



Town of Hilton Head Island

Board of Zoning Appeals Meeting

Monday, December 22, 2025, 2:30 PM

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

The meeting can be viewed on the [Town's YouTube Channel](#), the [Beaufort County Channel](#), and Spectrum Channel 1304.

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 24, 2025.
5. **Unfinished Business**
6. **New Business**
 - a. **Public Hearing**
VAR-00111702025 - Request from Chester Williams, Esquire, and Roy Prescott, on behalf of Steven and Lisa Weston, owners of 125 and 140 Shark Key Way, also identified as Beaufort County Tax Map Parcel R510 005 000 001B 0000, for a variance from LMO Section 16-4-102.B.5.b, locational restrictions, to allow Outdoor Commercial Uses other than a Water Park without direct vehicular access to a minor arterial in accordance with 16-5-105.B.
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 24, 2025, 2:30 PM Minutes

1. Call to Order

Vice-Chair Bayless called the meeting to order at 2:30 p.m. In attendance were Ms. Bayless, Mr. Kristian, Mr. Sackheim, Ms. Fee, Mr. Johnson and Mr. Greene. Chairman Fingerhut was excused.

2. Welcome and Introduction to Board Procedures

Vice-Chair Bayless welcomed all in attendance and introduced the Board's procedures for conducting the meeting.

3. Adoption of the Agenda

Mr. Sackheim moved to approve the agenda as presented. Ms. Fee seconded. The motion passed unanimously.

4. Approval of the Minutes

a. Regular Meeting Minutes of September 29, 2025

Mr. Kristian moved to approve the minutes of September 29, 2025. Mr. Greene seconded. The motion passed unanimously.

5. Unfinished Business

6. New Business

a. Public Hearing

APL-000861-2025 - 1014 WHP, LLC is appealing the LMO Official's written interpretation dated August 12, 2025, regarding whether the proposed facility providing clinically related, outpatient emergency care treatment, outpatient urgent care treatment, and imaging services at 1016 William Hilton Parkway is a permitted use within the LC (Light Commercial) District. The subject property is zoned LC, lies within the Corridor Overlay District, and is also identified as Parcel R552 015 000 0153 0000.

Request for Appeal from 1014 WHP, LLC. The appellant is appealing the LMO Official's written interpretation dated August 12, 2025, regarding whether the proposed facility providing clinically related, outpatient emergency care treatment, outpatient urgent care treatment, and imaging services at 1016 William Hilton Parkway is a permitted use within the LC (Light Commercial) District.

Vice-Chair Bayless indicated that Ms. Fee was leaving the dais due to a conflict and

would not be commenting or voting on the Appeal.

Vice-Chair Bayless outlined the procedures for the appeal hearing process. Vice-Chair Bayless invited the appellant to proceed with their presentation. Ed Kubec, Esquire with the law firm of Novit & Scarminach introduced himself and advised he is here today with Dave Lomasney, owner of the property located at 1014 William Hilton Parkway. Mr. Kubec presented his case as described in the Board's agenda package.

The Board made comments, concerns and inquiries regarding: whether ambulances would be bringing patients to the facility; their definition of a medical clinic; whether there are other urgent care facilities in the Hilton Head area that offer the services this facility will be offering.

Vice-Chair Bayless asked Shawn Leininger, Assistant Town Manager to present on behalf of staff. Mr. Leininger presented staff's findings as described in the Board's agenda package and answered questions from the Board.

Vice-Chair Bayless asked the Property Owner or representative to come forward with their presentation. Mr. Russell Baxley, President and CEO of Beaufort Memorial Hospital spoke regarding a letter from E. Brandon Gaskins, Attorney at Law representing Beaufort Memorial Hospital. Mr. Baxley cleared up some misconceptions about the facility and indicated the facility is very unique as it is a 24-7 emergency department as well as an Urgent Care Clinic. They want patients to be able to arrive at a location and not only receive high quality care and accessible care, but the care that is at the right cost for the patient. This facility has the opportunity to allow patients to seek urgent care services, receive urgent care billings, but also seek 24-7 emergency room services and seek emergency room billing. Mr. Baxley answered questions from the Board.

Vice-Chair Bayless asked for rebuttals from the appellant and staff. Mr. David Lomasney, owner of the property located at 1014 William Hilton Parkway spoke before the Board regarding concerns about ambulances coming back and forth and disrupting restaurants and other businesses. Following the rebuttals, the Board made closing remarks on the appeal and Vice-Chair Bayless asked for a motion.

Mr. Kristian asked Vice-Chair Bayless to review the options that the Board has in addressing this issue. Vice-Chair Bayless stated the Board of Zoning Appeals may affirm the decision or interpretation in whole or in part, or may modify the decision or interpretation in whole or in part, may reverse the decision or interpretation in whole or in part as described in LMO Section 16-2-103.T.4.d. and include Findings of Fact and Conclusions of Law in the motion.

Mr. Kristian moved that the Board of Zoning Appeals uphold the staff decision based on the Findings of Fact and Conclusions of Law contained in the Staff Report. Mr. Greene seconded, as follows:

- The Official did not make an error in determining whether a requirement of this

Ordinance was met.

- The Official made the decision based on a requirement contained in this Ordinance or other appropriate Town ordinances, regulations, or State Law.
- The Official did not make an error in applying a requirement of this Ordinance.

The motion passed unanimously with a vote of 5-0. Ms. Fee abstained due to a conflict.

b. Adoption of Proposed 2026 Meeting Dates.

Ms. Fee returned to the dais. Ms. Fee moved to approve the proposed 2026 meeting dates. Mr. Kristian seconded. The motion passed unanimously.

7. Public Comment - Non Agenda Items

8. Staff Reports

9. Adjournment

The meeting was adjourned at 4:05 p.m.

APPROVED:



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-001117-2025	December 22, 2025

Parcel or Location Data:	Property Owners	Applicants
Address: 125 and 140 Shark Key Way Parcel#: R510 005 000 001B 0000 Parcel size 2.13 acres Zoning: MV (Mitchelville District) Overlay: COR (Corridor Overlay District) and the Airport Overlay District Historic Neighborhood: Baygall	Steven and Lisa Weston 125 and 140 Shark Key Way Hilton Head Island, SC 29928	Chester Williams Esq and Roy Prescott PO Box 6028 Hilton Head Island, SC 29938

Application Summary:

Request from Chester Williams Esq., and Roy Prescott, on behalf of Steven and Lisa Weston, owners of 125 and 140 Shark Key Way, also identified as Beaufort County Tax Map Parcel R510 005 000 001B 0000, for a variance from LMO Section 16-4-102.B.5.b, locational restrictions, to allow Outdoor Commercial Uses Other than a Water Park without direct vehicular access to a minor arterial in accordance with 16-5-105.B.

Staff Recommendation:

Staff recommends the Board of Zoning Appeals find the request to be inconsistent with the Town's "Our Plan" Comprehensive 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 therefore recommends that the Board of Zoning Appeals *deny the application.*

Background:

The subject property, addressed as 125 and 140 Shark Key Way, is located on the northeastern side of Hilton Head Island within the Mitchelville (MV) Zoning District and the Corridor Overlay. The property also has frontage on Mitchelville Road (See Attachment B: DPR-000972-2021). The property is owned by Steven and Lisa Weston and represented by Mr. Roy Prescott of Stroll in the Park, LLC. The site contains two single-family homes and a boardwalk providing access to the beach, constructed following the approval of DPR-000972-2021 (See Attachment B: DPR-000972-2021). Beaufort County property records indicate that the Westons purchased the property on December 29, 2020 (See Attachment C: Deed Book 3955, Page 1851). The parcel is substantially larger than surrounding lots (See Attachment A: Applicant Narrative and Site Plan). In order to be developed for Outdoor Commercial Recreation Other than a Water Park, the subject property needs to be on a minor arterial road. Currently, Mitchelville Road and Shark Key Way do not have that classification.

In September 2025, Town staff met on-site with Mr. Prescott regarding the owners' interest in operating the property as an event venue. Staff outlined the zoning history, relevant LMO regulations, and the issues associated with establishing Outdoor Commercial Recreation Other than Water Parks on a residential access street.

Staff explained that this use category is listed in the LMO Principal Use Table as Permitted with Conditions (PC) within the MV District (LMO Section 16-3-105.I). However, staff also noted a conflicting reference elsewhere in Chapter 3 indicating the use requires a Special Exception (SE). Due to this inconsistency, staff informed the applicant that the Town would issue an interpretation clarifying whether the use must proceed as PC with use-specific conditions or as an SE requiring BZA approval.

During the same visit, Mr. Prescott inquired whether Shark Key Way could be administratively reclassified as a minor arterial to satisfy the use-specific access requirement. Staff explained that street classifications are based on function and Average Daily Traffic (ADT) as established in LMO Section 16-5-105.B, and cannot be modified to accommodate individual development proposals. Section 16-5-105.B states: "Streets shall be classified in a street hierarchy system, with through traffic separated from residential access streets, and with design tailored to function. The street hierarchy shall be defined by street function and average daily traffic (ADT). Each street shall be classified and designed to meet or exceed the minimum standards for one of the street types... The streets as identified in Table 16-5-105.B: Designated Arterials, are designated as major and minor arterial streets, respectively".

On October 28, 2025, the Town issued a formal determination letter confirming that Outdoor Commercial Recreation Other than Water Parks shall be reviewed as a Permitted with Conditions use in the MV District (See Attachment D: Determination Letter). The determination also confirmed that the subject property does not meet the required use-specific condition for direct vehicular access to a minor arterial and must therefore obtain a variance prior to any development approval or business licensing associated with the use.

The Town’s Comprehensive Plan reinforces the relationship between infrastructure classification and appropriate land-use intensity. Chapter 5 states (p. 168): “Connected to Infrastructure: Communities are physically connected by transit infrastructure and virtually connected by technology. These connections are strengthened by best-in-class infrastructure and facilities that can support continued collaboration across property lines and within social, work, virtual, or neighborhood environments.”

In November 2025, the applicant submitted a formal request for a variance from LMO Section 16-4-102.B.5.b (Use-Specific Conditions) to allow Outdoor Commercial Recreation Other than Water Parks without direct vehicular access to a minor arterial, contrary to LMO Section 16-5-105.B.

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.5.b, Use-Specific Conditions, to allow Outdoor Commercial Recreation Uses Other Than Water Parks on a property that does not have direct vehicular access to a minor arterial, as required by the Land Management Ordinance.

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 November 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 December 7, 2025 as set forth in LMO Section 16-2-102.E.2.
- Notice of the Application was posted on December 2, 2025 as set forth in LMO Section 16-2-102.E.2.
- Notice of Application was mailed on December 5, 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 applicant requests relief from the use-specific condition in LMO Section 16-4-102.B.5.b requiring direct vehicular access to a minor arterial for Outdoor Commercial Recreation uses.
- Shark Key Way is not listed as a minor arterial under LMO Table 16-5-105.B: Designated Arterials.
- The applicant’s stated hardship arises from a desire to establish a commercial event venue on a road designed for low-volume residential access rather than from any physical characteristic of the land itself.
- The parcel is long and narrow, and no unique physical conditions (shape, size, topography, or environmental constraints) prevent reasonable use of the property as permitted by existing zoning.

Conclusions of Law:

- The hardship stems from a desire to establish a commercial use on a residential access road, not from unique land conditions.
- 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 Use Specific Conditions for Outdoor Commercial Recreation Other than Water Parks apply to all parcels in the MV District.
- The use specific conditions were in effect prior to the purchase of the property and prior to development in 2021.

- Access limitations of Mitchelville Road (street width and capacity) apply equally to all nearby parcels and are not unique to the applicant's property.
- The surrounding parcels are single-family residential, and the introduction of commercial event activity may increase noise, traffic, and other impacts inconsistent with established neighborhood conditions of the Historic Neighborhood of Baygall.

Conclusions of Law:

- The access limitations of Mitchelville Road are shared by other parcels in the vicinity and are not unique to the property.
- Allowing a commercial event venue without compliance with minor arterial access requirements presents potential impacts to public safety and the residential character of the area.
- 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 do not generally 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 property contains two single-family homes and can continue to be used for all permitted and accessory uses allowed within the MV District.
- The requested variance is intended to enable a commercial event venue, which is not necessary for the reasonable use of the land. The owners purchased the property and developed it.
- The ordinance requirement for minor arterial access is tied directly to public safety, traffic management, and infrastructure capacity; waiving it would alter a fundamental functional requirement, not a minor technical standard.
- Other reasonable, viable uses exist under current zoning without the need for a variance.

Conclusion of Law:

- The inability to operate a commercial event venue does not constitute an unreasonable restriction on property rights because the property retains full reasonable use as a residential parcel.
- Strict application of the ordinance does not prohibit utilization of the property for the uses expressly permitted in the MV District.
- The applicant has not demonstrated that the ordinance deprives the property of reasonable use.

- This application does not meet the criteria as set forth in LMO Section 16-2-103.S.4.a.i.03 because the use specific conditions would not effectively prohibit or 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:

- LMO Section 16-5-105.B establishes street-hierarchy classifications to ensure compatibility between roadway function and land-use intensity; the subject proposal would conflict with this policy.
- The Comprehensive Plan emphasizes aligning land-use intensity with infrastructure capacity to protect community character (Chapter 5, p. 168).
- The surrounding area is a low-density residential neighborhood not designated for commercial recreational uses or event venues in local plans or zoning.

Conclusions of Law:

- Granting the variance would introduce traffic, noise, and functional impacts incompatible with the established residential setting.
- The variance would undermine both the LMO and the Comprehensive Plan by placing a high-intensity use on a low-classification street.
- This application does not meet the criteria set forth in LMO Section 16-2-103.S.4.a.i.04 because the variance would 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 inconsistent with the Town’s “Our Plan” Comprehensive Plan and does not serve to carry out the purposes of the LMO and recommends that the request for a variance should be denied.

