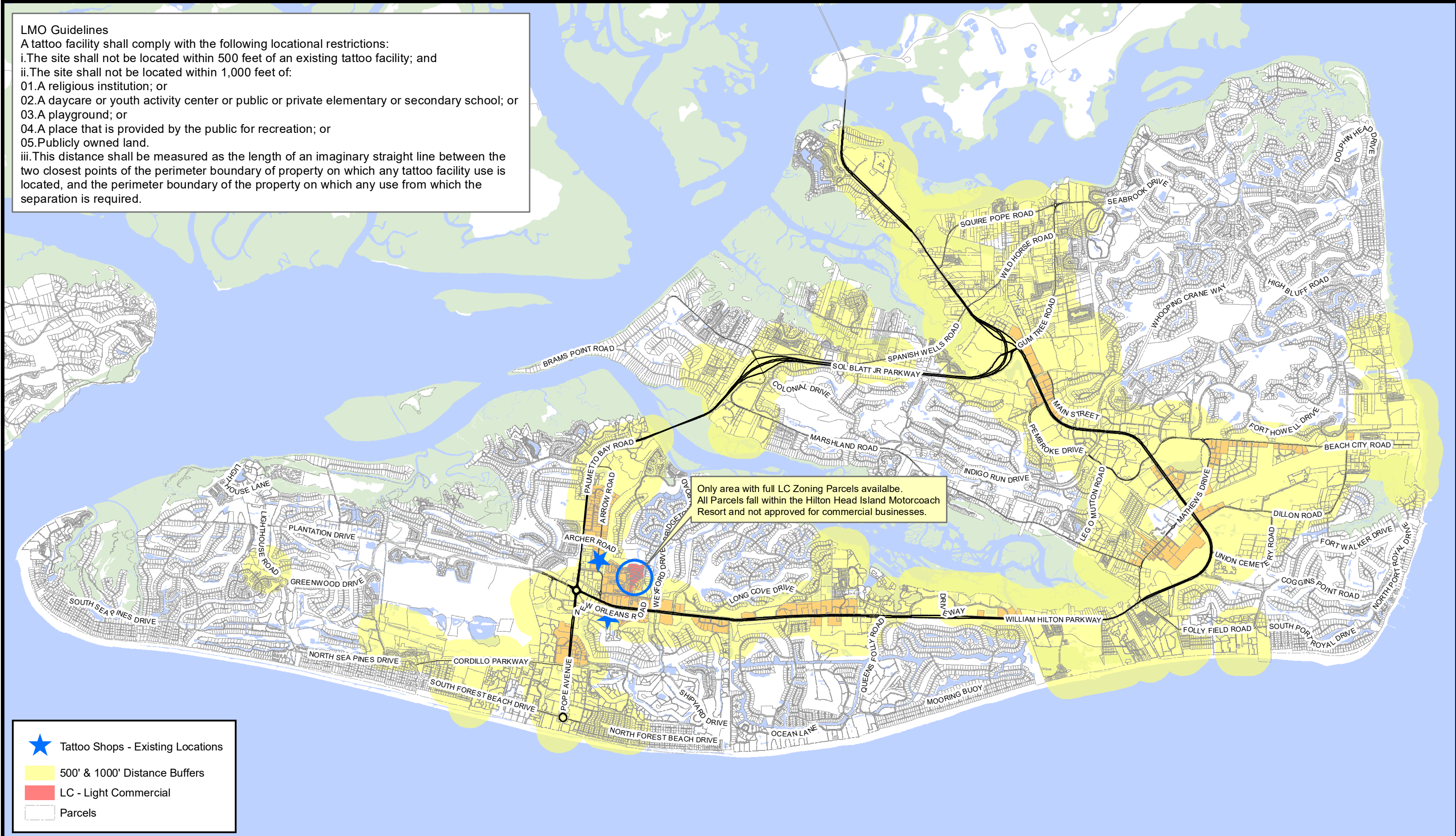
Together with all and singular the rights, members, hereditaments and appurtenances to the said premises belonging or in anywise incident or appertaining.

TO HAVE AND TO HOLD all and singular the said premises before mentioned unto the said **ATLANTIC BEST CLEANING, LLC, A South Carolina Limited Liability Company** its Successors and/or Assigns forever.

And the Grantor does hereby bind the Grantor and the Grantor's Heirs, Successors, Executors and Administrators, to warrant and forever defend all and singular the said premises unto the said Grantee hereinabove named and the Grantee's Heirs and Assigns against the Grantor and the Grantor's Heirs their successors and assigns and against every person whomsoever lawfully claiming, or to claim, the same or any part thereof.

THE REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY

LMO Guidelines
 A tattoo facility shall comply with the following locational restrictions:
 i. The site shall not be located within 500 feet of an existing tattoo facility; and
 ii. The site shall not be located within 1,000 feet of:
 01. A religious institution; or
 02. A daycare or youth activity center or public or private elementary or secondary school; or
 03. A playground; or
 04. A place that is provided by the public for recreation; or
 05. Publicly owned land.
 iii. This distance shall be measured as the length of an imaginary straight line between the two closest points of the perimeter boundary of property on which any tattoo facility use is located, and the perimeter boundary of the property on which any use from which the separation is required.



Only area with full LC Zoning Parcels available.
 All Parcels fall within the Hilton Head Island Motorcoach Resort and not approved for commercial businesses.

- ★ Tattoo Shops - Existing Locations
- 500' & 1000' Distance Buffers
- LC - Light Commercial
- Parcels



Town of Hilton Head Island
 Potential Tattoo Shop Location Analysis
 September 2024

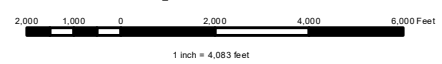


Exhibit G - Town of Hilton Head Island
Tattoo Facility Location Analysis
VAR-000174-2025



The information on this map has been compiled from a variety of sources and is intended to be used only as a guide. It is provided without any warranty or representation as to the accuracy or completeness of the data shown. The Town of Hilton Head Island assumes no liability for its accuracy or state of completion or for any losses arising from the use of the map.

Property Enhancement Guidelines (PEG)

Effective March 14, 2011

- Revised -

Amended: May 2012, July 2012, August 2013, July 2014, February 2018, July
2018, June 2019, September 2019, April 2020, November 2020, January 2021,
March 2021

Hilton Head Island Motorcoach Resort Property Owners' Association
133 Arrow Road
Hilton Head Island, SC 29928

Revision Approved by the Board of Directors, January 2021

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B Conditions of Approval 4

C Owner Responsibilities..... 5

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ARTICLE ONE: GENERAL INFORMATION**A Brief History**

The original developer of the Outdoor Resorts of America Motorcoach Resort at Hilton Head Island determined the overall land-use plan and infrastructure within the resort. The Protective Covenants imposed by the Hilton Head Company, Inc. and the Declaration of Covenants and Restrictions entered into between Outdoor Resorts of South Carolina and Outdoor Resorts at Hilton Head Island Owners' Association, Inc. (collectively "the covenants") were written in such a manner that the resort could evolve with the Recreational Vehicle (RV) industry and still maintain its natural, serene atmosphere and provide lasting value for the lot owners.

Over time, it was determined enhancements to the original designs and make-up of lots were desirable. A Property Enhancement Committee (PEC) was therefore created to assist owners to implement rules and guidelines to maintain the resort atmosphere and still enable improvements of facilities conducive to the RV industry in the 21st Century.

As of 2021, the staff at HHIMR are responsible for the majority of duties previously assigned to the PEC. The PEC suggests, and the Board of Directors (BOD) establishes policy. The PEC is consulted by the Resort Manager as needed and is responsible for reviewing PEAs as requested and making determinations on denied property enhancements requests that are appealed by the owner.

B Philosophy

The covenants grant the Association the authority to maintain and administer the common properties, to administer and enforce the covenants and restrictions, and to make rules and regulations concerning both common properties and individual lots. The Association also has the authority to seek enforcement of its bylaws, local ordinances, and state and Federal laws.

