



## Town of Hilton Head Island

### Board of Zoning Appeals Meeting

Monday, April 27, 2026, 2:30 PM

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

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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 December 22, 2025
5. **Unfinished Business**
6. **New Business**
  - a. **Public Hearing**  
**VAR-000252-2026** - Request from John Watts representing on behalf of Carol Balazsi, owner of 12 Heath Drive, also identified as Beaufort County Tax Map Parcel R520 016 00A 0132 0000, for a variance from the LMO Section 16-6-104.F.2.a, General Requirements, to remove a specimen tree that is located on a single-family lot.
  - b. **Public Hearing**  
**VAR-000251-2026** - Request from Daniel Kirchberg, owner of 14 Pelican Street, also identified as Beaufort County Tax Map Parcel R550 015 00A 0467 0000, for a variance from LMO Section 16-6-104.F.2.a, General Requirements, to remove a specimen tree that is located on a single-family lot.
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, December 22, 2025, 2:30 PM

### Minutes

#### 1. Call to Order

Chairman Fingerhut called the meeting to order at 2:30 pm. In attendance were: Chairman Fingerhut, Vice-Chair Bayless, Michael Sackheim, Amy Fee, Jeffery Greene and Peter Kristian.

#### 2. Welcome and Introduction to Board Procedures

Chairman Fingerhut welcomed all in attendance and introduced the Board's procedures for conducting the meeting.

#### 3. Adoption of the Agenda

Mr. Kristian moved to approve the agenda as presented. Vice-Chair Bayless seconded. The motion passed unanimously.

#### 4. Approval of the Minutes

- a. Regular Meeting Minutes of November 24, 2025.

Ms. Fee moved to approve the minutes of November 24, 2025. Mr. Sackheim seconded. Chairman Fingerhut abstained as he was not at the meeting. The motion passed unanimously.

#### 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.

Michael Connolly presented the staff report, as included in the meeting packet, regarding a variance 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. Mr. Connolly advised that 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 the Findings of Facts and Conclusions of Law as determined by the LMO Official. Staff, therefore, recommends that the Board of Zoning Appeals deny the application.

The Board made comments and inquiries regarding: the use specific conditions of the property and how many homes could potentially be built on the property.

Following staff's presentation and questions from the Board, Chairman Fingerhut asked the applicant to make a presentation. Chester Williams, Esquire, Attorney for the applicants made his presentation.

The Board asked several questions of Mr. Williams.

Chairman Fingerhut asked for public comment. Ms. Nadine Chaplin spoke in opposition to the variance request.

Following discussion by the Board, Chairman Fingerhut asked for a motion. Vice-Chair Bayless moved to deny the application based on the Findings of Fact and Conclusions of Law as included in the staff report. Mr. Greene seconded. The motion was approved by a vote of 6-0.

**7. Public Comment - Non Agenda Items**

**8. Staff Reports**

**9. Adjournment**

The meeting adjourned at 3:20 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**

<b>Case #:</b>	<b>Public Hearing Date:</b>
VAR-000252-2026	April 27, 2026

<b>Parcel or Location Data:</b>	<b>Property Owner</b>	<b>Applicant</b>
Address: 12 Heath Drive Parcel#: R520 016 00A 0132 0000 Zoning: PD-1 (Planned Development Mixed-Use)	Carol Balazsi 12 Heath Drive Hilton Head Island, SC 29928	John Watts, W Investment Company, LLC 7 Fox Den Court Hilton Head Island, SC 29926

**Application Summary:**

Request from John Watts on behalf of Carol Balazsi, property owner of 12 Heath Drive, also identified as Beaufort County Tax Map Parcel R520 016 00A 0132 0000, for a variance from the LMO Section 16-6-104.F.2.a, General requirements, to remove a specimen tree that is located on a single-family lot.

**Background:**

The subject property is a developed single-family residential lot and is located at 12 Heath Drive. The property is located within the PD-1 (Planned Development Mixed-Use) District within the Palmetto Dunes community. The subject parcel borders single-family residential uses to the north and south while fronting Heath Drive to the west. There is an adjacent golf course to the east (See Exhibit B.)

The request for the variance is to allow removal of a 36-inch Live Oak tree located immediately adjacent to the home.