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

12-4-25

DATE

REVIEWED BY:

TL

Trey Lowe
Development Services Program Manager

12-7-25

DATE

REVIEWED BY:

ZG

Zachary Gordon, AICP
LMO Official, Planning Director

12-11-25

DATE

ATTACHMENTS:

- A) Applicant Narrative and Site Plan**
- B) DPR-000972-2021**
- C) Deed Book 3955, Page 1851**
- D) Determination Letter**
- E) Location Map**

1117-2025



LAW OFFICE OF
CHESTER C. WILLIAMS, LLC
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Telephone (843) 842-5411
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Email Firm@CCWLaw.net
19 November 2025

Chester C. Williams
ALSO MEMBER LOUISIANA BAR

**CERTIFIED CIRCUIT COURT
ARBITRATOR AND MEDIATOR**

Thomas A. Gasparini
(1947 - 2022)

Shawn Leininger, AICP
Assistant Town Manager and LMO Official
Town of Hilton Head Island
One Town Center Court
Hilton Head Island, SC 29928

HAND DELIVERED

RE: Variance Application of Stroll in the Park, LLC for 2.13 Acres, 125 Shark Key Way
- Our File No. 02090-001

Dear Shawn:

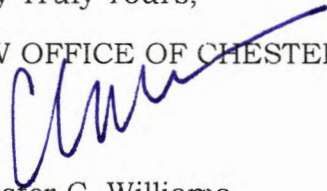
On behalf of our client, Stroll in the Park, LLC, and our colleague, Edward M. Kubec, Esq., we are pleased to deliver to you herewith for filing an application for a variance for the 2.13 acre tract located at 125 Shark Key Way. Also enclosed are our check for \$250.00 for the application filing fee, and a copy of the list of property owners within 350 feet of the property who are to receive notice of the public hearing on this application as required by the LMO. A copy of the 23 May 2023 Asbuilt Survey of the property, marked for use as a Site Plan, is attached to the application Narrative as Exhibit A.

As you will see from a review of the application, we are filing this application in an effort to obtain relief for our client from the use condition applicable to the property for its use as an event venue.

We assume you and your staff will be able to place this application on the agenda for the 22 December 2025 meeting of the Town's Board of Zoning Appeals, and that you will let us know if you have any questions or comments regarding this matter, or if we may otherwise be of assistance.

With best regards, we are

Very Truly Yours,

LAW OFFICE OF CHESTER C. WILLIAMS, LLC

Chester C. Williams

CCW:skt
Enclosures
cc: Mr. Roy Prescott
Dr. and Mrs. Steven Weston
Edward M. Kubec, Esq.

on a minor arterial road; therefore, the Applicant is seeking a variance from that minor arterial road requirement of the Town of Hilton Head Island's Land Management Ordinance (the "LMO") by way of this Application.

The MV District is somewhat curious, as it is split into two distinct areas which are separated by the Town's Fish Haul Beach Park. The more northerly portion of the MV District, in which the Property is located, has no minor arterial roads, while several parcels of land within the more southerly portion of the MV District front on Beach City Road, which is a minor arterial road; however, for the most part, those parcels that do have frontage on Beach City Road are already fully developed for single family residential and multifamily residential use, such that an Event Venue use would be unfeasible.

This separation of the MV District and the lack of any minor arterial road in the more northerly portion of the MV District means that, without obtaining a variance from the LMO's Use-Specific Condition on the use of land as an Event Venue, no Event Venue use can be permitted on any tract of land in the more northerly portion of the MV District.

II. VARIANCES

The Board of Zoning Appeals (the "BZA") may grant a variance from the strict enforcement of any appropriate dimensional, development, design, or performance standard in the LMO if the BZA concludes that strict enforcement would result in unnecessary hardship, following the criteria set out in LMO Section 16-2-103.S.4.a.

III. THE PROPERTY, SHARK KEY WAY, AND MITCHELVILLE ROAD

The Property is a 2.13 acres parcel located at 125 and 140 Shark Key Way (Beaufort County Property Tax Parcel R510 005 000 001B 0000). Shark Key Way intersects with Mitchelville Road. Neither Shark Key Way nor Mitchelville Road is designated as a Minor Arterial Road in LMO Table 16-5-105.B.

The Property is bounded to the north and northeast by Port Royal Sound and marshland; to the north and northwest by one parcel with a residence (which the Applicant believes is currently unoccupied), one parcel with a vacant building, and two parcels that are unimproved lots; to the south and southwest by one parcel that is the site of a cemetery maintained by St. James



Baptist Church, one parcel with a residence, and two parcels that are unimproved lots; and to the south and southeast by Mitchelville Road.

If the Property was to be developed to its full residential density under the LMO, 23 dwelling units could be built on the Property, which would likely generate between 202 and 232 average weekend day traffic trips.¹ The owner of the Property, however, has, at least for the time being, elected to limit the residential development of the Property to no more than three dwellings. Two dwelling units are currently built on the Property, one of which will be the primary residence of the owners of the Property, and the other of which is available for rental on its own or as part of an event to be scheduled on the Property if the proposed Event Venue use is approved.

As to traffic trip generation if the Property is used for an Event Venue use, the ITE Trip Generation manual (which is referred to in footnote 2, below) does not have a land use category into which an Event Venue use comfortably fits, in large measure because of the sporadic use of the property for events. Obviously, when no Event Venue use is occurring on the Property, there is no traffic trip generation produced by the Property. However, in order to possibly discern a method of determining how many traffic trips would be generated by an Event Venue use on the Property, one can look to the LMO's parking requirements for Outdoor Commercial Recreational Use other than a Water Park, which is one parking space for every three attendees.² With a maximum of 200 attendees for any event, 67 parking spaces are required. That should lead one to believe that an Event Use of the Property on a weekend day should result in no more than 134 traffic trips,³ which is substantially less than that which would result from the full residential development of the Property.

IV. LMO USE CONDITION

LMO Section 16-10-103.E.2 defines the use designated as Outdoor Commercial Recreation Other than a Water Park as:

An establishment that offers entertainment and recreation activities, events, or attractions to the general public, outdoors, on

¹ See *Trip Generation*, 8th Edition, published by the Institute of Transportation Engineers, Land Use 210.

² See LMO Table 16-5-107.D.1.

³ Each vehicle produces two traffic trips: one trip when arriving, and one trip when departing.



a commercial or fee basis. Outdoor commercial recreation uses include golf courses; driving ranges; miniature golf courses; zip line courses, and active sports complexes with such uses as tennis courts, ball fields and basketball courts; and facilities that are available for the benefit of spectators like stadiums, amphitheaters, and band shells. This use does not include Water Parks.

LMO Section 16-3-105.I provides that Outdoor Commercial Uses Other than Water Parks are a permitted use in the MV District subject to Use-Specific Conditions. The applicable Use Specific Condition is set forth in LMO Section 16-4-102.B.5.b.

Specifically, LMO Section 16-4-102.B.5.b provides that “The site of an outdoor commercial recreation use shall have direct vehicular access to a minor arterial in accordance with Sec. 16-5-105.B, Street Hierarchy.” Neither Shark Key Way nor Mitchelville Road is a minor arterial according to LMO Table 16-5-105.B; hence, the Applicant has submitted this Variance Application.

V. THE LMO'S STREET SYSTEM

LMO Section 16-5-105.A.1 says that the purpose for the LMO's Mobility, Street, and Pathway Standards is:

to ensure that development accommodates the safe and efficient movement of motor vehicles, emergency vehicles, bicyclists, and pedestrians within the development and between the development and external transportation systems, neighboring development, and local destination points such as places of employment, schools, parks, and shopping areas.

To that end, the LMO establishes a street hierarchy classification system, with major arterial streets, minor arterial streets, collector streets, subcollector streets, local access streets, cul-de-sac streets, and lanes.

As mentioned above, neither Shark Key Way nor Mitchelville Road is designated as a minor arterial street in LMO Table 16-5-105.B.



VI. THE REQUESTED VARIANCE

The Applicant is seeking a variance from the LMO's minor arterial vehicular access requirement in order to allow for a portion of the Property for use as an Event Venue. The requested variance will permit assembly of a removable tent and operations of the tented space as an Event Venue with designated parking on the Property for approximately eighty (80) vehicles for attendees and service providers of the events.

VII. VARIANCE CRITERIA

The Applicant submits that this Application and the requested variance meet the criteria per LMO Section 16-2-103.S.4.a for granting the requested variance as follows:

A. There are extraordinary and exceptional conditions pertaining to the Property.

The Property, as currently developed, contains two residential structures. The Property is located in one of the least populated areas on Hilton Head Island and the tented Event Venue will be situated on the eastern portion of the Property bounded by over one acre of the Property (to the west), marshland and Port Royal Sound (to the east), unimproved lots (to the north), and a cemetery (to the south).

The size of the Property and its remote location in the MV District lend themselves to the use of the Property as an Event Venue as a particularly attractive outdoor private event facility in the MV District. The Applicant believes that the impact on the properties in the vicinity of the Event Venue use, both in terms of noise⁴ and traffic congestion, will be little to none.

The Event Venue is unique in its nature inasmuch as it offers an outdoor facility of adequate capacity on private property on Hilton Head Island for these types of family oriented and fundraising, charitable, and cultural events. The proposed Event Venue provides a much-needed

⁴ While there may be events with live entertainment, typically musical entertainment will be provided by a DJ. In any event, event operator and Property owner will adhere to Town time and decibel level sound regulations.



alternative to the usual public beaches and larger commercially-operated facilities for these social gatherings.

The Applicant submits that the foregoing factors justify and support a finding by the BZA of extraordinary and exceptional conditions sufficient to warrant the granting of the requested variance.

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

The existing conditions applicable to the Property do not generally apply to other properties in the vicinity of the Property. There are no other properties in the vicinity of the Property that are the site of, or could reasonably support the use of, an event facility; nor are there any other properties in the vicinity of the Property that provide an opportunity for a new outdoor private event facility such as proposed in this Application.

C. Because of these conditions, the application of the LMO's minor arterial access requirement to the Property would unreasonably restrict the utilization of the Property.

The requested permitted use of the Property as an Event Venue is under the LMO a conditional use in the MV District, the condition being that the use have direct access to a minor arterial road.

The Event Venue will not be used every day; instead, its use will be limited to weekends and some Friday afternoons and evenings. The vehicular traffic engendered by the Event Venue will be limited by its nature (invitation only, no general public), its capacity (a maximum of 200 attendees) and its parking (approximately eighty vehicles for attendees and operational staff). The limited amount of inflow and outflow vehicular traffic is more than accommodated by the feeder system of Mitchelville Road, Baygall Road, and Fish Haul Road, and Beach City Road and Dillon Road into William Hilton Parkway.

Given the limited amount of expected vehicular traffic for the proposed use as an Event Venue, and considering the adequacy of connecting roadways in the vicinity of the Property and Event Venue, the Applicant submits that this Application for a variance in the minor arterial access requirement of the LMO is a reasonable request for a variance.



Because of the LMO's minor arterial access requirement, absent the requested variance, the Applicant will be unable to move forward with the proposed operation of the Event Venue.

The use of the Property as an Event Venue will provide additional, and welcome, outdoor recreational facilities in the MV District. The Applicant submits that without the requested variance, it is unreasonably restricted in the utilization of the Property for a reasonable, low impact, and highly desirable, use.

D. The authorization of the requested variance will not be of substantial detriment to adjacent property or the public good, and the character of the MV District where the Property is located will not be harmed by the granting of the requested variance.

Considering the expected use of the Event Venue, its limited impact on adjoining properties and the nature of the MV District, the Applicant submits that the granting of the requested variance will not be of substantial detriment to any adjacent properties, the public good, or the character of the MV District. Rather, the Applicant submits that the public good and character of the MV will be enhanced by the granting of the requested variance because the Event Venue will provide a destination that draws additional attention to, and knowledge of, the historical significance of the MV District by visitors who may not have otherwise been aware of the storied cultural history of the MV District.

The Applicant further submits that the LMO's purpose for requiring direct access to a minor arterial for development of commercial outdoor recreation will still be served upon the granting of the requested variance, as commercial outdoor recreation is an integral part of the Island's character; and, considering the limited number of vehicular trips generated by the proposed Event Venue, there will continue to be adequate traffic safety and control through the use of Mitchelville Road and the connecting roadways in the vicinity of the Property.

VIII. CONCLUSION

The criteria for the BZA's granting of a variance are subjective determinations that require the application of sound judgment on the part of



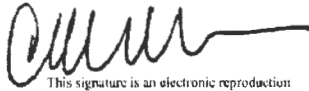
the members of the BZA, taking into account the actual conditions on the property in question.

Here, the Applicant is proposing a facility and use that provides an important addition to the area's outdoor amenities. The use of the Property as an Event Venue will provide an additional, and likely welcome, outdoor facility in the vicinity of the Property.

The Applicant submits that this Application meets the LMO's criteria for the granting of the requested variance, and asks that the BZA consider this Application, the record of this matter, and the testimony and materials to be introduced into the record of this Application at the hearing, and find that this Application meets the criteria for the granting of a variance under LMO Section 16-2-103.S.4.a, and grant the requested variance.

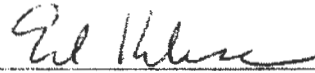
The Applicant reserves the right to submit additional materials, documents, and information to the BZA in connection with this Application.

Respectfully submitted on behalf of the Applicant on 18 November 2025.