Since the authority of the Association relating to lots is limited as above indicated, it is necessary that the restrictions placed on individual lots be within the property owners' rights to enjoy their property as defined by South Carolina laws. These restrictions are an inherent part of the agreement that individuals enter when they purchase property in the resort.

Consistent review, approval or denial of Property Enhancement requests are important to the present and future development of the resort's common properties and privately-owned lots.

It is intended that the rules and guidelines of Property Enhancement at HHIMR:

- be applicable to all owners for private lots, all facilities and all common areas,
- be applicable to all work performed in the resort except normal cleaning and maintenance,
- allow lot owners to deal with their property consistent with the covenants, rules and local ordinances,
- be beneficial to all and enforceable within the legal system,
- enhance the enjoyment of all owners,
- enhance the resale value of individual lots, and
- enhance the nature-like atmosphere consistent with the concept of Hilton Head Island development that attracted owners to buy into the resort.

C The Property Enhancement Committee (PEC)

The Property Enhancement Committee shall be comprised of the following members:

- The chairperson shall be a member of the Board of Directors.
- Committee to be no less than four members but not more than six members who are lot owners. Two alternates may be named at the discretion of the PEC chairperson to assure availability.
- Whenever possible the chair shall attempt to recruit two members who possess experience in construction and or land management.
- The Resort Manager shall serve as an ex-officio member of the PEC.

D Property Enhancement Team (PET)

- The PET is comprised of:
 - Paid staff, including but not limited to the Resort Manager, Maintenance Manager and others as designated
 - Members of the PEC as needed.

Property Enhancement Guidelines

ARTICLE TWO: PURPOSE OF PROPERTY ENHANCEMENT REVIEW

A Property Enhancement Team (PET) Responsibilities

- To provide uniform guidelines for an owner to enhance his/her lot, for greater personal enjoyment and to increase his/her equity while maintaining a uniform, harmonious, and natural appearance throughout the resort for the benefit of all. These guidelines are intended to conform to all Federal and State Statutes, Local Ordinances and Regulations, and the covenants and rules and regulations referred to above.
- To review and approve plans submitted by an owner for lot enhancements that meet Property Enhancement Guidelines (PEG). All approvals shall be signed by at least two PET members.
- Requested enhancements shall not be detrimental to nearby lots or to the resort.
- The appearance of enhancements shall be in harmony with all nearby lots.
- The upkeep and maintenance of enhancements shall not become a burden on the Association.
- When reviewing applications, PET members may reject the application and make recommendations for changes if the application does not meet requirements set out herein.
- When in the course of their normal activities, resort staff or PEC members notice possible violations of the PEG they shall notify the Resort Manager who will take corrective action.
- PET members and the PEC may inspect work in progress, such as:
 - a. Measure forms prior to concrete being poured and/or
 - b. Measure outline of pavers to be installed and/or
 - c. Finished work to ensure compliance with the plan.

B Conditions of Approval

1. The applicant shall provide the Association with security, acceptable to the Association, against mechanics' liens or other encumbrances which may be recorded against the lot as a result of such work.
2. The applicant shall provide proof of contractor liability insurance protecting the Association and other owners during construction and in the event of subsequent hazards.
3. If an owner performs his own work, a PEA (Property Enhancement Application) shall be submitted for approval and a liability waiver (included herein) shall be signed by the owner and attached to the PEA. The owner must meet all qualification guidelines as established for contractors in this document.
4. The applicant agrees to complete the proposed work within the required time frame unless an extension is granted by the PET.
5. Work performed without an approved PEA will be subject to fines.
6. Previously approved improvements by other committees, resort manager(s) or any other entity, under previous guidelines are not precedent setting.

NOTE:

- The PEC meets as needed to review guidelines and applications as requested.
- PEAs are usually reviewed and approved or rejected, with recommendations, within 14 days as long as all required documents or attachments are provided.
- PET and PEC members may visit the lot to review the plan pre-construction, during construction and upon completion. If the application should be denied or the PET member needs more information before approval the applicant will be contacted by email for clarification or with a suggestion as to how the application could be changed to obtain approval.
- Once the application for pad renovation or shed build is approved by PET and the Resort Manager, the office will issue a permit to the contractor which will be posted in clear sight of the roadway.
- As soon as the PEA is approved or rejected, the owner and contractor(s) will be notified. For rejections, the PET will provide rationale and recommendations to obtain approval.

Property Enhancement Guidelines

C Owner Responsibilities

1. The owner is solely responsible for engaging contractor(s) trades people, or individual(s) to perform work described in the PEA. The owner is responsible for any construction related behavior, meeting prevailing codes of Hilton Head Island, Beaufort County and South Carolina, etc. This includes, but is not restricted to, building, electrical, plumbing codes and "Guidelines" components. When required, the owner (or owner's contractor) is responsible to obtain all permits and pay all applicable fees.
2. All utility work, such as electrical, plumbing, gas, etc. performed on the owner's lot must be performed by a South Carolina licensed Contractor who obtains a Permit from the Town of Hilton Head Island. The Permit shall be posted on the lot before starting work.
3. The owner shall be responsible for completion of work in compliance with all approved plans.
4. Approved applications shall expire 90 days from the date of approval.
5. The owner assumes all financial and legal responsibility for damages, accidents or other liability incurred during, or because of construction.
6. The owner is responsible for all maintenance, repairs and replacement of damaged or inoperable improvements on the owner's lot, or on adjacent lots or common areas, which result from any action of the owner, contractor, or any employee during lot changes. This includes use of restrooms and condition of restrooms after use by workers.
7. During construction on the lot, at the end of each day, the owner and/or contractor shall return the lot to as clean a condition as practical, removing each day's waste and/or demolition debris from the site and from the resort. If the contractor uses the resort's dumpster, the contractor shall pay an appropriate fee as designated by the Resort Manager. In the event of failure to comply, the fee involved shall be paid by the owner. No nuisance shall be allowed.
8. To encourage that each mature or tagged tree in Category I or Category II specimen trees in Appendix I is replaced, a security deposit of \$300 for each tree is to be submitted to the office prior to the tree permit being issued with approval for the removal of the tree(s). Upon approval of the replacement tree by PET, the security deposit shall be returned to the applicant if the tree is planted within 90 days and in accordance with PEG. If at the discretion of the Resort Manager, the lot cannot sustain additional plantings due to overcrowding or adequate canopy the deposit may also be returned. If the owner chooses not to replace the tree, the \$300 deposit shall transfer to the resort for common property beautification.
9. A professional lot survey will be required in the following instances:
 - a. Before construction: A survey will be completed and submitted with the property enhancement application when there is a boundary dispute between an owner and adjacent property owner(s) and/ or HHIMR, and there is no current survey on file.
 - b. Post-construction: An "as-built" survey will be required when a lot has had 500 sq ft or more of hardscape changes (including, but not limited to, additions, updates or overlays).
 - c. The owner will be responsible for the cost of the survey.

D Non-Compliance

1. The Resort Manager shall notify an owner whose lot is not in compliance with PEG (with photographs if needed). If no action is taken by the owner to correct the non-compliance, as required by the notice, the Resort Manager shall advise the owner in violation of the Association's intent to enforce compliance through proper process, including court proceedings if necessary. Notification shall be by uniform letter that contains penalties and fines for non-compliance.
2. Notice, Penalties and Fines for failure to comply with these guidelines are:
 - a. Thirty (30) day notice to achieve compliance from date of notice of non-compliance.
 - b. Thereafter a fine of \$25.00 per day is levied retroactive to the date of notice of noncompliance, until compliance is satisfied.
 - c. All legal and ancillary costs to enforce compliance.