According to the applicant’s narrative and supporting arborist report:

- The tree has grown from approximately 24 inches to 36 inches in diameter.
- The tree is located within inches of the structure, including:

- Approximately 3 inches from first-floor soffit
- Approximately 8 inches from second-floor soffit
- The tree is causing structural damage and poses a continued risk to the home

An ISA Certified Arborist report concludes:

- The tree presents an imminent likelihood of failure
- The condition is classified as high risk
- Removal is recommended to prevent catastrophic damage to the structure

Additionally:

- The Palmetto Dunes ARB has approved removal of the tree
- A Tier 1 permit has been issued by the POA for removal

The purpose of PD-1 District, according to the LMO, Section. 16-3-102.K.1, is “to recognize the existence within the Town of certain unique Planned Unit Development s (PUDs) that are greater than 250 acres in size. Generally, these PUDs have served to establish the special character of Hilton Head Island as a high-quality resort and residential community. It is the intent in establishing this district to allow the continuation of well-planned development within these areas.”

Section 16-6-104.F.2.a of the Town’s Land Management Ordinance, LMO, reads. “No specimen tree may be removed except in accordance with paragraph below. In addition, all specimen trees shall have the following protections, whether located on public or private land.”

**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 16-6-104-F.2.a, General requirements, specifically to remove a specimen tree that is located on a single-family lot.

**Summary of Fact:**

- The applicant seeks a variance as set forth in LMO Section 16-6-104.F.2.a

**Summary of Facts and Conclusions of Law:**

- Application was submitted on March 9, 2026, as set forth in LMO Section 16-2-102.C and Appendix D-23.
- Notice of the Application was published in the Island Packet on April 5, 2026, as set forth in LMO Section 16-2-102.E.2.
- Notice of the Application was posted on April 8, 2026, as set forth in LMO Section 16-2-102.E.2.
- Notice of Application was mailed on April 8, 2026, 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.

***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 property contains a specimen tree that the applicant stated was originally measured at approximately 24 inches in diameter and has since grown to approximately 36 inches in diameter. As the tree has matured, it has begun to cause physical damage to portions of the home at its base.
- The tree is extremely close in proximity to the structure, approximately 3 inches from the first-floor soffit and 8 inches from the second-floor soffit, which is an atypical and severe condition not commonly found in residential settings.
- A significant portion of the tree canopy overhangs the residence and continues to grow toward the structure.
- The tree poses a direct threat to the structural integrity of the residence, as documented by the applicant and supporting materials.
- The subject parcel is approximately 0.27 acres in size and is generally consistent in size with adjacent parcels; however, the location and growth pattern of the subject tree is unique to this 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 tree is in close proximity to the structure, significantly closer than what is typically observed in residential site conditions within the surrounding area.
- The tree has physically encroached into the building envelope, including overhanging and contacting portions of the residence, which is an atypical condition not commonly found on neighboring properties.
- The risk associated with the tree has been professionally evaluated and classified as high with an imminent likelihood of failure, indicating a level of hazard that exceeds typical tree-related conditions in the vicinity.

- A certified arborist has conducted an on-site inspection and prepared a formal Arborist Report documenting the condition of the tree and recommending removal due to safety concerns.

**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 tree has already caused damage to portions of the structure, and continued growth will further exacerbate these impacts.
- The canopy and trunk of the tree continue to encroach upon the building envelope, limiting the property owner's ability to perform routine maintenance and necessary repairs to the home.

**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 proposed variance is limited in scope to the removal of a single 36-inch diameter specimen tree and does not involve broader site alterations or changes to the overall development pattern of the property.
- The removal of the subject tree will not materially alter the established character of the neighborhood, which is defined by a mix of mature vegetation, residential structures, and maintained landscaping.
- The tree removal is supported by a certified arborist, has received the Palmetto Dunes Property Owners Association (POA) approval, and the Architectural Review Board (ARB).

**LMO Official Determination:**

**Based on the above Findings of Facts, it is staff's recommendation that the Board considers the findings of facts and circumstances of this variance request and makes a decision that is believed to be the most fair and equitable decision for all parties involved in this matter.**

**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 must be stated in the motion.**

**PREPARED BY:**

\_\_\_\_\_  
Melissa Paul-Leto  
Principal Planner

4/10/2026

\_\_\_\_\_  
DATE

**REVIEWED BY:**

\_\_\_\_\_  
Brian Eber,  
Interim Development Review Manager

\_\_\_\_\_  
DATE

**REVIEWED BY:**

\_\_\_\_\_  
Trey Lowe,  
Interim Planning Director and LMO  
Official

\_\_\_\_\_  
DATE

**ATTACHMENTS:**

**A) Applicant’s Variance Narrative and Site Plan**

- B) 12 Heath Drive Location Map**
- C) Aerial view of subject property with surrounding properties**
- D) LMO Ordinance NO 2025-13**