This signature is an electronic reproduction

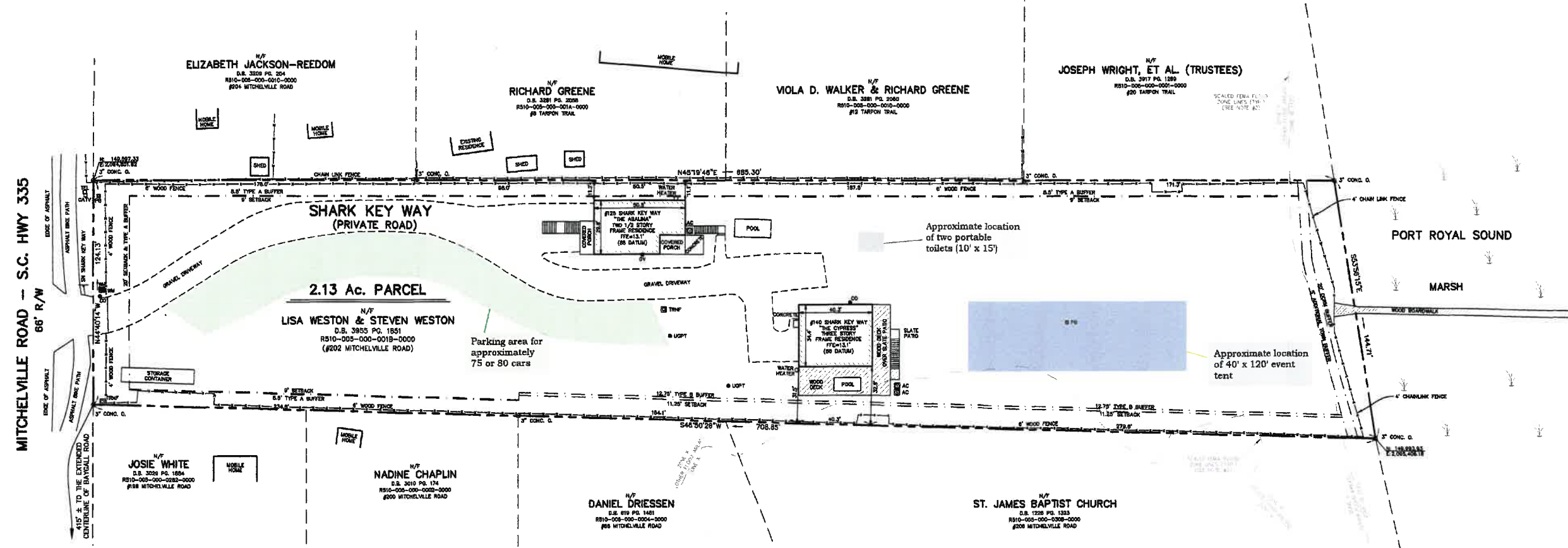
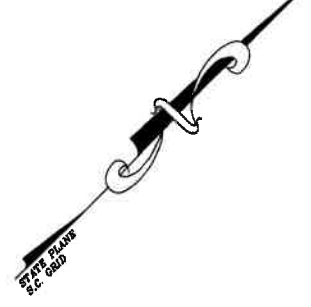
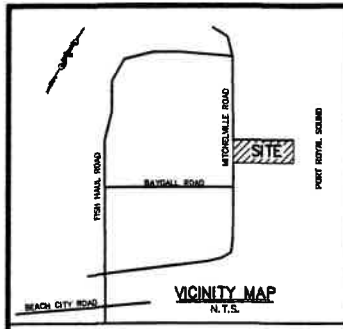
Chester C. Williams, Esq.
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Hilton Head Island, SC 29938-6028
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Hilton Head Island, SC 29932-0014
+1 (843) 785-5850
+1 (843) 785-2090 (fax)
ekubec@ns-lawfirm.com



117-2025



- 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.
 - AS OF THE DATE OF THIS SURVEY THIS PROPERTY IS LOCATED IN ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AND ZONE "Y" (OTHER FLOOD AREAS (AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN ONE FOOT OR WITH DRAINAGE AREAS LESS THAN ONE SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD). THE MAP NUMBER FOR THIS AREA IS 48013004526, DATED 03/23/2021. FLOOD HAZARD ZONE AND BASE ELEVATION SHOULD BE VERIFIED BY PROPER TOWN OR COUNTY BUILDING INSPECTIONS DEPARTMENT.
 - BUILDING SETBACKS WHICH EXIST FOR THIS LOT, SHOWN OR NOT SHOWN ON THIS SURVEY, ARE EXPLAINED IN THE COVENANTS, EASEMENTS & SETBACKS SHOWN SHOULD BE VERIFIED THRU THE APPROPRIATE ARCHITECTURAL REVIEW BOARD OR BUILDING AGENCY. THE SETBACKS AND BUFFER SHOWN ON SURVEY ARE PER THE TOWN OF HILTON HEAD ISLAND COMMUNITY DEVELOPMENT DEPARTMENT. SURVEYING CONSULTANTS DOES NOT CERTIFY TO THE BUILDING SETBACKS.
 - NO SUBSURFACE OR ENVIRONMENTAL INVESTIGATION OR WETLAND SURVEYS WERE PERFORMED FOR THIS PLAT. THEREFORE THIS PLAT DOES NOT REFLECT THE EXISTENCE OR NONEXISTENCE OF WETLANDS, CONTAMINATION, OR OTHER CONDITIONS WHICH MAY AFFECT THIS PROPERTY.
 - THIS SURVEY WAS CONDUCTED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE. THEREFORE THERE MAY BE OTHER EASEMENTS, RIGHT-OF-WAY, SETBACK LINES, AGREEMENTS, RESERVATIONS, RESTRICTIONS, OR OTHER SIMILAR MATTERS OF PUBLIC RECORD, NOT DEPICTED ON THIS SURVEY.
 - THE HORIZONTAL DATUM SHOWN IS BASED ON SOUTH CAROLINA STATE PLANE COORDINATES ESTABLISHED FROM THE SC-VIS SURVEY NETWORK.
 - THE PURPOSE OF THIS SURVEY IS TO SHOW THE ABSULT OF THE ABALINA HOUSE AND THE CYPRESS HOUSE.

- REFERENCE PLAT:**
- A BOUNDARY SURVEY OF 2.13 ACRES, BY: CARL E. ECKHOLM, S.C.R.L.S. NO. 2047, RECORDED: P.B. 28, PG. 130, SEE D.B. 1431, PG. 0854.
 - AN ABSULT AND BOUNDARY SURVEY OF LOT A, MITCHELLEVILLE ROAD, DATED: 04/15/1994, BY: MICHAEL R. DUNIGAN, S.C.R.L.S. NO. 11905, RECORDED: P.B. 50, PG. 1, 06/18/1994.
 - AN ABSULT AND BOUNDARY SURVEY OF LOT B, MITCHELLEVILLE ROAD, DATED: 04/15/1994, BY: MICHAEL R. DUNIGAN, S.C.R.L.S. NO. 11905, RECORDED: P.B. 53, PG. 51, 06/20/1995.
 - A PLAT OF LANDS OF ROSA LEVEL, DATED: 02/01/1982, BY: CARL E. ECKHOLM, S.C.R.L.S. NO. 2047, RECORDED: P.B. 30, PG. 148, 07/19/1982.
 - A BOUNDARY SURVEY OF LOT 1, MITCHELLEVILLE ROAD, DATED: 12/04/1998, LAST REVISED: 03/18/1999, BY: FORREST F. BAUGHMAN, S.C.R.L.S. NO. 4922, RECORDED: P.B. 71, PG. 165, 10/05/1999.
 - A BOUNDARY, TREE & TOPOGRAPHIC SURVEY OF 2.13 ACRES, HILTON HEAD ISLAND, BEAUFORT COUNTY, SOUTH CAROLINA, DATED: 10/17/2018, BY: TERRY G. HATCHELL, S.C.R.L.S. NO. 11059, SURVEYING CONSULTANTS, INC.

LEGEND:

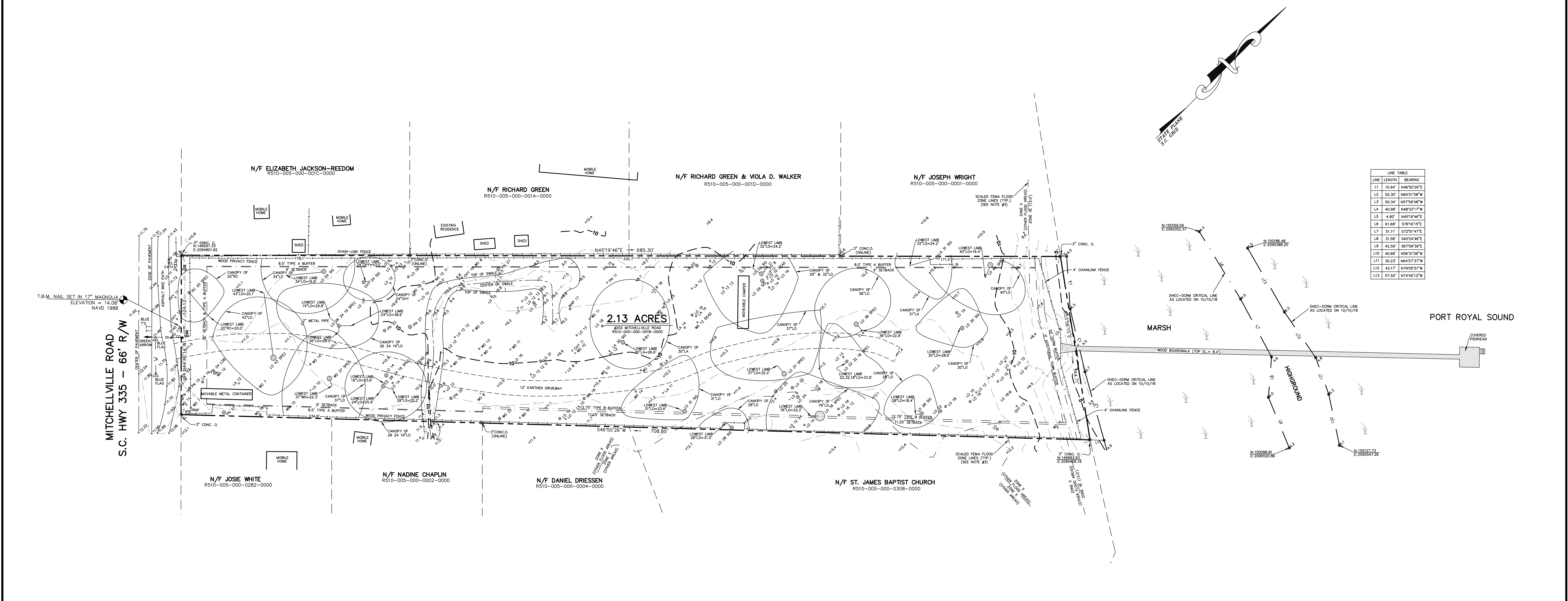
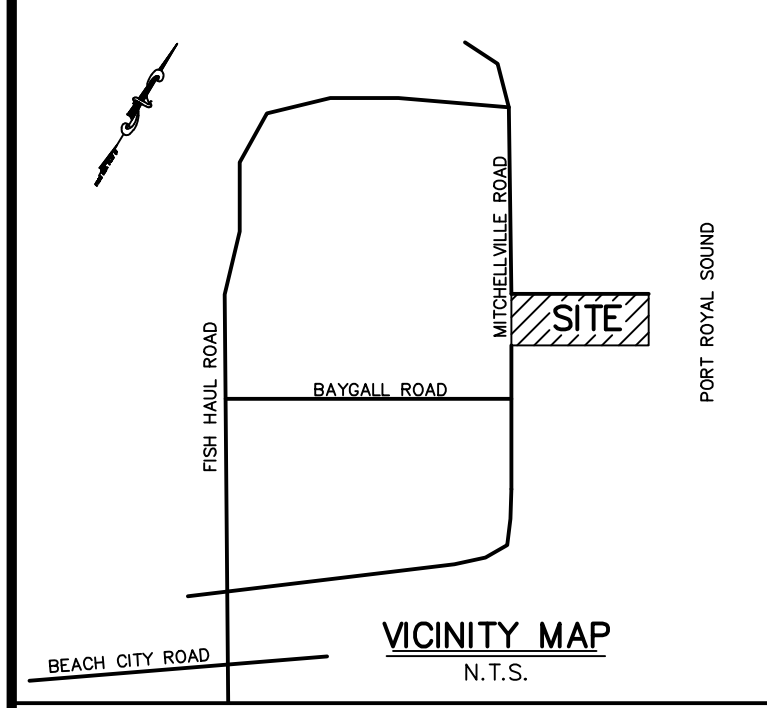
CONC. O.	CONCRETE MONUMENT, OLD (FOUND)
AC	ACRE
A/C	AIR CONDITIONER
CATV	CABLE TELEVISION JUNCTION BOX
CD	SANITARY CLEANOUT
HTS	NOT TO SCALE
N/F	NOW OR FORMERLY
PB	POWER JUNCTION BOX
R/W	RIGHT OF WAY
SN	SIGN
TEL	TELEPHONE JUNCTION BOX
TRNF	ELECTRIC TRANSFORMER
UOPT	UNDERGROUND PROPANE TANK
WM	WATER METER
---	FENCE LINE



PREPARED FOR: SEAGRASS CONSTRUCTION, LLC
ADDRESS: #202 MITCHELLEVILLE ROAD
TAX PARCEL I.D. NO. R510-005-000-001B-0000

ABSULT SURVEY
OF
THE ABALINA HOUSE
AND
THE CYPRESS HOUSE
LOCATED ON
2.13 ACRES
#202 MITCHELLEVILLE ROAD
HILTON HEAD ISLAND, BEAUFORT COUNTY, SOUTH CAROLINA
SCALE: 1" = 30' DATE: 05/23/2023 JOB NO: SC180144B.3

SG SURVEYING CONSULTANTS
17 Sherington Drive, Suite C, Bluffton, SC 29910
SC Telephone: (843) 815-3904 FAX: (843) 815-3905
GA Telephone: (912) 699-9776
www.surveycs.com
Email: SC@surveycs.com



LINE TABLE

LINE	LENGTH	BEARING
L1	10.84'	N48°50'28"E
L2	55.30'	N60°21'58"W
L3	50.34'	N57°59'48"W
L4	40.86'	N48°32'37"W
L5	4.80'	N45°19'46"E
L6	61.68'	S76°16'15"E
L7	51.11'	S72°51'47"E
L8	31.58'	S40°24'46"E
L9	42.59'	S67°09'39"E
L10	41.88'	N63°01'08"W
L11	32.25'	N64°27'37"W
L12	43.17'	N79°05'51"W
L13	57.50'	N74°45'12"W