ARTICLE THREE: INSTRUCTIONS FOR APPLICATION

A Instructions for Applying for Lot Improvements

1. PEAs (Property Enhancement Applications) are available in the owner’s section of the resort website or in the resort office for
 - a. Tree Trimming or Tree Removal
 - b. Pad/Shed Renovation
2. Obtain a PEA and review the Property Enhancement Guidelines to ensure requests are compliant.
3. Complete designated sections of the PEA, including all proposed changes to pads, patios, sheds, etc., (including the materials to be used and color choices).
4. A PEA is required for all improvements involving the installation of any hardscape (except minor improvements or repairs) and/or the removal of one or more live trees six inches or more in diameter at a height of four feet, submit an "as built" survey for the lot, on a scale of 1 inch to 10 feet, depicting its boundaries and all existing improvements, including the pad, pedestal, shed, walls, trees to be removed, gardens, etc. In cases where an “as built” survey does not exist, provide a plat map (usually obtainable from the Resort Office), which includes the existing square footage of all hardscape coverage and the total square footage of the lot. It is the responsibility of the lot owner to ensure that all property pins are accurate and that missing pins are reestablished by a professional survey company. For trees that are to be removed, a Certified Arborist or qualified tree company’s opinion is recommended. However, if the PET questions the opinion of the tree company, the PET has the right to request a certified written opinion by an Arborist over their license and seal. For PEAs not referred to above, no "as built" survey or written justification shall be required.
5. On a separate copy of the “as built” survey, show as an overlay all proposed improvements, including all items specified in paragraph 3 above, to the same scale as the survey.
6. Attach a photograph of the portion of the lot to be improved.
7. Attach a copy of a Plat containing your lot and adjacent lots (available at the Office).
8. Attach proof of contractor liability insurance (if not on file in the Office) or signed liability waiver.
9. Sign and submit the completed application and arrange payment of the processing fee to the Resort Office. Pad/Shed Renovations and tree removal require separate applications and fees.
10. On approval of a PEA, a brightly colored copy of the PEA with expiration date will be issued by the office to the owner or the owner’s representative and affixed to the lot’s utility pedestal or prominently displayed on the lot. When the work is completed the contractor shall sign that the work conforms to PEG and return the permit to the office. No contractors shall be permitted to start work without the issuance of a Work Permit (colored copy of the PEA) by the office. No work shall be done on the lot until the HHIMR permit and required Town of Hilton Head permit(s) have been posted on the lot.

NOTE: On either approval or rejection the office will notify the owner of the PET decision.

- All improvements shall conform to the guidelines contained herein.
- All guidelines are subject to site-specific PET approval, with each decision based on its’ own merit.
- The lot owner is responsible for adhering to these guidelines and to the PEA. If the lot is not improved in accordance with the PEA, the work must be redone to bring it into compliance.
- The lot owner shall ensure that all contractors hired are approved by the Resort Manager.
- The lot owner shall ensure that the contractor adheres to these guidelines and carries required insurances.
- Prior to starting work, the owner shall identify, locate and mark all utilities within the lot. The owner shall hire “No Cut” (843-811-7877) to locate buried power lines. Failure to do so may result in injury or death, for which the owner is solely and completely responsible. “No Cut” is a free service.

B Contractor Work Hours

1. All construction, renovation and tree pruning and/or removal shall be permitted only between 8:00 a.m. and 5:00 p.m., Monday through Saturday.

Property Enhancement Guidelines

2. No contractors shall be on site prior to 8:00 a.m. Work between 8:00 am and 9:00 a.m. daily and all day on Saturdays, shall not produce noise, dust or dirt and would include all PEA contractor activities including leaf blowing by the PEA contractor.
3. No work shall be conducted on Sundays, Holiday weekends, New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day or Christmas Day, except in an emergency, so deemed by the Resort Manager.
4. No noise producing work will be allowed during the spring and fall owner's weeks. Emergency work is exempt from this rule.

ARTICLE FOUR: DEFINITIONS, ENHANCEMENTS AND DIMENSIONS

A Horizontal Enhancements

1. **Compliance:** Prior to beginning work to improve the lot, if an improvement encroaches into a setback or onto an abutting lot, or if there is a boundary dispute, prior to an approval a written agreement between abutting owners must be established by either a) mutually executed Joinder Agreement; b) an encroachment agreement signed by both parties for each lot and recorded at the Beaufort County Registry of Deeds; or c) redrawn lot lines eliminating the encroachment and/or boundary dispute, that are deeded and recorded at the Beaufort County Registry of Deeds. Any encroachments by structures not covered by "a)", "b)", or "c)" above shall be removed.
2. **Common Areas:** The lake, clubhouse, pool, tennis courts, management office, roadways, paths and 100-foot vegetative buffer and any other POA (Property Owners' Association) properties surrounding the resort are common areas and shall not be altered in any way by any owner.

3. **Setbacks** (distance into lot from property line):

Rear	4 feet
Left side	2 feet
Right side	3 feet
Front	2 feet, or
Off the roadway	2 feet

No structures shall be built in setbacks, except sheds, pervious pavers, vegetation and the driveway in the front setback from the road or in the case of pull through lots, the front and rear setbacks. An existing structure does not need to be removed to meet the setbacks but any new installation where material is removed shall comply with the above setbacks.

4. **Types of Coverages:**

- a. **Softscape:** Softscape consists of soil, vegetation, lawn, shrubs, pine straw and mulch. River rock between 2 inches and 5 inches in size and colors brown, gray, or tan may be used in landscaping.
 - o River rock located directly next to grass must have some type of border, such as steel edging, pavers or concrete to prevent the rocks from becoming projectiles and causing damage when edging is performed. If a border is not present, the edging is the responsibility of the owner.
 - o Where rocks meet the roadway, they must be placed below grade or contained with appropriate edging so they do not spill out into the street presenting a trip hazard.
- b. **Hardscape:** Hardscape consists of poured concrete, sitting walls, pillars, and garden borders of cement-like materials, entertainment features, fountains, pavers on crushed stone, wood decks, walkways, bricks and patio blocks on sand and/or gravel.

Note:

- Softscape, ground covers and landscape shall be of natural, not man-made materials and recommended to be native to Hilton Head Island.
- If pavers or concrete are used as a border this will be added to the lot pervious or impervious square footage allotment and will count towards the lot coverage amount allowed.

Property Enhancement Guidelines

Exhibit H - Hilton Head Island
Motorcoach Resort Property
Enhancement Guidelines.
VAR-000174-2025

5. Lot Coverage:

- a. Coach pad, patio and car parking 1,400 sq. ft. impervious maximum
- b. Shed, walkways to shed and utilities 200 sq. ft. pervious added maximum

Walkways to shed and utilities shall be constructed of pavers, patio blocks or similar removable materials.

The request for up to an additional 200 sq. ft. is to be submitted on a separate copy of the drawing and shall not be constructed of poured concrete. Its approval is at the discretion of the PET on a case-by-case basis.

Each lot regardless of size is allowed the above maximum square footage. However, in keeping with the guidelines promulgated by the Planning Office of the Town of Hilton Head, a lot of suitable size to accommodate a larger seating area, walkways, and or outdoor kitchen area may have as an addition to the impervious 1,400 sq. ft. allowed above, an additional 600 sq. ft. of pervious coverage so long as the total coverage does not exceed 60% of the lot's existing square feet. Under no circumstance shall the total coverage area exceed 2,000 square feet.

6. Easement Area: All lots contain easement areas, which shall be noted on the survey. These areas include:

- a. A three (3) foot sewer easement on right side of pad to roadway, and
- b. A four (4) foot rear yard easement containing most common utilities. Power and water to sheds must not encroach on the rear yard easement.

These areas shall not be permanently covered (see exceptions in #3 "Setbacks") and shall always be accessible to the resort staff.

7. Irrigation: Watering systems must conform to all Hilton Head Island Town Management guidelines and shall have back-flow prevention installed to protect drinking water.

- a. System: A multi-zone automatic watering system may be installed.
Plants are watered by drip irrigation only.
Lawns may be watered by sprinklers.
- b. Schedule: Watering seasons Spring, Summer and Fall
No watering November through February (unless approved by Resort Manager for new landscaping installation).
Control boxes Accessible at all times

Management has the right to adjust or turn off watering systems not functioning per these guidelines. The owner will be notified and shall have no recourse to the resort for losses.

B Horizontal Structure: (recommended specifications)

1. Pad (coach and car parking):

- a. Poured concrete construction 6 to 8 inches thick or greater
- Strength 4,000 psi minimum
- Base material D.O.T. approved base materials
- Base depth 6 inches minimum
- Base compaction 5,000 lbs./sq. ft.
- Reinforcement ½ inch (#4) rebar, 12 inches o/c both ways with tied intersections
- Depth in concrete 2 inches above base material
- Driveway width Site specific
- Finished pad height at road (rounded) 1 ½ inches above road
- Control joint cuts (cut within 24 hours) no greater than 10 ft. squares, to 1/3 depth of pour
- Method wet cutting only to eliminate dust

Requests for pads of 1,400 sq. ft. require that the forms be measured before the concrete is poured. The owner or contractor shall notify the Office when concrete forms are ready for inspection.

Property Enhancement Guidelines

- b. Paver construction
 - Paver thickness 2 3/8 inch minimum, Belgard or equivalent
 - Base material D.O.T. approved base materials
 - Base depth 6 inches minimum
 - Base compaction 5,000 lbs./sq. ft.
 - Leveling course 1 to 1 1/4 inches of concrete sand
 - Final compaction of pavers 5,000 lbs./sq. ft. with polymer sand for weed control
 - Driveway width Site specific
 - Finished pad height at road 1 1/2 inches above road with saw cut at the road

Pavers must be secured at the road with an asphalt cold-patch or concrete transition ramp.
Note: Strongest patterns are modular or herringbone at 45 degrees.

2. Patio:

- a. Poured concrete construction
 - Not less than 4 inches thick
 - Base for concrete D.O.T. approved base materials
 - Base depth 4 inches minimum
 - Base compaction 5,000 lbs./sq. ft.
 - Reinforcement 1/2-inch (#4) rebar, 12 inches o/c both ways with tied intersections
 - Depth in concrete 1 1/2 inches above base material
 - Control joint cuts (cut within 24 hrs.) No greater than 10 ft. squares, to 1/3 depth of pour
 - Method wet cutting only to eliminate dust

- b. Paver construction
 - Paver thickness 2 3/8 inch minimum
 - Paver base D.O.T. approved base materials
 - Base depth 6 inches minimum
 - Base compaction 5,000 lbs./sq. ft.
 - Leveling course 1 to 1 1/4 inches of concrete sand
 - Final compaction of pavers 5,000 lbs./sq. ft. with polymer sand for weed control
- Note: Strongest patterns are modular or herringbone at 45 degrees.

3. Decks:

Material Pressure treated wood, Trex, or similar decking material

4. Walkways:

Purpose Access to shed and utilities
 Added walkway areas Not to exceed 200 sq. ft.
 Materials Pervious paver system on crushed granite base or concrete blocks on soil.

C Vertical Enhancements:

1. Shed (one per lot):

The shed shall be built in compliance with a standard drawing of the Cambridge, the Lexington or the Stratford designs, each with design specific height, depth and width specifications obtainable from the office. The shed is to be of natural or man-made wood or Hardie-Board sheeting, shed shall be of a single color with the trim allowed to be painted in an approved second color from the list below and shall not affect a neighbor's view of the natural landscape. If shed is overly conspicuous, planting of shrubs may be required for screening. The shed shall be located toward the rear of the lot. Lap siding of a horizontal design is not allowed.

Property Enhancement Guidelines

Shed design may be modified, as long as overall dimensions are maintained. The contractor must specify and provide details on any variation in the PEA. This includes, but is not limited to, side doors and roof vents (Roof Vent maximum height: 4 inches)."

Electricity and water may be run to the outside of the shed to facilitate lighting and irrigation systems. Electrical and plumbing modifications must be specified in the PEA, and SC licensed contractor(s) are required.

The stain and paint colors to be used are limited to:

- HHIMR approved - Dark Brown
- HHIMR approved - Beige
- HHIMR approved - Gray
- HHIMR approved - Sage Green
- GRAYCO Hardware usually carries approved colors. Other earth-tone colors may be submitted for consideration by the PEC.
- Requirement: An approved PEA showing design, construction material and color.

Shed Enhancement: an enhancement/improvement is considered as any repair to a shed greater than 10% of the cost of the replacement of the entire shed.

2. **Walls (hardscape):** The walls are part of the 1,400 sq. ft. coverage
- | | |
|-----------------------------------|-------------------|
| Maximum height for running length | 21 inches maximum |
| Pedestals and end caps | 36 inches maximum |
| Distance from road | 2 feet minimum |

NOTE: Walls and outdoor kitchens are not considered part of the 1,400 sq. ft. impervious coverage if built on a pervious footer. Walls and kitchens built on concrete footers account for a share of the impervious allowance.

3. **Lighting:**

- The following guidelines are adopted as applicable, from Town of Hilton Head Island Land Management Ordinance, Article XIV, Section 16-5-1401, revised 2/3/09.
- Lights on lots shall be diffused, low voltage, low illumination and shall not create a nuisance to nearby owners. Patio lights shall be directed downward onto the patio. Tree and shrub lights shall not shine on coaches on other lots. Tree lights shall be placed on the ground only. Indirect lighting installed on an awning by the manufacturer is permitted.

Fixture (housing)	Light source shall be completely concealed within an opaque housing and shall not be visible from any nearby lot or street
Light source (lamp)	Incandescent, fluorescent, metal, halide or LED.
Mounting	A fixture shall be mounted in such a manner that it's cone of light does not cross any property line of the lot.
Maximum illumination levels	5-foot candles for landscape 8-foot candles for walkways
Maximum height in gardens	24 inches above grade only
Operating hours	Dusk to dawn
Method of control	Timers and light sensors

Property Enhancement Guidelines

4. **Waterfall:**

Requirement	PEA with plans and manufacturer's specifications
Material	Natural, blends with environment
Maximum dimensions	40 inches high x 6 feet wide x 40 inches front to rear
Maximum pool depth	10 inches
Usage	By the owner only. The pool is to be drained when the owner is not in residence and the drain shall stay open during the owner's absence.
Design	The water cascade shall be sloped to minimize noise.
Approval	By PET on a site-by-site basis. Separate PEA Required

5. **Arbor:**

For support of vegetation only	PET approval required
Maximum dimensions	94 inches high 42 inches deep 76 inches wide

6. **Railing:**

Maximum height	42 inches
Usage	Edge of lake and culverts
Material	Wood or man-made equivalent

7. **Fire pit or Fireplace:**

Requirement	PEA with plans and manufacturer's specifications
Approval	By PET on a site-by-site basis. Separate PEA Required if not included on pad expansion PEA
Permitted fuel	Propane or butane only (see ARTICLE FIVE: UTILITIES, F. Propane)
Fireplace Maximum dimensions	62 inches high x 54 inches wide x 27 inches deep
Firepit Maximum dimensions	4 feet diameter x 16 inches high
Style	Natural appearance
Construction	Stone or metal with drainage Must be located at least 10 feet away from a Motorcoach.

8. **Fountain/Birdbath:**

Type	Recirculating only
Maximum dimensions	52 inches in height 36 inches in diameter
Pool depth	8 inches
Maximum spray height	6 inches above fountain/birdbath
Usage	By the owner, only. The fountain/birdbath is to be drained, inverted or covered when the owner is not in residence and drain shall be left open.

Property Enhancement Guidelines

9. Outdoor Kitchen: See

Requirement PEA with plans and manufacturer's specifications
Approval By PET on a site-by-site basis. Separate PEA Required if not included on pad expansion PEA

Design & Size of Kitchen

Kitchens can be straight, L-shaped, curved, or other designs as long as the kitchen/countertops do not exceed 4% of total square feet of the pad and is approved by the PET.