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.
- AS OF THE DATE OF THIS SURVEY THIS PROPERTY IS LOCATED IN ZONE AE & X A SPECIAL FLOOD HAZARD AREA AND NOT A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY H.U.D. PANEL 0856G, COMMUNITY NO. 45013C, MAP DATED 12/22/2001. BASE ELEVATION 13' & N/A (NAVD 88 DATUM). FLOOD HAZARD ZONE AND BASE ELEVATION SHOULD BE VERIFIED BY PROPER TOWN OR COUNTY BUILDING INSPECTIONS DEPARTMENT. THE FEMA FLOOD LINES SHOWN ON THE PLAT WERE SCALED FROM AFORESAID MAP TO THE BEST ABILITY.
- BUILDING SETBACKS WHICH EXIST FOR THIS LOT, SHOWN OR NOT SHOWN ON THIS SURVEY, ARE EXPLAINED IN THE COVENANTS, EASEMENTS & SETBACKS SHOWN SHOULD BE VERIFIED THRU THE APPROPRIATE ARCHITECTURAL REVIEW BOARD OR BUILDING AGENCY. THE SETBACKS AND BUFFER SHOWN ON SURVEY ARE PER THE TOWN OF HILTON HEAD ISLAND COMMUNITY DEVELOPMENT DEPARTMENT.
- THE UNDERGROUND UTILITIES SHOWN ALONG MITCHELLVILLE ROAD WERE RECENTLY MARKED BY OTHERS, THERE MAY BE OTHER UNDERGROUND UTILITIES THAT ARE NOT SHOWN.
- NO SUBSURFACE OR ENVIRONMENTAL INVESTIGATION OR WETLAND SURVEY WERE PERFORMED FOR THIS PLAT. THEREFORE THIS PLAT DOES NOT REFLECT THE EXISTENCE OR NONEXISTENCE OF WETLANDS, CONTAMINATION, OR OTHER CONDITIONS WHICH MAY AFFECT THIS PROPERTY.
- SURVEYING CONSULTANTS CERTIFIES TO THE BOUNDARY, TOPOGRAPHIC AND ASBUILT INFORMATION PROVIDED HEREON AS OF THE DATE OF SURVEY. IF THIS DOCUMENT IS TO BE PROVIDED AS A BASE MAP FOR OTHERS, INFORMATION ADDED AFTER THE DATE OF THIS SURVEY IS NOT THE RESPONSIBILITY OF SURVEYING CONSULTANTS.
- AN ARBORIST SHOULD BE CONSULTED TO VERIFY TREE IDENTIFICATION, IF IDENTIFICATION OF TREES IS CRITICAL TO DEVELOPMENT.
- THIS SURVEY WAS CONDUCTED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE. THEREFORE THERE MAY BE OTHER EASEMENTS, RIGHT-OF-WAY, SETBACK LINES, AGREEMENTS, RESERVATIONS, RESTRICTIONS, OR OTHER SIMILAR MATTERS OF PUBLIC RECORD, NOT DEPICTED ON THIS SURVEY.
- BOUNDARY LINES ARE BASED ON FIELD EVIDENCE AND MONUMENTATION FOUND. BEARINGS SHOWN ARE BASED ON SOUTH CAROLINA STATE PLANE COORDINATES ESTABLISHED FROM GPS STATIC OBSERVATION AND NGS-OPUS POST PROCESSING. SEE REFERENCING PLATS FOR RECORD BEARINGS AND DISTANCES.

LEGEND:

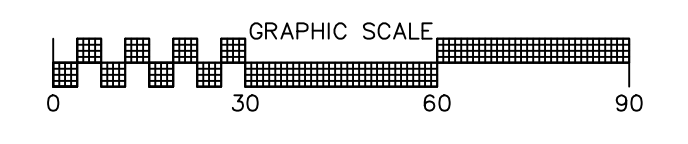
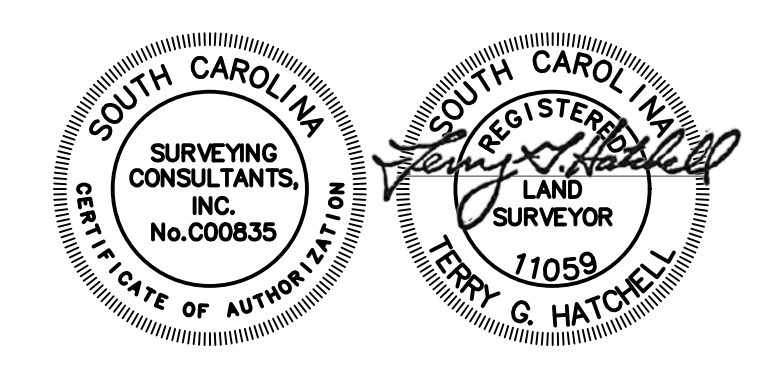
SYMBOL	DESCRIPTION
○	TREE SIZES ARE INCHES IN DIAMETER
○	SPOT ELEVATION
—	CONTOUR
—	CONCRETE MONUMENT, OLD (FOUND)
—	TEL. TELECOMMUNICATIONS BOX
—	CATV
—	POWER BOX
—	TRANSFORMER
—	CLEANOUT
—	WATER METER
—	NOT TO SCALE
—	TEMPORARY BENCH MARK
—	CHERRY
—	LAUREL OAK
—	LIVE OAK
—	WATER OAK
—	MAGNOLIA
—	MAPLE
—	MINOSA
—	RED CEDAR
—	PINE
—	SPECIMEN TREE
—	SIGNIFICANT TREE
—	UNDERGROUND POWER LINE
—	SANITARY SEWER LINE
—	WATER LINE

- REFERENCE PLAT:
- A BOUNDARY SURVEY OF 2.13 ACRES BY: CARL E. ECKHOLM, SCLS #2047 RECORDED: P.B. 23, PG. 130, SEE D.B. 1431, PG. 0654
 - AN ASBUILT AND BOUNDARY SURVEY OF LOT A MITCHELLVILLE ROAD DATED: 04/15/1994 BY: MICHAEL R. DUNGAN, SCLS # 11905 RECORDED: P.B. 50, PG. 1, 06/18/1994
 - AN ASBUILT AND BOUNDARY SURVEY OF LOT B MITCHELLVILLE ROAD DATED: 04/15/1994 BY: MICHAEL R. DUNGAN, SCLS # 11905 RECORDED: P.B. 53, PG. 51, 06/20/1995
 - A PLAT OF LANDS OF ROSA LEVEL DATED: 02/01/1982 BY: CARL E. ECKHOLM, SCLS #2047 RECORDED: P.B. 20, PG. 146, 07/19/1982
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SPECIAL NOTE:
THE AREA SHOWN ON THIS PLAT IS A REPRESENTATION OF DEPARTMENT PERMIT AUTHORITY ON THE SUBJECT PROPERTY. CRITICAL AREAS, BY THEIR NATURE, ARE DYNAMIC AND SUBJECT TO CHANGE OVER TIME. BY DELINEATING THE PERMIT AUTHORITY OF THE DEPARTMENT, THE DEPARTMENT IN NO WAY WAIVES THE ITS RIGHT TO ASSERT PERMIT JURISDICTION AT ANY TIME IN ANY CRITICAL AREA ON THE SUBJECT PROPERTY, WHETHER SHOWN HEREIN OR NOT.

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

PREPARED FOR: SEAGRASS CONSTRUCTION, LLC
ADDRESS: #202 MITCHELLVILLE ROAD
TAX PARCEL I.D. NO. R510-005-000-001B-0000



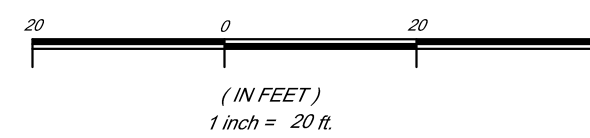
BOUNDARY, TREE & TOPOGRAPHIC SURVEY
OF
2.13 ACRES
#202 MITCHELLVILLE ROAD
HILTON HEAD ISLAND, BEAUFORT COUNTY, SOUTH CAROLINA

SCALE: 1" = 30' DATE: 10/17/2018 JOB NO: SC180144A
REVISED: 06/08/2021-UPDATED AND CHANGED TO NAVD 88 DATUM.
REVISED: 08/04/2021-ADDED CANOPY AND LMB ELEVATION OF 22', 32', 18" LIVE OAK
REVISED: 11/12/2021-REVISED SETBACKS AND BUFFER LINES PER WAIVER LETTER FROM TOWN OF HILTON HEAD ISLAND DATED 09/13/2021.

SURVEYING CONSULTANTS
17 Sherington Drive, Suite C, Bluffton, SC 29910
SC Telephone: (843) 815-3304 FAX: (843) 815-3305
GA Telephone: (912) 858-2775
www.SurveyingConsultants.com
Email: SC@SurveyingConsultants.com

GENERAL NOTES:
 1. PIPE LENGTHS SHOWN IN THE DRAINAGE TABLE ARE APPROXIMATE. ACTUAL FIELD LENGTHS WILL VARY, BASED ON STRUCTURE TYPE AND LAYOUT.
 2. DO NOT SCALE THE DRAWINGS FOR DIMENSIONS.
 3. DO NOT USE THE ELECTRONIC FILE FOR THESE DRAWINGS FOR ANY REASON. CONNOR ENGINEERING, INC. IS NOT RESPONSIBLE FOR ANY ACTS TAKEN BY OTHERS CONCERNING USAGE OF THE ELECTRONIC FILE FOR THIS PROJECT.

NOTES:
 1. SEWER AND WATER SERVICES ARE SHOWN APPROXIMATE. ACTUAL FIELD LOCATIONS WILL VARY.
 2. SEWER SERVICE DEPTH HAS NOT BEEN FIELD VERIFIED.

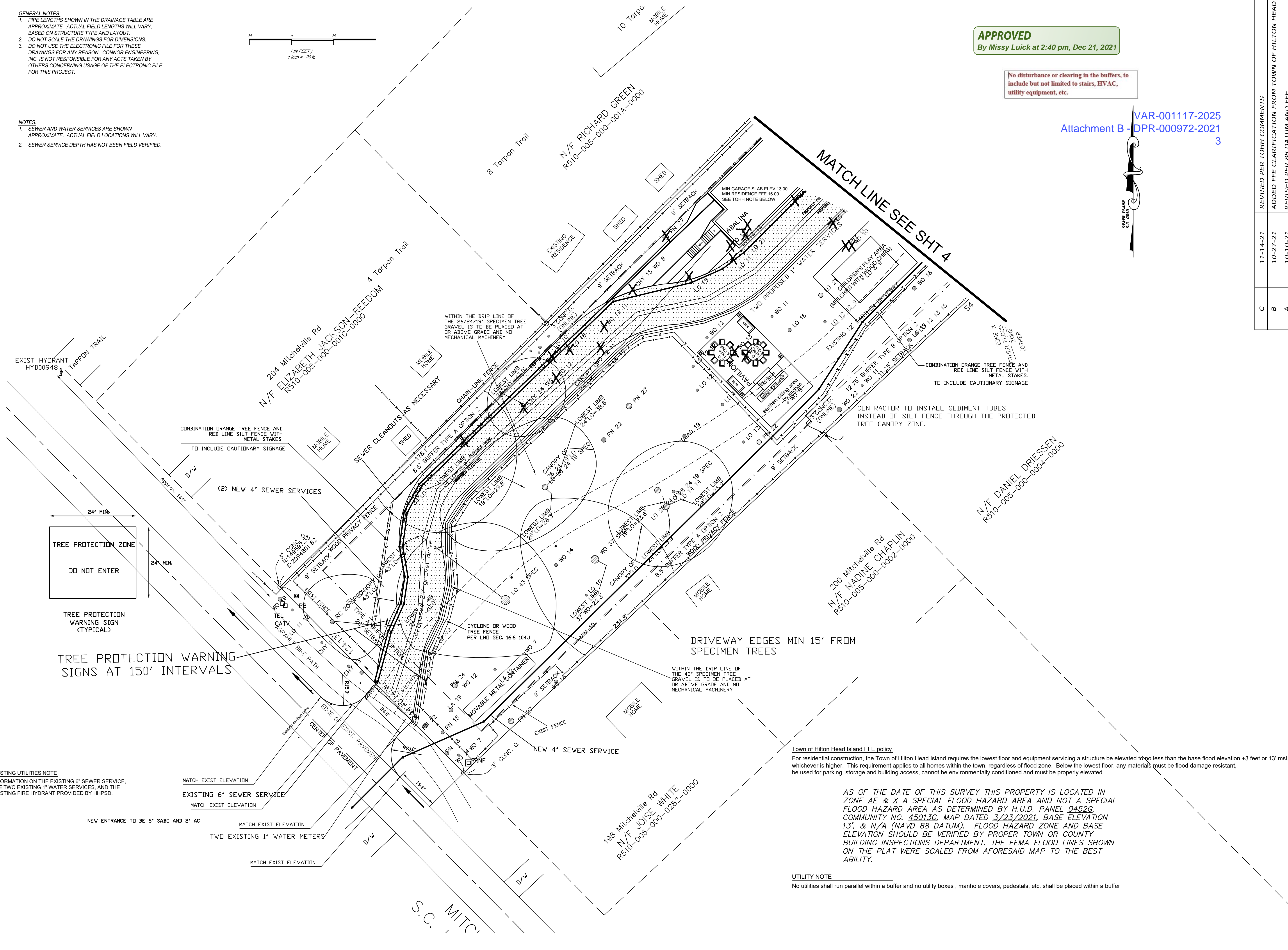


APPROVED
 By Missy Luick at 2:40 pm, Dec 21, 2021

No disturbance or clearing in the buffers, to include but not limited to stairs, HVAC, utility equipment, etc.