Counter top/Bar top

4% of the total square feet of the pad (pervious + impervious), up to 80 sf maximum

Example:

- All lots are allowed up to 1600 sf impervious/pervious coverage (minimum) and thus would be allowed a maximum of 64 sf counter/bar top.
- The maximum sf lot is allowed 2000 sf impervious/pervious coverage and thus would be allowed a maximum of 80 sf of counter/bar top.

Height

Base cabinet: 34 inches maximum
Countertop: 36 inches maximum
Raised Bar: 44 inches maximum

Depth

Counter: 36 inches maximum
Bar: 20 inches maximum (may be an extension of counter or raised)

Materials

Stone masonry, granite or stainless steel

Colors

Environmental blending earth-tone

Surface area

Part of impervious area of the lot

Appliances

Must be built in and are limited to grill, refrigerator, sink, oven and surface cooking units

Cooking fuel

Propane, butane or electric only not to exceed 1,600 watts (see ARTICLE FIVE: UTILITIES, F. Propane)

Sink restriction

Connected to sewer system by licensed plumber. Sink shall be covered when not in use.

Electrical requirement

Licensed electrical contractor shall perform all wiring.

SPECIAL NOTES:

- If wiring upgrade is required from the transformer to the pedestal it is the owner's responsibility and shall be at the owner's expense.
- Permanent masonry structures may require footings.
- Electrical and irrigation lines should be buried in separate conduit lines.
- Electrical lines should terminate at the post in an approved container box.

10. Bicycle Rack: Size

Up to 3 bicycles

Material

Metal, wood, or concrete

Placement

Rear of lot, out of public view.

Bicycles may be left on a lot when the owner is not in residence, if they are covered with an environmental blending colored bicycle cover which is designed and manufactured for bicycle coverage.

11. Post:

Purpose

Protection of property from vehicles

Requirement

An approved PEA

Location

Selected by PET

Size and material

6 inches x 6 inches pressure treated wood

Height above grade

30 inches maximum including cap

Property Enhancement Guidelines

Installation (removable)	PVC sleeve for 6 inches x 6 inches post set in concrete 30 inches deep
Color and finish	Brown, with reflective tape facing traffic

NOTE: To protect lot and personal property such as lawns, sprinkler heads, borders, landscaping. The post shall be furnished and installed by Management and paid for by the owner. The amount of posts necessary to ensure driving only on the paved roadway to be determined by the PET.

12. External Steps:

Material	Treated wood or wood-appearing material
Size	Not to exceed 48 inches in width and not to extend further than 48 inches from the coach.
Railings	A railing is not permitted except on a case-by-case basis and where a specific need is established
Color	Steps shall be stained or painted in approved shed colors.
Storage	In the absence of a coach, steps shall not be stored within the living area of the pad. Areas such as to the side or directly against the front of the shed are examples of preferred areas.

13. Ramps:

Approval	Must be approved by PET on a case-by-case basis. Applicant must show a reasonable need. Renters may be asked by a PET member or the Resort Manager to show a reasonable need.
Appearance	Ramps should be as discrete as possible. Commercially manufactured ramps are encouraged.
Storage	In the absence of a motorcoach, ramps are not to be stored in the living area of the pad. Areas such as to the side or directly in front of the shed are examples of preferred areas.

NOTE: If any item above is provided on the lot, the item must always be in like-new condition, operational and safe. If the item falls into disrepair, it must be repaired, replaced or removed immediately.

D Furnishings:

1. Outdoor Patio Furnishings

Minimum Requirement for Rental Lots: One (1) dining table with four (4) chairs and an umbrella

NOTE: All outdoor furnishings must be manufactured for that purpose, fully operational, in like-new condition, safe, of environmental blending natural earth-tone colors or, in the case of, wood tables and benches painted with approved colors. Other optional seating areas may include a bistro seating area, a casual seating area which could include items such as sofa, love seat, occasional chairs, a cocktail/end table, firepit table, an additional umbrella. Also, for owners with outdoor kitchens with countertop bars, bar stools will be allowed.

2. Grill:

One per lot, free standing or installed in entertainment feature. The grill shall be secured when the owner is not present.

Maximum length	8 feet including attached work surfaces
Colors	Black or stainless steel (other colors require PET approval)
Cooking fuel	Propane, butane or electric grills, not exceeding 1,600 watts maximum (See ARTICLE FIVE: UTILITIES, F. Propane).

3. Antenna:

Attached to the coach.

Property Enhancement Guidelines

4. **Satellite Dish:** Attached to the coach, or it is requested to be placed out of public view or screened with plantings so long as an acceptable quality signal is obtainable without damaging the tree canopy.
5. **Screen Area:** Attached to coach awning on passenger side or umbrella and stored or collapsed when not used. Must be made of screen material only. Maximum size: length and width of awning or umbrella.
6. **Portable Heater:**

Height	8 feet maximum
Construction	Metal
Fuel	Propane or butane only
7. **Insect Repellant Device:**

Fuel	Propane, butane or electricity
	It shall not disturb others.
8. **Sign:**

Maximum dimensions	24 inches wide
	18 inches high
Maximum overall height	30 inches
Content	Name, lot number and design
Requirement	PEA with sketch or drawing
9. **Umbrella:** Earth tone color, including black. Must be portable and collapsed when not in use.
10. **Covers:** Furniture covers and other covers shall be earth-tone colors including black.
11. **Flags and Poles:** Permitted flags: American flag, service and other friendly nation's flag.

Requirement	An approved PEA
Permanently installed pole	Height not to exceed 14 feet above grade
Pole base	Metal sleeve in ground or attached to tree
Flag size	3 feet x 5 feet maximum
Condition	Replace when tattered, torn or faded
12. **Garden flags and ornaments:**

Up to two (2) small garden flags or banners shall be allowed per lot and no more than two (2) yard ornaments or "objecto-de-artos" allowed per lot. The ornaments shall be constructed of concrete, resin, or metal and tasteful in design. No inflatable ornaments are to be allowed.
13. **Storage box:**

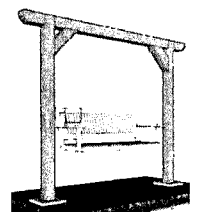
To allow one (1) storage box per site, dark brown in color, 150-gallon maximum size with dimensions approximately 61 inches long, 25 inches high and 28 inches deep or equivalent.

NOTE: If any item above is provided on the lot, the item must always be in like-new condition, operational and safe. If the item falls into disrepair, it must be repaired, replaced or removed immediately.

All covers whether for car, furniture, bicycles, grill, heaters, outdoor kitchens must be specifically manufactured for the item it is covering (no tarps allowed). Covers must be of earth-tone colors which also includes black. All covers must always be free of holes, tears, mold and mildew. If any cover falls into disrepair and/or extremely faded, it must be removed and/or replaced immediately.

14. **Swing:**

A simple swing of 2 posts for support and a single beam across the top for the hanging of the swing. Trellises and other shade producing structures are not permitted on top of the swing.



Property Enhancement Guidelines

ARTICLE FIVE: UTILITIES

1. **Electrical Box:** All repairs to the electrical service box, G.F.I. and all other outlets and switches are the owner's responsibility and must be completed by a SC licensed electrician identified on the PEA. If an owner chooses to replace the outlets themselves or chooses to hire someone who is not a SC licensed electrician, without the knowledge of the Resort Manager or signing of the liability waiver, the owner shall be responsible for any and all future claims related to the work performed.
2. **Electric Meter:** The electric meter is property of Palmetto Electric and may only be serviced by a South Carolina licensed electrician and Palmetto Electric.
3. **Pedestal:** A pedestal cannot be removed from the lot, but may be replaced with a resort approved pedestal on an approved PEA by a SC licensed electrician in conjunction with Palmetto Electric. On the majority of the lots the Pedestal shall be installed inside the right-side lot lie at least 20 feet from the road and proximate to the utility hookup area of the coach with the power hookup side facing the roadway next to the pad. A lakeside or pull-through lot may contain a second, PEC approved pedestal. Installing a second pedestal shall be approved in advance on a PEA. Additionally, on a lakeside, pull-through, or other lots, a left side pedestal may be approved for installation when any protected trees may prohibit the requested and approved renovation. The owner shall be responsible for all permits and expenses associated with the new pedestal and its installation of any pedestals.
4. **Sewer Line:** The owner owns the sewer line from the sewer cap to the edge of the road. Repairs, alterations, cleaning, etc., of the owner's sewer line shall be by a licensed plumber. Costs, including inspection with a camera and cleaning shall be paid by the owner.
 - Management may repair or replace failed sewer lines not attended to by the owner and charge the expense to the owner.
 - Schedule 40 PVC pipe shall be used to repair or replace sewer lines.
5. **Water Line:** Water lines exiting the water meter are the owner's responsibility, including all irrigation systems and valves. All water lines leading from the road to and in the pedestal are the Association's responsibility. The water meter is owned by the Association. It is the owner's responsibility to protect from freezing all water lines after exiting the water meter.
6. **Propane Tanks:** Portable propane tanks (max size 30 lbs.) are allowed for normal and appropriate uses such as BBQ grills, space heaters and fire pits. Larger propane tanks that require on-site filling must meet the following conditions for either underground (buried) or above ground containers. First and foremost, the location must meet the current NFPA 58 Liquefied Petroleum Gas Code requirements, which states in part that the relief valve, filling connection, and liquid fixed maximum level gauge vent connection at the container must be at least 10 ft. from any exterior source of ignition, openings into direct-vent appliances, or mechanical ventilation air intakes. The Propane Company can assist in a code compliance location on the lot for the PEA and should be established before submitting a request. Finally, any non-portable containers, above ground or buried, must be screened from view with landscaping and/or other permitted site elements.

ARTICLE SIX: TREE POLICY

The tree policy as outlined below will automatically amend to comply with any new tree policy that may be adopted from time to time by the Town of Hilton Head Island.

A Background

A key attribute of this resort is the natural "woody" environment which differentiates it from other motorcoach resorts. Owners have an obligation to maintain a natural healthy woodland Covenant which includes a requirement

Property Enhancement Guidelines

on removal of trees within the resort levied by the Hilton Head Company (now defunct), which is now a key regulation in the Town's Land Management Ordinance. This Tree Policy reflects those requirements.

B Objective

This Tree Policy will aid in maintaining a natural healthy woodland environment within the resort, maintain a healthy multiyear growth or "all-aged" woodland consisting of native trees of a variety of ages, sizes and species. This Tree Policy would maintain and enhance the scenic beauty of the resort and provide habitat for species of birds, butterflies and other fauna native to the South Carolina Lowcountry region.

C Legal Basis

The Town's Land Management Ordinance includes requirements for maintenance of the woodlands within the town. The ordinance requires a minimum tree cover, defined as 900 Adjusted Caliper Inches (ACI) of trees per acre of pervious surface area. This minimum standard shall be based upon the total site acreage less the maximum impervious surface required for the respective land use. The ordinance defines the four categories of trees used to establish the "adjustment," and establishes requirements for replacement trees, including size and species.

The Town's Land Management Ordinance does not restrict an individual property owner's right to remove trees on his or her own private property, however, the resort's original Protective Covenants, which runs with the land, in fact levies requirements on removal of "live" trees measuring six inches or more in diameter at a height of four feet above ground level (DBH).

In order to meet these requirements, it is essential that the Board of Directors, our elected representatives, be involved in the process. The Board is not only charged with the fiduciary responsibility for management of the resort but with the stewardship of the property itself.

D Buffer Zones

The original Protective Covenants provide for the establishment of natural buffer zones on the periphery of the resort and these are now a key part of the Town's Land Management Ordinance. Trees and understory in the buffer zone, even dead trees, enjoy special protection. They should only be removed if they constitute a danger to people and or coaches or are resident to disease which could impact the entire woodland. Fallen branches, limbs and trees shall remain where they lay.

E Tree Removal

The Property Enhancement Committee (PEC) has exercised authority for approval of tree removal since its inception. Live trees shall only be removed for approved pad improvement, safety, disease and prevention of potential damage to coaches, common buildings, pad and patio or damage to roadways. This PET approval applies to trees 6 inches or more in diameter at a height of four (4) feet above grade with diameter at breast height (DBH). Tree removal applications shall be filed simultaneously with the PEA for pad improvement. If a tree is removed as a part of the pad improvement application and the owner does not complete said improvement, the owner may be fined up to \$1,000 per tree at the discretion of the Resort Manager.

If an owner removes an unauthorized, untagged tree from their lot, the Resort Manager may levy a fine of \$2,000 per tree removed.

If an owner removes an unauthorized, mature, tagged tree from their lot, which has been evaluated in HHIMR Tree Inventory & Management Plan of 2018 or any subsequent plan as having an asset valuation to our tree canopy, the Resort Manager may levy a fine up to the tree valuation per tree removed. There are thousands of trees evaluated in this plan which range in value from \$2,000 upwards of \$65,000.

Property Enhancement Guidelines

F Tree Replacement

A survey of the resort by a licensed arborist confirmed that there is not enough open space to support planting the numbers of trees required for a one-to-one replacement ratio. To make the tree replacement process manageable and enforceable, a fee shall be paid by owners cutting live over six inches or more DBH on their lots. The permit may be returned to the owner if at the discretion of the PET a replacement tree is not required. The Board shall manage the replacement of trees in accordance with this Tree Protection Standard, with special emphasis on maintaining the over story with native hardwoods, and the understory with native plantings.

G Trimming

Owners may trim or prune trees on their own individual lots to encourage growth and prevent disease. Ornamental trees which include Palm trees and Crepe Myrtles should be trimmed yearly for the appearance, the health of the tree and to encourage new growth. However, removal of more than 30 percent of leaf surface within any three-year period or "topping" is prohibited and will be considered as unauthorized tree removal.

- An approved PEA is required for trimming any tree (including palm trees if not scheduled through the Resort Manager) that requires a tree contractor.
- The Resort offers palm tree trimming at a discount up to 4 times per year. A PEA is **not** required to trim Palm trees, if scheduled by and with the Resort Manager.

H Regulations

These regulations are provided to maintain the natural woodland environment of the resort.

1. **Responsibility:** All trees on the lot are the owner's responsibility.

2. **Tree Removal:**

The PET or its successor, shall be the authority for approval of removal of trees measuring six (6) inches or more DBH (diameter at breast height).

Live trees shall only be removed for approved pad improvement, root damage to pad, safety, disease and prevention of potential damage to coaches, common buildings and roadways. For trees that are to be removed, a Certified Arborist or qualified tree company's opinion is recommended. However, if the PET questions the opinion of the tree company, the PET has the right to request a certified written opinion by an Arborist over their license and seal. This approval applies to trees measuring six (6) inches or more in diameter at a height of four (4) feet above ground level, hereby redefined as six (6) inches or more DBH.

3. **Specimen Trees:**

"Specimen" trees as defined in Appendix II may not be removed unless they are hazardous, and every effort must be made to protect them. Any activities performed with the drip line of such trees must be avoided.

4. **Security Deposit:**

Trees over 6 inches diameter at 4 ft. height	\$300.00
Under 6 inches diameter at 4 ft. height	No fee required

On approval of a PEA to remove a tree the owner may opt to plant a new (replacement) tree from the list of approved trees in the PEG. If the new tree is an approved replacement tree, of significant size (30 gallon) and approved by the PET, the tree deposit will be returned to the owner. If the owner chooses not to replace the tree, the \$300.00 deposit shall transfer to the resort for common property beautification. The PET shall authorize the release of the tree deposit after approving replacement tree planting or if at the discretion of the PET replacement planting is not required. As in the case of a lot that is reasonably well treed.

5. **Tree Replacement:**

The Board shall manage the replacement of trees in accordance with this Tree Policy. The categories and species of replacement trees shall be in accordance with Appendix I.