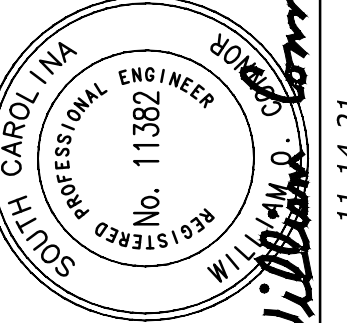
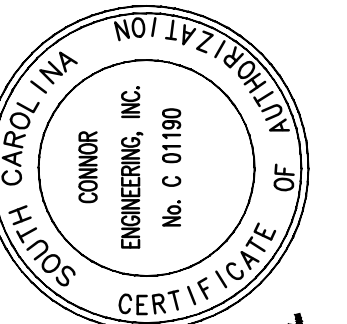
Attachment B - VAR-001117-2025
 DPR-000972-2021
 3

THIS DRAWING IS THE PROPERTY OF CONNOR ENGINEERING, INC. AND MAY NOT BE REPRODUCED, ALTERED, OR USED IN ANY WAY WITHOUT THE EXPRESSED WRITTEN CONSENT OF CONNOR ENGINEERING, INC. ALL RIGHTS RESERVED.



REV.	DATE	DESCRIPTION
C	11-14-21	REVISED PER TOHH COMMENTS
B	10-27-21	ADDED FFE CLARIFICATION FROM TOWN OF HILTON HEAD
A	10-10-21	REVISED PER 88 DATUM AND FFE

CONNOR ENGINEERING, INC.
 Civil Engineers and Land Planners
 13 Darlen Drive
 Charleston, South Carolina 29414
 Phone: (843) 224-5637
 Email: ConnorEng@Live.com



202 MITCHELLE ROAD
LAYOUT PLAN I
 TOWN OF HILTON HEAD ISLAND
 BEAUFORT COUNTY SOUTH CAROLINA

JOB # 2065 SCALE: 1" = 20'
 DATE: JUNE 22, 2021
 SHEET 3 OF 3

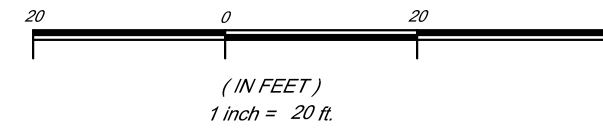
Town of Hilton Head Island FFE policy
 For residential construction, the Town of Hilton Head Island requires the lowest floor and equipment servicing a structure to be elevated to no less than the base flood elevation +3 feet or 13' msl, whichever is higher. This requirement applies to all homes within the town, regardless of flood zone. Below the lowest floor, any materials must be flood damage resistant, be used for parking, storage and building access, cannot be environmentally conditioned and must be properly elevated.

AS OF THE DATE OF THIS SURVEY THIS PROPERTY IS LOCATED IN ZONE AE & X A SPECIAL FLOOD HAZARD AREA AND NOT A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY H.U.D. PANEL 0452G, COMMUNITY NO. 45013C, MAP DATED 3/23/2021, BASE ELEVATION 13', & N/A (NAVD 88 DATUM). FLOOD HAZARD ZONE AND BASE ELEVATION SHOULD BE VERIFIED BY PROPER TOWN OR COUNTY BUILDING INSPECTIONS DEPARTMENT. THE FEMA FLOOD LINES SHOWN ON THE PLAT WERE SCALED FROM AFORESAID MAP TO THE BEST ABILITY.

UTILITY NOTE
 No utilities shall run parallel within a buffer and no utility boxes, manhole covers, pedestals, etc. shall be placed within a buffer

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APPROVED
 By Missy Luick at 2:40 pm, Dec 21, 2021

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VAR-001117-2025
 Attachment B - DPR-000972-2021
 4

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DRIVEWAY EDGES MIN 15' FROM SPECIMEN TREE

12 Tarpon Trail
 N/F RICHARD GREEN
 R510-005-000-001D-0000

WITHIN THE DRIP LINE OF THE 37' SPECIMEN TREE GRAVEL IS TO BE PLACED AT OR ABOVE GRADE AND NO MECHANICAL MACHINERY.

MATCH LINE SEE SHT 3

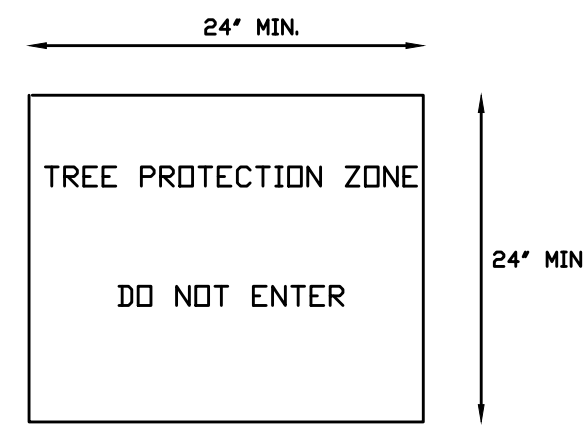
EXISTING UTILITIES NOTE
 INFORMATION ON THE EXISTING 6" SEWER SERVICE, THE TWO EXISTING 1" WATER SERVICES, AND THE EXISTING FIRE HYDRANT PROVIDED BY HHPSD.

Town of Hilton Head Island FFE policy

For residential construction, the Town of Hilton Head Island requires the lowest floor and equipment structure be elevated to no less than the base flood elevation +3 feet or 13' msl, whichever is higher. This requirement applies to all homes within the town, regardless of flood zone. Below the lowest floor, any materials must be flood damage resistant, be used for parking, storage and building access, cannot be environmentally conditioned and must be properly elevated.

CONTRACTOR TO INSTALL SEDIMENT TUBES INSTEAD OF SILT FENCE THROUGH THE PROTECTED TREE CANOPY ZONE.

TREE PROTECTION WARNING SIGNS AT 150' INTERVALS



TREE PROTECTION WARNING SIGN (TYPICAL)

TREE TO BE REMOVED (TYP)

AS OF THE DATE OF THIS SURVEY THIS PROPERTY IS LOCATED IN ZONE AE & X A SPECIAL FLOOD HAZARD AREA AND NOT A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY H.U.D. PANEL 0452G, COMMUNITY NO. 45013C, MAP DATED 3/23/2021, BASE ELEVATION 13' & N/A (NAVD 88 DATUM). FLOOD HAZARD ZONE AND BASE ELEVATION SHOULD BE VERIFIED BY PROPER TOWN OR COUNTY BUILDING INSPECTIONS DEPARTMENT. THE FEMA FLOOD LINES SHOWN ON THE PLAT WERE SCALED FROM AFORESAID MAP TO THE BEST ABILITY.

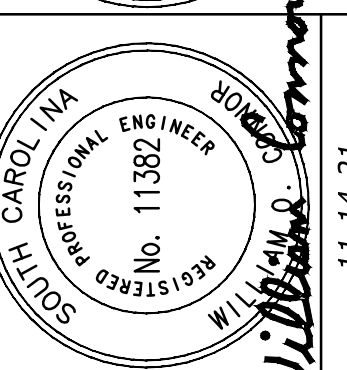
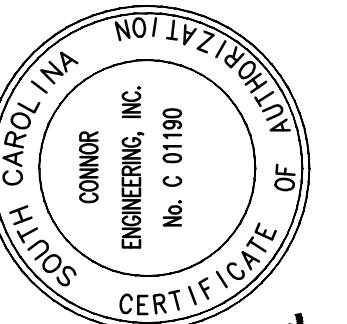
UTILITY NOTE

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REV.	DATE	DESCRIPTION
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 Civil Engineers and Land Planners
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 Email: ConnorEng@Live.com



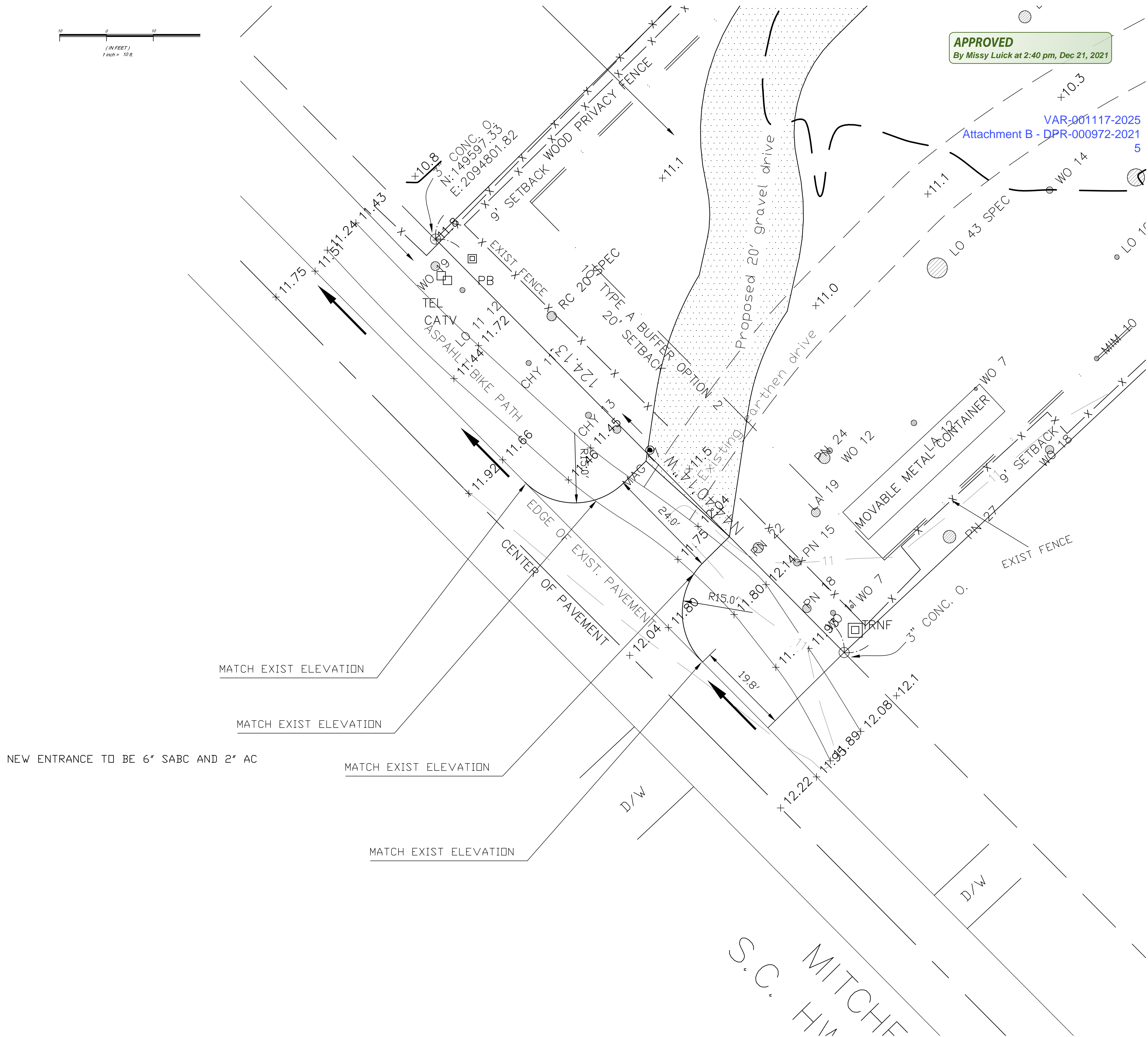
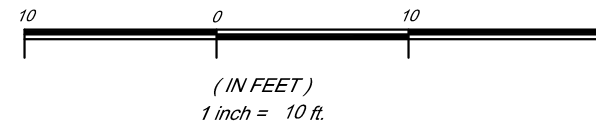
202 MITCHELLVILLE ROAD
LAYOUT PLAN II
 TOWN OF HILTON HEAD ISLAND
 BEAUFORT COUNTY SOUTH CAROLINA

JOB # 2065 SCALE: 1" = 20' DATE: JUNE 22, 2021 SHEET 4 OF 4

THIS DRAWING IS THE PROPERTY OF CONNOR ENGINEERING INC. AND MAY NOT BE REPRODUCED, ALTERED, OR USED IN ANY WAY WITHOUT THE EXPRESSED WRITTEN CONSENT OF CONNOR ENGINEERING INC. ALL RIGHTS RESERVED.

- GENERAL NOTES:**
1. PIPE LENGTHS SHOWN IN THE DRAINAGE TABLE ARE APPROXIMATE. ACTUAL FIELD LENGTHS WILL VARY, BASED ON STRUCTURE TYPE AND LAYOUT.
 2. DO NOT SCALE THE DRAWINGS FOR DIMENSIONS.
 3. DO NOT USE THE ELECTRONIC FILE FOR THESE DRAWINGS FOR ANY REASON. CONNOR ENGINEERING, INC. IS NOT RESPONSIBLE FOR ANY ACTS TAKEN BY OTHERS CONCERNING USAGE OF THE ELECTRONIC FILE FOR THIS PROJECT.

- NOTES:**
1. SEWER AND WATER SERVICES ARE SHOWN APPROXIMATE. ACTUAL FIELD LOCATIONS WILL VARY.
 2. SEWER SERVICE DEPTH HAS NOT BEEN FIELD VERIFIED.



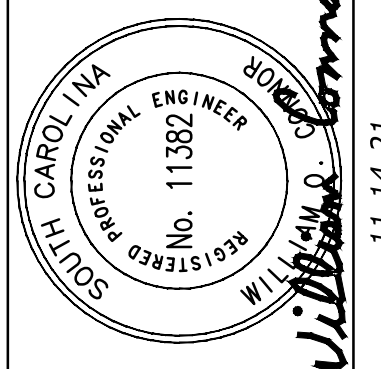
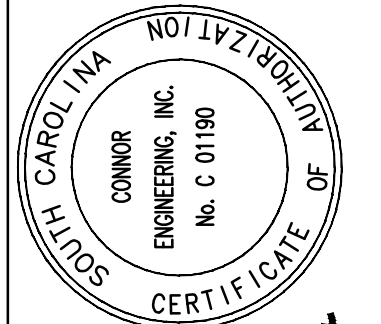
APPROVED
By Missy Luick at 2:40 pm, Dec 21, 2021

VAR-001117-2025
Attachment B - DPR-000972-2021
5

REV.	DATE	DESCRIPTION
A	11-14-21	REVISED PER TOHH COMMENTS



CONNOR ENGINEERING, INC.
Civil Engineers and Land Planners
13 Darien Drive
Charleston, South Carolina 29414
Phone: (843) 224-5637
Email: ConnorEng@Live.com



202 MITCHELL ROAD
ENTRANCE PLAN
TOWN OF HILTON HEAD ISLAND
BEAUFORT COUNTY SOUTH CAROLINA

JOB # 2065 SCALE: 1" = 10' DATE: JUNE 22, 2021 SHEET 5 OF 5

EXISTING UTILITIES NOTE
INFORMATION ON THE EXISTING 6" SEWER SERVICE, THE TWO EXISTING 1" WATER SERVICES, AND THE EXISTING FIRE HYDRANT PROVIDED BY HHPSD.

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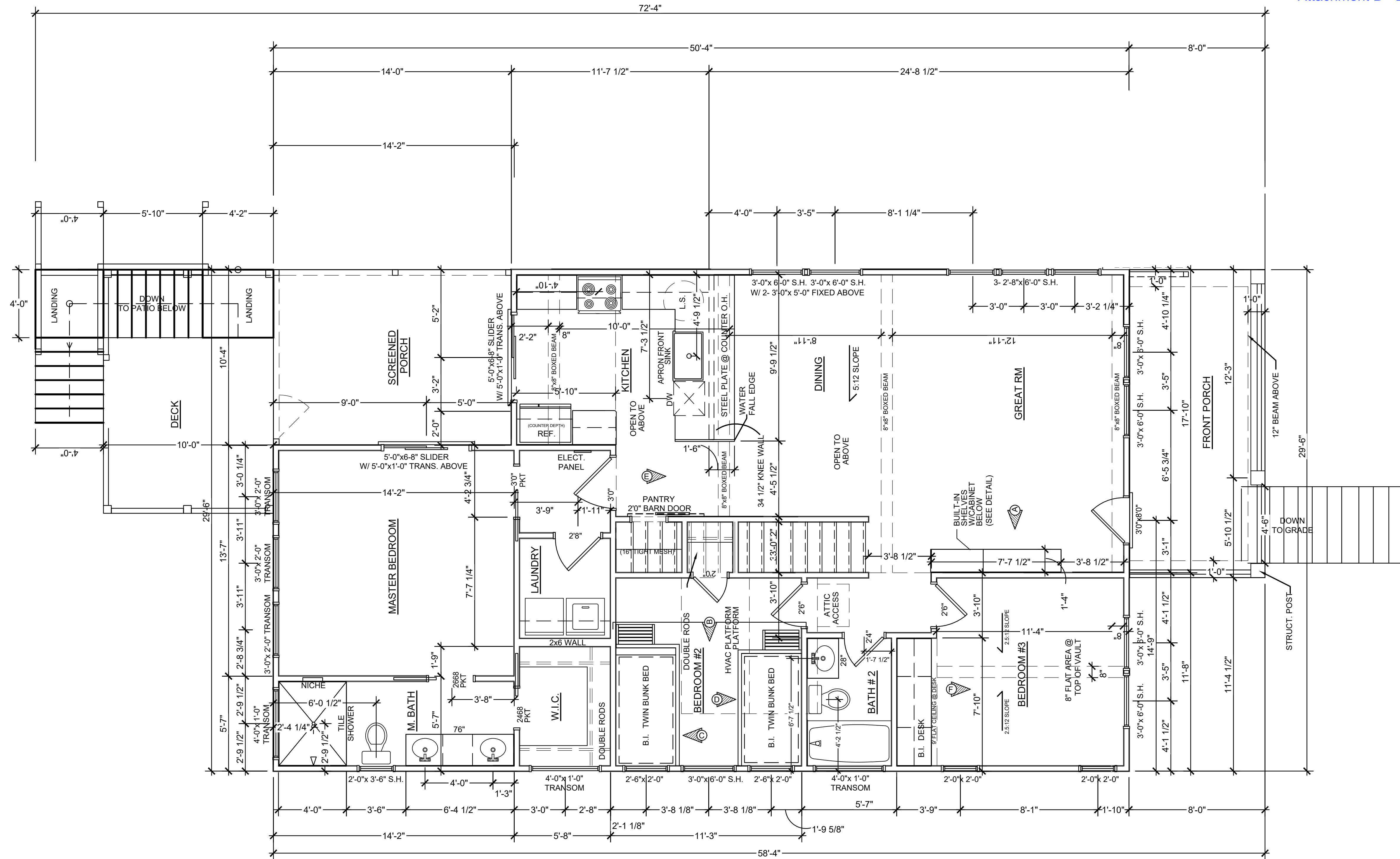
Town of Hilton Head Island FFE policy.

For residential construction, the Town of Hilton Head Island requires the lowest floor and equipment servicing a structure be elevated to no less than the base flood elevation +3 feet or 13' msf, whichever is higher. This requirement applies to all homes within the town, regardless of flood zone. Below the lowest floor, any materials must be flood damage resistant, be used for parking, storage and building access, cannot be environmentally conditioned and must be properly elevated.

AS OF THE DATE OF THIS SURVEY THIS PROPERTY IS LOCATED IN ZONE AE & X A SPECIAL FLOOD HAZARD AREA AND NOT A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY H.I.U.D. PANEL 04520, COMMUNITY NO. 450136, MAP DATED 3/23/2021. BASE ELEVATION 13', & N/A (NAVD 88 DATUM). FLOOD HAZARD ZONE AND BASE ELEVATION SHOULD BE VERIFIED BY PROPER TOWN OR COUNTY BUILDING INSPECTIONS DEPARTMENT. THE FEMA FLOOD LINES SHOWN ON THE PLAT WERE SCALED FROM AFORESAID MAP TO THE BEST ABILITY.

APPROVED
By Missy Luick at 2:40 pm, Dec 21, 2021

VAR-001117-2025
Attachment B - DPR-000972-2021
6



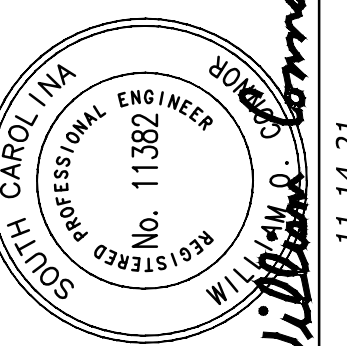
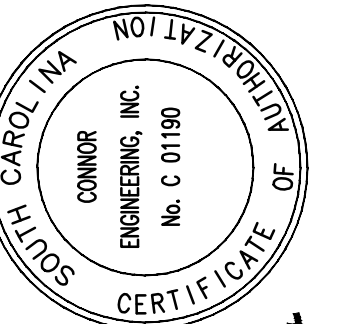
1 FIRST FLOOR PLAN
3/16" = 1'-0"

NOTE: ABALINA FLOOR PLAN WAS PROVIDED TO CEI BY THE CONTRACTOR. ABALINA FLOOR PLAN IS NOT A CEI DESIGN.

REV.	DATE	DESCRIPTION
B	11-14-21	REVISED PER TOHH COMMENTS
A	10-27-21	ADDED FFE CLARIFICATION FROM TOWN OF HILTON HEAD



CONNOR ENGINEERING, INC.
Civil Engineers and Land Planners
13 Darien Drive
Charleston, South Carolina 29414
Phone: (843) 224-5637
Email: ConnorEng@Live.com



202 MITCHELLVILLE ROAD
FLOOR PLAN ABALINA COTTAGE
TOWN OF HILTON HEAD ISLAND
BEAUFORT COUNTY SOUTH CAROLINA

SHEET 6 OF JOB # 2065 SCALE: AS NOTED DATE: MARCH 23, 2021

GENERAL NOTES:
 1. PIPE LENGTHS SHOWN IN THE DRAINAGE TABLE ARE APPROXIMATE. ACTUAL FIELD LENGTHS WILL VARY, BASED ON STRUCTURE TYPE AND LAYOUT.
 2. DO NOT SCALE THE DRAWINGS FOR DIMENSIONS.
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Town of Hilton Head Island FFE policy

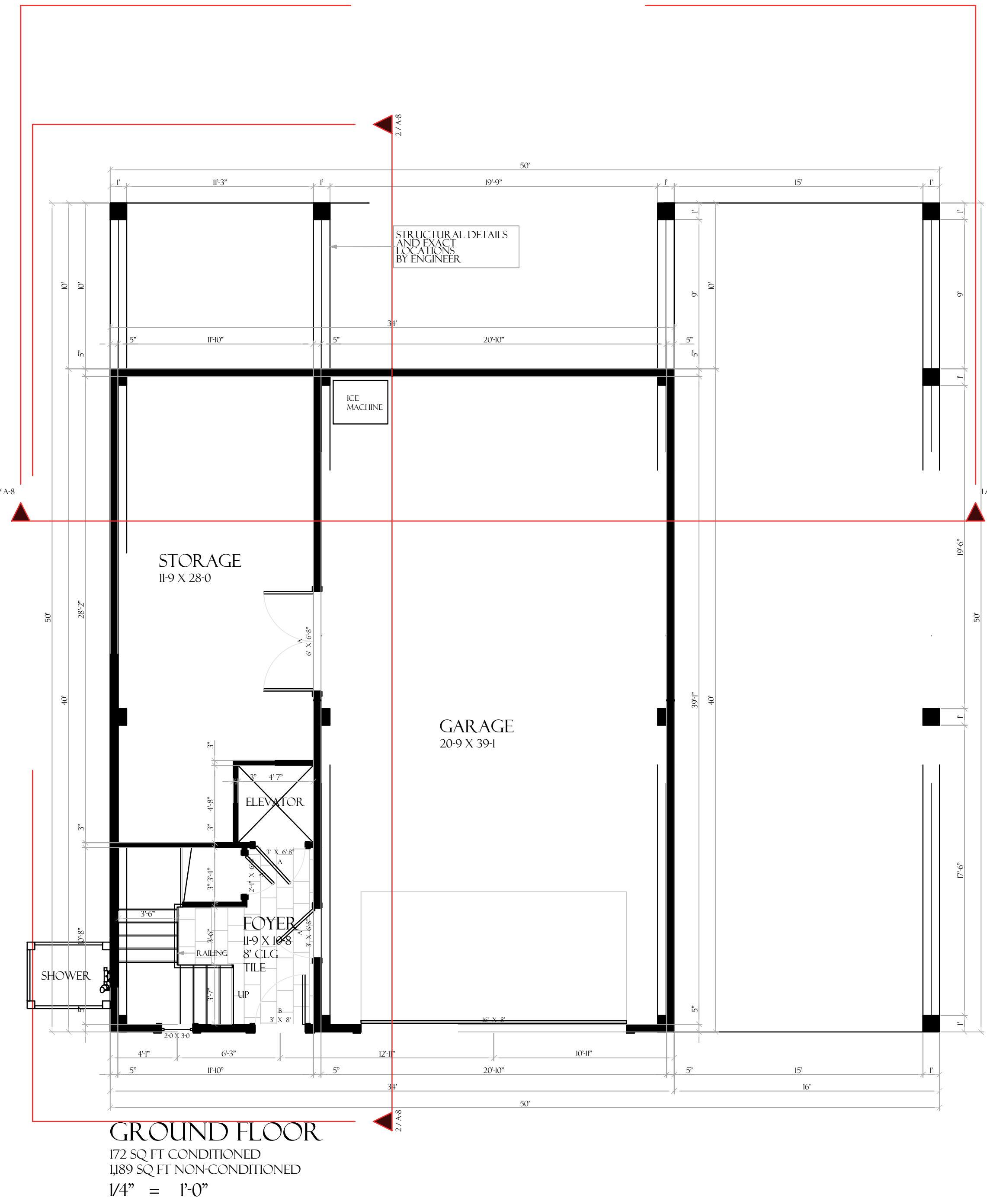
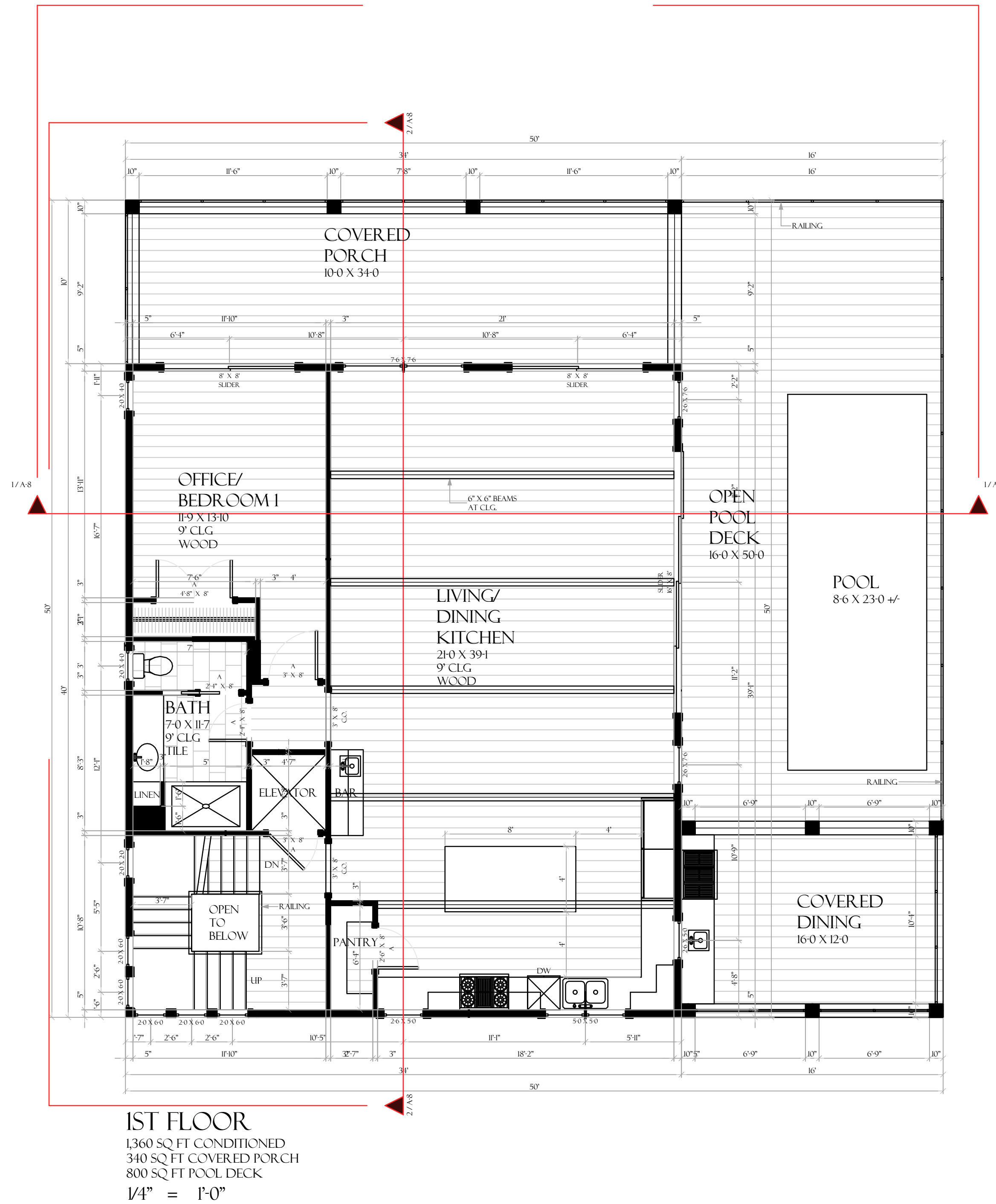
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APPROVED
 By Missy Luick at 2:40 pm, Dec 21, 2021