Property Enhancement Guidelines

To this Tree Policy, all replacement trees shall be at least 10 feet tall and have a trunk diameter of not less than two (2) inches when planted for Categories I and II.

The ratio of the number of trees to be replaced for the tree removed for Categories I and II is one tree for every 10" of diameter at DBH.

To this Tree Policy, all replacement trees shall be at least 6 feet tall and have a trunk diameter not less than one (1) inch when planted for Categories III and IV.

The ratio of the number of trees to be replaced for the tree removed for Categories III and IV is one (1) tree for every tree removed.

Southern Bayberry (Wax Myrtles) must be a minimum of 4 feet tall and have the largest stem not less than one (1) inch in diameter.

Priority shall be given to replacement with the same category native species that do not require supplemental irrigation once established.

6. Pruning or Limb Removal:

Owners may trim or prune trees on their own individual lots. However, removal of more than 30 percent of leaf surface within any three-year period or "topping" is prohibited and will be considered as unauthorized tree removal and subject to a \$1,000 fine.

7. Landscape Debris:

All limbs, hedge-clippings and other landscape debris shall be placed at the edge of the road for pick-up on scheduled pick-up days.

NOTES:

The Board shall retain the authority to petition owners to plant replacement trees on individual lot owner's private property where enough open space is available.

Trees and understory in the buffer zone shall only be removed if they are deemed hazardous to people and or coaches or are infected with disease which could impact the entire woodland. A PEA shall be submitted to the Town of Hilton Head Island for approval.

The Board may authorize trimming of existing trees to encourage growth and prevent disease.

ARTICLE SEVEN: PROHIBITED MATERIALS AND ACTIONS

Not Permitted

- Impervious paving materials within 4 feet of the pedestal.
- Chimineas and Tiki torches.
- Wood-burning grills, pellet grills, charcoal grills, hibachis and wood-burning firepits.
- The use of gasoline, starting fluids or other uncontained flammables.
- Non-environmental blending colors for garden decorations.
- Commercial or advertising signage (only if approved by the Board of Directors).
- Vulgar or distasteful messages on lots.
- For Sale signs.
- Synthetic materials for mulch or ground cover.
- Exposed gravel smaller than 1 inch or larger than 5 inches (river rock) on lots.
- On-site fuel storage other than propane or leaf blower fuel in U.L. approved containers.
- Lights attached to trees.
- Carpet permanently attached to decks, pads or patios.
- Moving the pedestal without:
 - a. an approved PEA
 - b. a permit from the Town of Hilton Head Island
 - c. written approval from Palmetto Electric
 - d. use of a SC licensed electrician
- Fences - A fence is any structure with a post and materials between the posts, including rope fencing. Exception – lake front and other areas for safety.
- Clothes lines or drying racks.
- Dog run lines, pet pens or fences.
- Gazebos, pergolas, or free-standing shade structures.
- Hanging lights.
- See flag guidelines described in ARTICLE FOUR, D. 11.
- Any structure built on the slope of and into the lake.
- Structures other than an approved shed.
- Two cars on a lot are not permitted unless the pad at roadway is wide enough for side-by-side parking with both cars completely on the pad.
- Covers on cars parked in the overflow parking lot at the Clubhouse.
- Mechanical repairs on a lot of any type of motorized vehicle except owner's motorcoach.
- Changing oil and all other vehicle fluids and filters in the resort except when done by service providers approved by Management.
- Reflectors (metal and plastic) and driveway markers.
- Ropes, chains, or cables across the entrance to a lot. This does not include temporary plastic barrier tape on lots being improved. Owners who wish to discourage entry to their lot shall use planters or pots placed toward the front of the entrance.
- Personal hot tubs on an owner's lot.
- Items attached to trees (except as specified in Article Four, D, 11: Flags and Poles)

Property Enhancement Guidelines

ARTICLE EIGHT: OTHER PROVISIONS OF GENERAL APPLICABILITY

1. The easement areas may be covered with pervious material for access to the sewer line and other utilities. The coverage will be removed at the owner's expense to allow for any necessary repairs. Replacing the coverage is strictly at the option and expense of the owner.
2. All man-made improvements including but not limited to pads, patios, decks, borders, sheds and any other structures, shall be of natural earth tone shades. All colors are to be stated in the PEA, with color samples attached for approval by the PET.
3. Stain and paint colors to be used are limited to:
 - HHIMR approved - Dark Brown
 - HHIMR approved - Beige
 - HHIMR approved - Gray
 - HHIMR approved - Sage Green
 - Additional earth-tone stains are available; samples shall be included with the PEA.
 - Grayco Hardware usually carries approved colors. Other earth-tone colors may be submitted for consideration by the PEC.
4. Requests for pads of 1,400 sq. ft. require that the forms be measured before the concrete is poured. The owner or contractor shall notify the Office when concrete forms are ready for inspection.
5. Pervious coverage is defined as wood and stepping-stones with more than 10% spacing or pavers installed over sand per the manufacturer's requirements.
6. Vegetative growth between pavers is to be removed, to avoid slippery surfaces.
7. Owners use of leaf blowers and other noise producing devices is limited to between 9:00 a.m. and 5:00 p.m. on Monday through Friday and 10-5 on Saturday and Sunday.

ARTICLE NINE: COACH AND LOT APPEARANCE

When an owner is not in residence, the only items permitted to remain on the lot are outdoor patio furnishings, umbrellas, portable heater, firepit table, grill, storage box, steps, ramp and bicycles which shall be secured and covered with an environmentally blending colored cover which is a manufactured and designed cover for bicycles. All other items must be placed in their shed or removed from their lot and may be placed in an island rental storage facility. Owners are subject to fines for failure to comply.

1. Coach: The coach shall be maintained clean, washed and attractive at all times.
The roof shall be kept clean and free of debris.
Article XII (a) of the Declaration of Covenants provides that the Association may require annual approval of the coach's condition.
2. Garden and Planters: Gardens and planters shall be maintained neat and weed free.
Plant pots and urns shall be of natural, earth-tone colors.
3. Lots: Lots shall be maintained neat, clean and attractive.
Lots shall be kept in good repair to minimize accidents and injuries that might increase insurance rates or cause lawsuits against the resort.
Garden hoses shall be stored on reels and out of sight when not in use.

Property Enhancement Guidelines

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Plant coverings shall be removed from plants when frost danger passes.
Furniture may be protected with earth-tone covers when not in use.

4. Landscaping: Shrubs shall be neat and trimmed to prevent unsightliness or overgrowth.
5. Lawns: Lawns shall be kept free of leaves and be kept mowed.
Lawn planting and maintenance is the owner's responsibility. If a lot is not maintained, Management shall have the right to perform necessary maintenance and landscaping and charge the cost to the owner

ARTICLE TEN: APPEAL PROCEDURE

The President shall appoint one member of the Board of Directors who is not on the PEC (and shall serve as Chairperson of the Committee) and at least two owners who have been owners for at least one year and who have prior experience interfacing with the PEA process shall constitute the Grievance Committee. Any owner aggrieved by a decision of the PET or PEC may appeal that decision to the Grievance Committee. The Appeal Board shall meet with the owner and PET/PEC members together to review reasons for the denial and to evaluate the impact of reversing the denial. The Grievance Committee may affirm or reverse the decision of the PET/PEC in whole or in part (and in so doing, may grant one or more variances from these guidelines). The decision of the Grievance Committee shall be made in writing.

Any owner aggrieved by a decision of the Grievance Committee may appeal that decision to the Board of Directors, which may choose to hear the appeal or affirm the decision of the Grievance Committee without a hearing. The decision of the Board of Directors (including a decision not to hear the appeal) shall be included in the minutes.

Waiver by Owner of Liability Insurance

The Property Enhancement Application (PEA) used for lot enhancements includes a requirement to identify the contractor(s) who will perform the work outlined in the PEA. It is the policy of Hilton Head Island Motorcoach Resort that anyone performing work on an owner’s lot, whether the individual or company is licensed with the State of South Carolina, carries liability insurance in the amount of at least \$1,000,000. If the PEA identifies an individual to perform work on an owner’s lot who does not have the required insurance, the PEA shall be denied, unless the owner is willing to accept all liability for the work performed and any and all claims that result from the work.