VAR-001117-2025
 Attachment B - DPR-000972-2021
 7

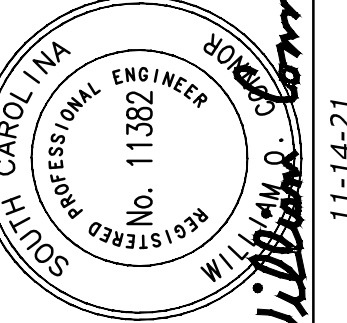
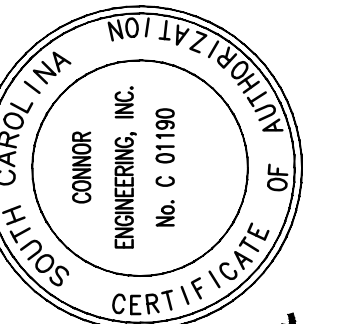
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NOTE: CYPRESS FLOOR PLAN WAS PROVIDED TO CEI BY THE CONTRACTOR. CYPRESS FLOOR PLAN IS NOT A CEI DESIGN.

REV.	DATE	DESCRIPTION
A	10-27-21	ADDED FFE CLARIFICATION FROM TOWN OF HILTON HEAD

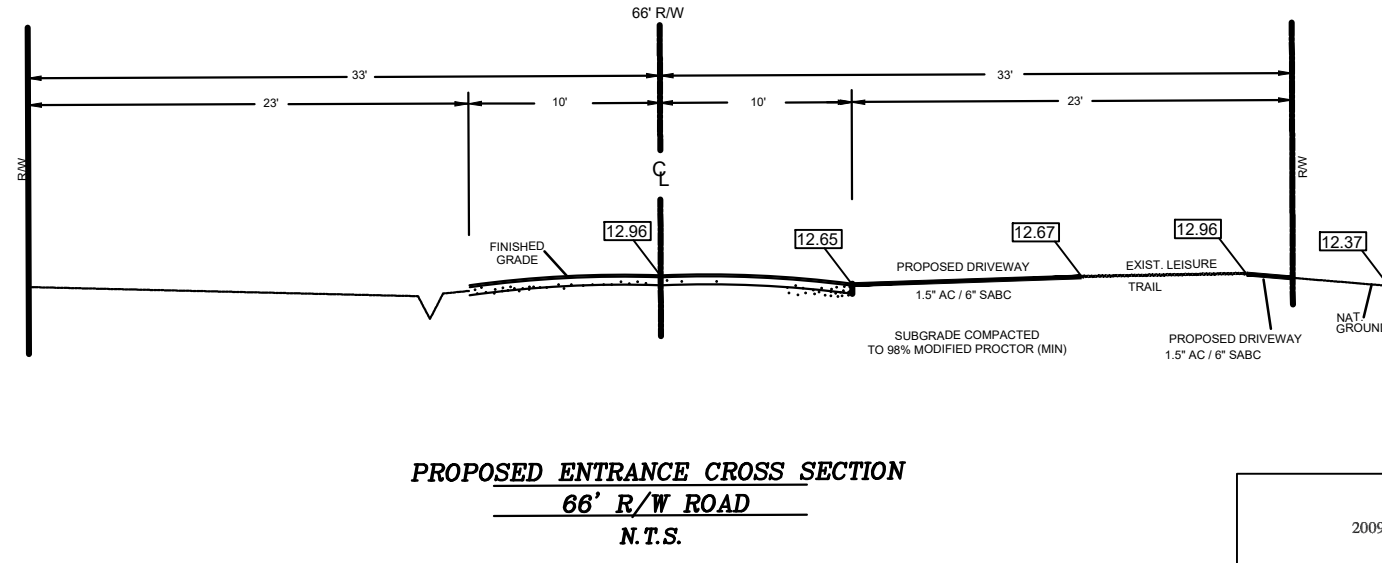
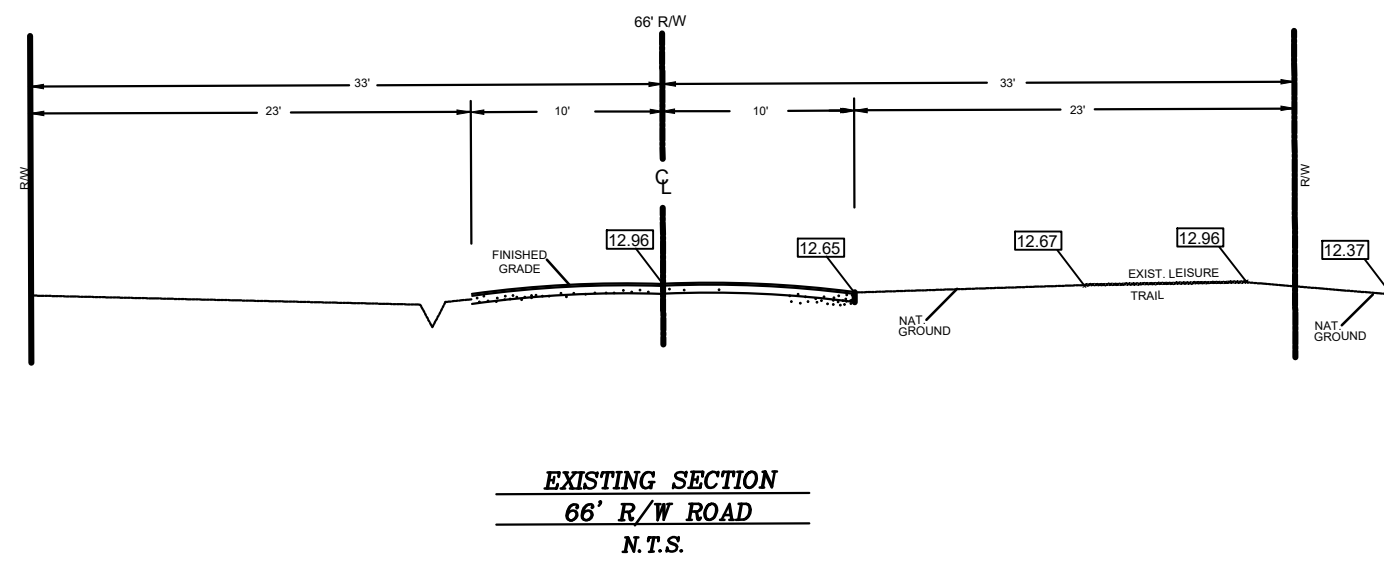
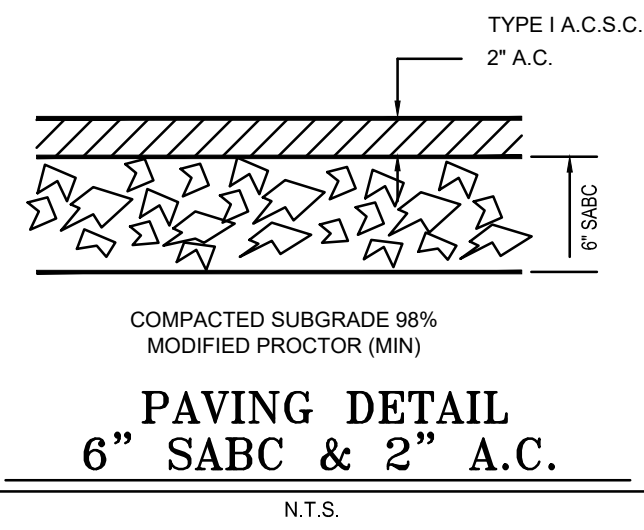
CONNOR ENGINEERING, INC.
 Civil Engineers and Land Planners
 13 Darien Drive
 Charleston, South Carolina 29414
 Phone: (843) 224-5637
 Email: ConnorEng@Live.com



202 MITCHELLVILLE ROAD
CYPRESS FLOOR PLAN
 TOWN OF HILTON HEAD ISLAND
 BEAUFORT COUNTY SOUTH CAROLINA

SHEET 7 OF 7
 JOB # 2065
 SCALE: AS NOTED
 DATE: MARCH 23, 2021
 11-14-21

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APPROVED
By Missy Luick at 2:40 pm, Dec 21, 2021

Attachment B - DPR-000972-2021
VAR-001117-2025

2009 Edition Page 613

Table 6H-2. Meaning of Symbols on Typical Application Diagrams

Arrow board	Shadow vehicle
Arrow board support or trailer (shown facing down)	Sign (shown facing left)
Changeable message sign or support trailer	Surveyor
Channelizing device	Temporary barrier
Crash cushion	Temporary barrier with warning light
Direction of temporary traffic detour	Traffic or pedestrian signal
Direction of traffic	Truck-mounted attenuator
Flagger	Type 2 barricade
High-level warning device (Flag level)	Warning light
Longitudinal channelizing device	Work space
Curbside	Work vehicle
Placement markings that should be removed for a long-term project	

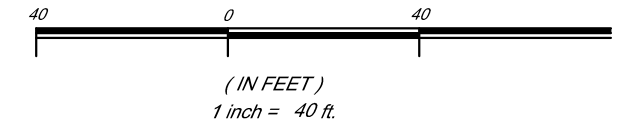
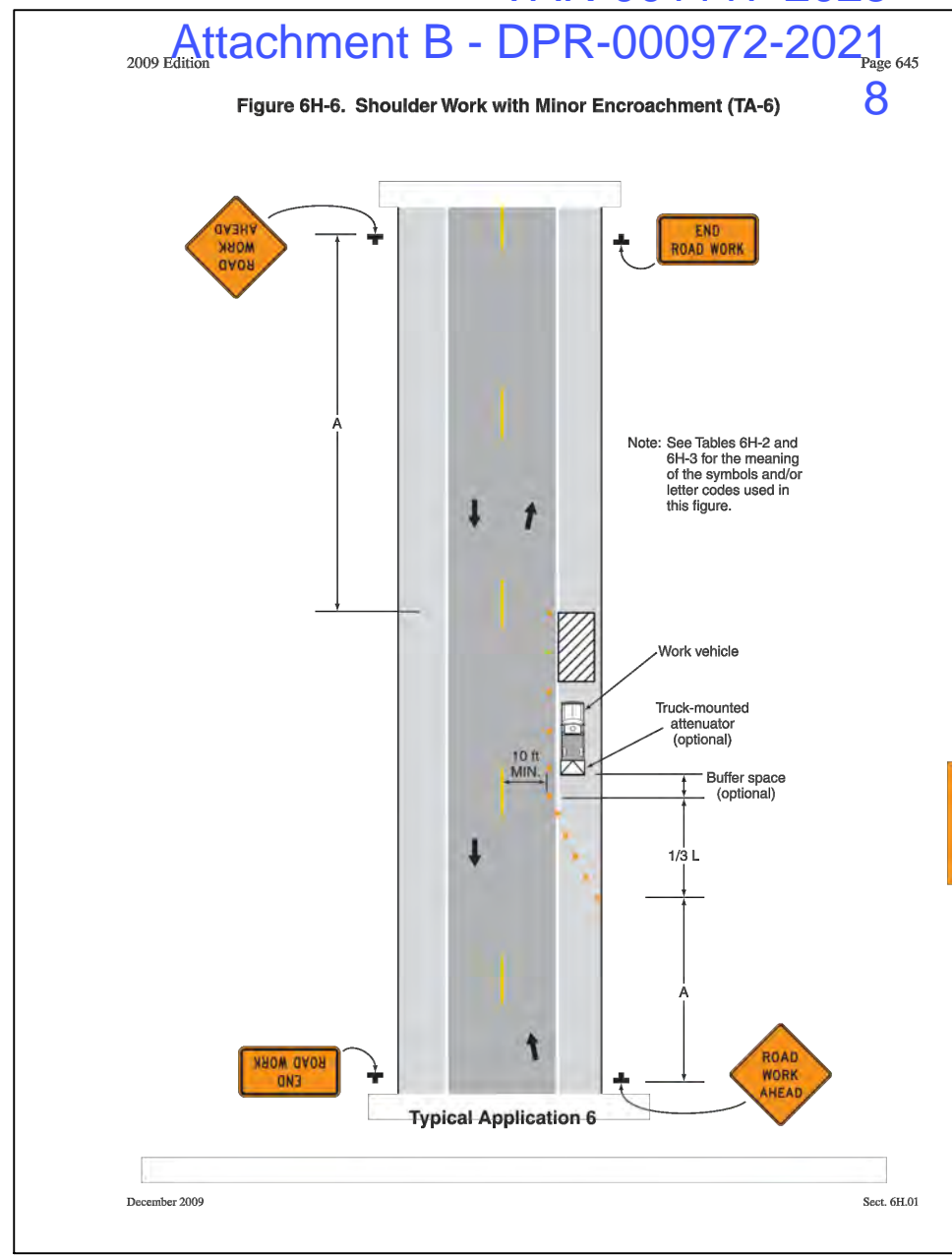
Table 6H-3. Meaning of Letter Codes on Typical Application Diagrams