Liability insurance is required not only to protect the property of the owner who is having the work done, but also to provide coverage in the event damage is done to a neighbor’s lot, the common area or to persons. Insurance provides among other things, financial compensation to all those affected if repairs are required as a result of work being done on an owner’s lot.

It is recognized that owners, from time to time, may choose to have work done by non-insured individuals. In this case the PEA can be approved ONLY if the owner of the lot identifies himself or herself as the “Contractor” or person responsible for doing the work. This places all liability on the owner whose lot is being enhanced, for damage to neighboring lots, the common area or individuals. Under this scenario, if the owner chooses to have someone provide assistance or direction of the performance of the enhancement, that owner accepts full responsibility for damages done by those providing assistance or direction.

While it is the desire of the management and the Board of Directors of Hilton Head Island Motorcoach Resort to encourage lot enhancements, it is also their desire to protect the common area and all owners’ lots against incidental damage caused during the enhancement process. Management therefore encourages all owners to use only individuals and/or contractors who have the necessary liability insurance.

If you elect to allow a nonconforming person or contractor to perform improvements on your lot, please sign below in which case you agree to accept any and all liability for damage as described above, and you as owner agree to hold harmless and indemnify Hilton Head Island Motorcoach Resort, its employees, officers, directors and all committee members against all liabilities resulting from work performed by or on behalf of you as owner. (This waiver must be attached to your PEA for lot enhancement approval.)

Owner’s Name: _____ **Tel #:** _____ **Date:** _____

Signature: _____ **Date:** _____

Appendix I Tree Values & Tree Categories

(Extracted from Hilton Head Island Land Management Ordinance)

Tree Value Factors - (The Tree Value Factors Table is used to define Adjusted Caliper Inches and illustrates the relative value of each species.)

Category I (highest)	Broad-leaved Evergreen Overstory Hardwoods and Endangered Species	1.00
Category II	Deciduous Overstory Hardwood and Broad-leaved Evergreen Understory	0.75
Category III	Cone-Bearing Evergreens	0.50
Category IV	Ornamentals and Palms	0.25

Tree Equivalency Table (The Tree Equivalency Table is to illustrate the relative value of broad groups of trees, as well as individual trees; provide guidance in choosing trees; and provide guidance in selecting trees to supplement inadequate buffers.)

Category I: Broad-leaved Evergreen Overstory Hardwoods and Endangered Species

Common Name	Latin Name	Common Name	Latin Name
American Holly	Ilex opaca	Loblolly Bay	Gordonia lasianthus
Bald Cypress	Taxodium distichum	Pond Cypress	Taxodium ascendens
Laurel Oak	Quercus laurifolia	Spruce Pine	Pinus glabra
Live Oak	Quercus virginiana	Southern Magnolia	Magnolia grandiflora

Category II: Deciduous Overstory Hardwoods and Broad-leaved Evergreen Understory

Common Name	Latin Name	Common Name	Latin Name
American Beech	Fagus grandifolia	Pecan	Carya illinoensis
American Elm	Ulmus americana	Pignut Hickory	Carya glabra
American Hornbeam	Carpinus caroliniana	Post Oak	Quercus stellate
American Sycamore	Platanus occidentalis	Red Buckeye	Aesculus pavia
Bitternut Hickory	Carya cordiformis	Red Maple	Acer rubrum
Black Cherry	Prunus serotina	Red Mulberry	Morus rubra
Black Gum	Nyssa sylvatica	Redbay	Persea borbonia
Black Willow	Salix nigra	River Birch	Betula nigra
Boxelder	Acer negundo	Sand Hickory	Carya pallida
Buckthorn Bumelia	Bumelia lycioides	Sassafras	Sassafrass albidum
Carolina Ash	Fraxinus caroliniana	Scrub Hickory	Carya floridana
Carolina Basswood	Tilia caroliniana	Southern Bayberry	Myrica cerifera
Carolina Buckthorn	Rhamnus caroliniana	Southern Red Oak	Quercus falcata
Carolina Silverbell	Halesia carolina	Sugarberry	Celtis laevigata
Carolina Willow	Salix caroliniana	Swamp Chestnut Oak	Quercus michauxii
Common Persimmon	Diospyros virginiana	Swamp Cottonwood	Populus heterophylla
Dahoon Holly	Ilex cassine	Sweet Gum	Liquidamber styraciflua
Devilwood	Osmanthus americanus	Sweetbay	Magnolia virginiana
Eastern Cottonwood	Populus deltoides	Tough Bumelia	Bumelia tenax
Eastern Hophornbeam	Ostrya virginiana	Tupelo	Nyssa biflora
Florida Basswood	Tilia floridana	Turkey Oak	Quercus laevis
Florida Maple	Acer barbatum	Water Hickory	Carya aquatica
Hercules Club	Zanthoxylum clava-herculis	Water Oak	Quercus nigra
Honey locust	Gleditsia triacanthos	Water Tupelo	Nyssa aquatica
Mockernut Hickory	Carya tomentosa	Waterlocust	Gleditsia aquatica
Overcup Oak	Quercus lyrata	White Oak	Quercus alba
		Yaupon Holly	Ilex vomitoria

Property Enhancement Guidelines

Category III: Cone-Bearing Evergreens

Common Name	Latin Name
Cabbage Palmetto	Sabal palmetto
Eastern Red Cedar	Juniperus virginiana
Loblolly Pine	Pinus taeda
Long Leaf Pine	Pinus palustris

Common Name	Latin Name
Pond Pine	Pinus serotina
Slash Pine	Pinus elliottii
Shortleaf Pine	Pinus echinata
Southern Red Cedar	Juniperis silicicola

Category IV: Ornamentals, Palms, and Small Understory Trees

Common Name	Latin Name
American Plum	Prunus americana
Carolina Laurelcherry	Prunus caroliniana
Chickasaw Plum	Prunus angustifolia
Common Sweetleaf	Symplocus tinctoria
Crepe Myrtle	Lagerstroemia indica
Dahoon Holly	Ilex cassine
Eastern Coralbean	Erythrina herbacea
Eastern Redbud	Cercis canadensis
Flatwoods Plum	Prunus umbellata
Florida Chinkapin	Castanea floridana

Common Name	Latin Name
Flowering Dogwood	Cornus florida
Fringetree	Chionanthus virginicus
Littlehip Hawthorn	Crataegus spathulata
Parsley Hawthorn	Crataegus marshallii
Possumhaw Holly	Ilex decidua
Southern Crab Apple	Malus angustifolia
Sparkleberry	Vaccinium arboreum
Swamp Dogwood	Cornus stricta
Witch Hazel	Hamamelis virginiana

Appendix II Tree Specimens

(Extracted from Hilton Head Island Land Management Ordinance)

Specimen Trees:

The purpose of the following Specimen Tree Table is to illustrate the minimum size (DBH) inches of specimen trees of species commonly found on Hilton Head Island. Since sizes given are the minimum specimen size for that species, all trees larger than those sizes are also considered specimen. Live oaks that are multiple trunked are also considered specimen when the sum of those trunks is 60 inches or greater.

Minimum Sizes of Specimen Trees

<u>Species</u>	<u>DBH (inches)</u>
Live Oak	35
Live Oak (sum of multiple trunks)	60
Laurel Oak	35
Water Oak	30
Red Oak	25
White Oak	20
All Hickories	20
American Elm	15
Loblolly and Slash Pines	35
Longleaf and Pond Pines	25
Loblolly Bay	15
Red Bay	20
Southern Magnolia	30
Bald Cypress and Pond Cypress	15
Black Gum and Sweet Gum	30
Red Maple	30
Spruce Pine	all sizes
Red Cedar	20
Sycamore	30
Black Cherry	25
Sassafras	12