Road Type	Distance Between Signs*		
	A	B	C
Urban (low speed)**	100 feet	100 feet	100 feet
Urban (high speed)**	200 feet	200 feet	200 feet
Rural	500 feet	500 feet	500 feet
Expressway / Freeway	1,000 feet	1,500 feet	2,000 feet

Table 6H-4. Formulas for Determining Taper Length

Speed (S)	Taper Length (L) in feet
40 mph or less	L = 100
40 mph or more	L = 100

December 2009



SIGHT CORRIDOR
LOOKING NW



SIGHT CORRIDOR
LOOKING SE



202 MITCHELLVILLE ROAD
TOWN OF HILTON HEAD ISLAND
BEAUFORT COUNTY SOUTH CAROLINA
JOB # 2065 SCALE: 1" = 40'
DATE: JUNE 22, 2021
SHEET 8 OF

CONNOR ENGINEERING, INC.
Civil Engineers and Land Planners
13 Darien Drive
Charleston, South Carolina 29414
Phone: (843) 224-5637
Email: ConnorEng@Live.com

STATE OF SOUTH CAROLINA
NOTARY PUBLIC
CONNOR ENGINEERING, INC.
No. C 01190
CERTIFICATE

STATE OF SOUTH CAROLINA
REGISTERED PROFESSIONAL ENGINEER
No. 11362
WILLIAM J. CONNOR

APPROVED
By Missy Luick at 2:41 pm, Dec 21, 2021



VAR-001117-2025
Attachment B - DPR-000972-2021
9

Landscape Design by:
Seth Hudson
Grow Green Landscape Group, LLC
1646 W. Hwy 160, Ste. 123
Fort Mill, SC 29708
(980) 282-8701
www.GrowGreenLandscape.com
info@GrowGreenLandscape.com

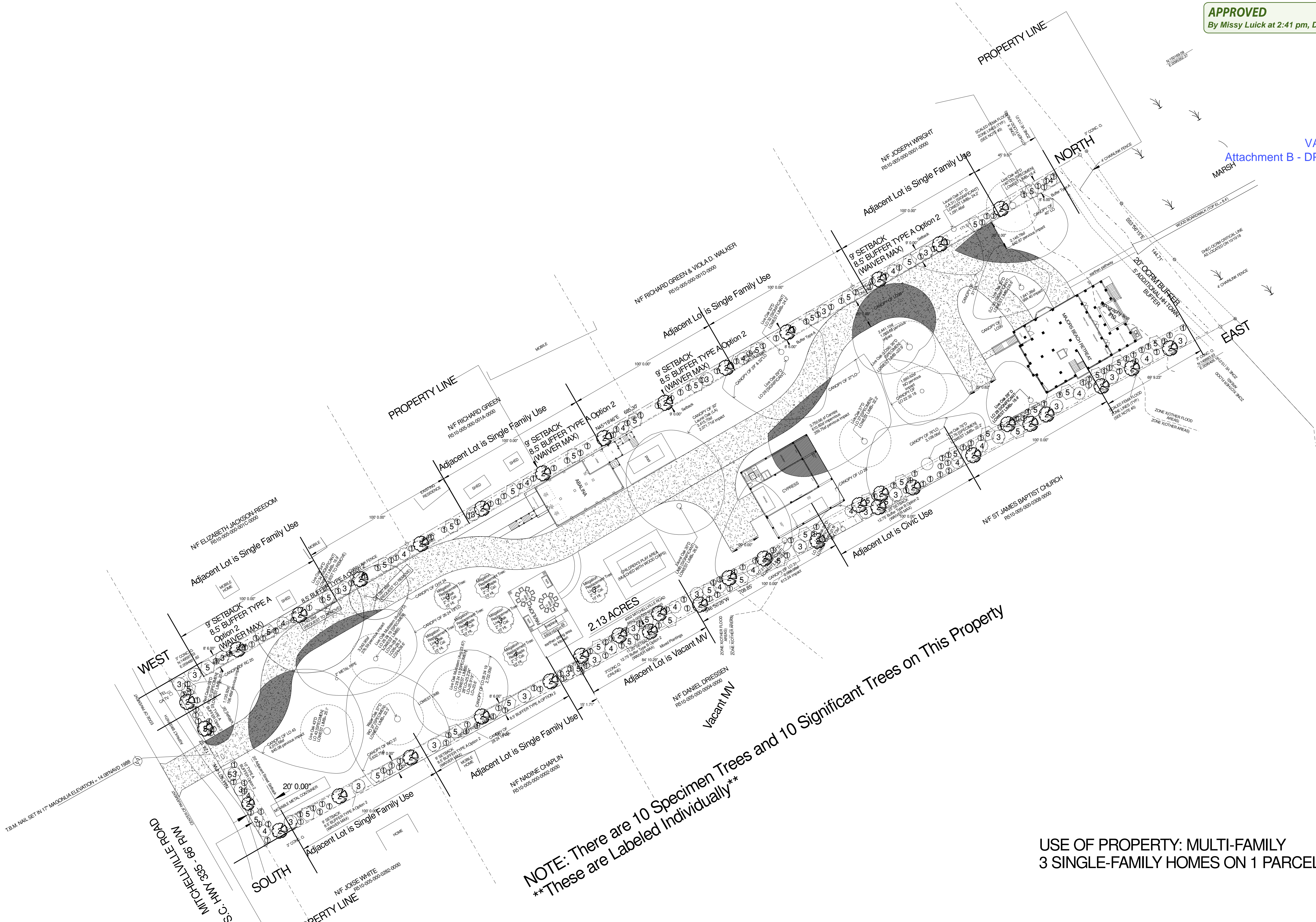
Date: 11/16/2021

Concept Plan:
Landscaping Plan
202 Mitchelville Road - Hilton Head Isl

Scale: 1" = 30'

Revision #:

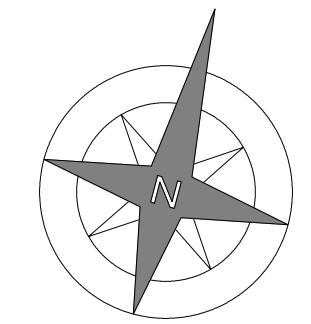
Disclaimer:
This is a Conceptual Landscape Plan for layout purposes only.
This IS NOT a Construction Plan
Installation contractors are responsible for compliance with all town, city, county, and state regulations and codes.
Any construction details, engineering, grading or drainage issues are solely the responsibility of the installation contractor.
*Grow Green Landscape Group, LLC IS NOT responsible for the success of other contractors' work.
This Concept Plan has been created in good faith that all plantings selected are appropriate for the site and soil conditions.
However, NO warranties or guarantees are included with this Concept Plan.



NOTE: There are 10 Specimen Trees and 10 Significant Trees on This Property
****These are Labeled Individually****

USE OF PROPERTY: MULTI-FAMILY
3 SINGLE-FAMILY HOMES ON 1 PARCEL

Legend											
Common Name	Qty	Botanical Name	Size	Common Name	Qty	Botanical Name	Size				
Shrub, Evergreen Broadleaf	29	3	Quercus virginiana	2"	3"	10'					
Holly, Yaupon, Dwarf	172	1	Ilex vomitoria 'Nana'	3 Gal.	Red Maple spp.	21	4	Acer rubrum	2"	3"	10'
Tree, Deciduous					Redbud, Eastern	43	5	Cercis canadensis	2"		
Dogwood, White	40	2	Cornus florida	2"							



LANDSCAPING CONCEPT PLAN

of S.C. 335, on the Northwest by lands N/F of Rosa Level, Helen Jackson and Geneva Brown.

THIS conveyance is made subject to all covenants, restrictions, easements and rights-of-ways affecting the property.

This being that same property conveyed to Capitol Storage, LLC, by deed of DDDR Properties, LLC, dated January 28, 2020 and recorded February 11, 2020 in Record Book 3836 at Page 684 in the Office of the Register of Deeds for Beaufort County, South Carolina.

Believed shown as TMS: R510-005-000-001B-0000.

THIS DEED WAS PREPARED BY THE LAW OFFICE OF DARRELL THOMAS JOHNSON, JR., POST OFFICE BOX 1125, 300 MAIN STREET, HARDEEVILLE, SC 29927, WITHOUT THE BENEFIT OF A TITLE EXAMINATION AND WITHOUT OPINION AS TO THE APPLICATION OF THE DEVELOPMENT STANDARDS ORDINANCE OR SIMILAR ORDINANCES OR REGULATIONS. LAW OFFICE FILE NO: 11-346-02-500-20.

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 premises before mentioned unto the said Grantees, as Joint Tenants, with right of survivorship and not as Tenants in Common, Grantees' Heirs and Assigns forever.

And the Grantor does hereby bind Grantor's Successors and Assigns, to warrant and forever defend all and singular the said premises unto the said Grantees, Grantees' Heirs and Assigns, against Grantor and Grantor's Successors and Assigns against every person whomsoever lawfully claiming, or to claim the same or any part thereof.

INTENTIONALLY LEFT BLANK

WITNESS ITS Hand and Seal this 29th day of December ²⁰²⁰ in the year of our Lord two thousand twenty and in the two hundred and forty-fourth year of sovereignty and Independence of the United States of America.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF

CAPITOL STORAGE, LLC

[Signature]
WITNESS #1 SIGNS HERE

BY: Carole Keating
CAROLE KEATING, FORMERLY KNOWN
AS CAROLE GRIGISKI

Print Name: Cheryl L. Hubert

ITS: SOLE MEMBER

[Signature]
WITNESS #2/NOTARY SIGNS HERE

Print Name: CAROL THRASHER

STATE OF FLORIDA)
~~ILLINOIS~~)
COUNTY OF CHARLOTTE)

ACKNOWLEDGMENT

I, the undersigned Notary Public, do hereby certify that Carole Keating, Formerly Known As Carole Grigiski as Sole Member of Capitol Storage, LLC, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this the 29th day of December, 2020.

[Signature]
Notary Public for Illinois FLORIDA
Print Name of Notary: LYNSA R. GREEN
My Commission Expires: 03/27/2022

(SEAL)
LYNDAR. GREEN
Commission # GG 189986
Expires March 27, 2022
Bonded Thru Budget Notary Services



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

Alan R. Perry
Mayor

10/28/2025

Alexander Brown, Jr.
Mayor Pro Tempore

Via Email

Council Members

Patsy Brison
Steve DeSimone
Tamara Becker
Steve Alfred
Melinda Tunner

Lisa Weston
C/O Roy Prescott
140 Shark Key Way
Hilton Head Island, SC 29926

**Re: Review of “Outdoor Commercial Recreation Other than Water Parks”;
140 Shark Key Way**

Marc Orlando
Town Manager

Dear Ms. Weston,

This letter is in response to your previous inquiry regarding the available use of the real property located at 140 Shark Key Way (“**Property**”) as an event venue in the Mitchelville (“**MV**”) Zoning District as defined in the Town of Hilton Head Island’s (“**Town**”) Land Management Ordinance (“**LMO**”); collectively hereinafter referred to as the “**Proposed Use**”. After reviewing your request for a business license for the Proposed Use, the Town has determined that the current codified standards of the LMO must be used in its review of your request. Therefore, Town staff supports treating the use Outdoor Commercial Recreation Other than a Water Park as Permitted with Conditions (PC) where the MV zoning district permits the Proposed Use, as long as the use-specific conditions for the use identified in LMO Sec. 16-4-102.B.5.b are met.

Below is a guideline of the steps necessary to apply for approval of an Outdoor Commercial Recreation Other than Water Parks use of your parcel, keyed to the LMO and Town standards.

Step 1 — Prepare a Complete Submittal for a Minor Development Plan Review (DPR) per LMO Appendix D-7.

- 1) Site Development Plan with layout including setbacks and buffers.
- 2) Operations narrative addressing hours, activities, attendance, noise/lighting management.
- 3) Parking plan with calculations per LMO Sec. 16-5-107 (Parking & Loading Standards), any applicable shared parking provisions, and required bicycle parking.

- 4) Easements: if you propose parking, access, drainage, or any functional element on an adjacent parcel, provide a recorded, permanent use easement prior to approval.
- 5) Design review materials (where applicable) for architecture, lighting, landscaping, and screening consistent with Chapter 16-5 (Development and Design Standards). If your project triggers a Corridor Review, staff will route accordingly under the administrative procedures in Chapter 16-2.103.I

Step 2 — Review & Decision

Staff reviews for compliance with the standards of LMO Sec. 16-4-102.B.5.b (Use-Specific Conditions for Principal Uses – Outdoor Commercial Recreation Other than Water Parks) and LMO Sec. 16-5 (Development and Design Standards). Approval may include conditions necessary to ensure compliance with the LMO’s intent and standards.

Step 3 — Post-Approval Obligations

Upon approval proceed with any required building permits and implement all conditions of approval. Maintain all easements, access permits, and operational limits (hours, sound/lighting controls, event management, etc.) consistent with the LMO and the Town’s Municipal Code.

The above steps are intended to be a guide for the general submittal process and typically required documents and information; the steps provided in this letter shall not be interpreted as an exhaustive list of requirements. During the review process the Town may request additional information or documents in order to complete the review process. This letter shall not be interpreted to provide any assurances or guarantees for any specific result or approval of an application.

Please let me know if you have any questions regarding this decision or the guidelines for the review process provided for in this letter. I can be contacted at (843) 341-4690 or trey@hiltonheadislandsc.gov.

Sincerely,

Trey Lowe

Trey Lowe
Development Services Program Manger

CC: Shawn Leinginger, AICP, Deputy Town Manager, LMO Official



Subject Property

Town of Hilton Head Island

Location Map
November 24, 2025

VAR-001117-2025
Attachment E - Location Map