Exhibit A - Applicant's Variance Narrative and Site Plan



Town of Hilton Head Island
Community Development Department
One Town Center Court
Hilton Head Island, SC 29928
Phone: 843-341-4757 Fax: 843-842-8908
www.hiltonheadislandsc.gov

FOR OFFICIAL USE ONLY
Date Received:
Accepted by:
App. #: VAR
Meeting Date:

Applicant/Agent Name: John Watts Company: W Investment Company, LLC
Mailing Address: 7 Fox Den Ct City: HHIS State: SC Zip: 29926
Telephone: 843-476-9562 Fax: E-mail:
Project Name: Balazsi Tree Project Address: 12 Heath Dr.
Parcel Number [PIN]: R5200 1600A 0132 0000
Zoning District: Overlay District(s):

VARIANCE (VAR) SUBMITTAL REQUIREMENTS

Digital Submissions may be accepted via e-mail by calling 843-341-4757. The following items must be attached in order for this application to be complete:

- X A narrative that lists what Sections of the LMO you are requesting a variance from and explain WHY the variance is requested and HOW the request meets all of the criteria of LMO Section 16-2-103.S.4.a. Variance Review Standards
A copy of correspondence providing notice of a public hearing to all land owners of record within three hundred and fifty (350) feet on all sides of the parcel(s) being considered for a variance. Such notice shall be mailed by first class mail fifteen days (15) prior to the Board of Zoning Appeals meeting per LMO Section 16-2-102.E.2.e.ii. Mailed Notices. A sample letter can be obtained at the time of submittal. Also provide a list of owners of record to receive notification. The Town can assist in providing this listing by calling 843-341-4757.
X Affidavit of Ownership and Hold Harmless Permission to Enter Property
X A site plan to scale of 1"=30' that clearly shows the requested variance in relation to the affected site and surrounding parcels and uses. Submit an 11"X17" (or smaller) copy of the plan.
X Filing Fee - \$250.00 cash or check made payable to the Town of Hilton Head Island

Are there recorded private covenants and/or restrictions that are contrary to, conflict with, or prohibit the proposed request? If yes, a copy of the private covenants and/or restrictions must be submitted with this application. YES NO

To the best of my knowledge, the information on this application and all additional documentation is true, factual, and complete. I hereby agree to abide by all conditions of any approvals granted by the Town of Hilton Head Island. I understand that such conditions shall apply to the subject property only and are a right or obligation transferable by sale.

I further understand that in the event of a State of Emergency due to a Disaster, the review and approval times set forth in the Land Management Ordinance may be suspended.

Applicant/Agent Signature: [Signature] Date: 3/19/20

# 12 Heath Drive

## Variance Request Narrative – LMO Section 16-2-103.S.4

### 1. Extraordinary and Exceptional Conditions

The subject property contains a tree that was originally measured at 24 inches in diameter and has since grown to approximately 36 inches. As the tree has matured, it has begun to cause physical damage to parts of the home at its base. Additionally, the tree is located in extremely close proximity to the structure—approximately 3 inches from the first-floor soffit and 8 inches from the second-floor soffit. A significant portion of the tree overhangs the home and continues to grow toward the structure. With this continued growth, the tree will increasingly encroach upon and potentially engulf portions of the home within a few years, resulting in substantial structural damage. These conditions constitute an extraordinary and exceptional circumstance specific to this property.

### 2. Conditions Not Generally Applicable to Other Properties

The circumstances described are unique to this property and are not broadly applicable to other properties in the surrounding area. Other homes within Palmetto Dunes may have problematic trees, however the level of proximity and structural impact is uncommon. In similar situations where a tree poses a direct threat to a residence, a variance for removal would typically be considered appropriate.

Additionally, a certified arborist has inspected and written an Arborist Report for the tree. See attached report.

As well, the PDPOA Architectural Review Board (ARB) has conducted an on-site evaluation with their staff employed arborist, who has issued a permit approving the removal of the tree. This professional assessment further supports the uniqueness and severity of the situation. See attached.

### 3. Unreasonable Restriction on Property Utilization

Strict application of the ordinance in this case would unreasonably restrict the safe and practical use of the property. The presence of the tree in its current condition threatens the structural integrity of the home and limits the homeowner's ability to maintain and protect the property. Removal of the tree is necessary to prevent further damage and does not create any adverse restriction on the use of the property, the home, or the surrounding neighborhood.

#### **4. No Detriment to Public Good or Neighborhood Character**

Granting this variance will not result in any substantial detriment to adjacent properties, the public good, or the overall character of the zoning district. On the contrary, removal of the tree will help preserve the structural integrity and appearance of the home.

Furthermore, the property owner has plans for substantial exterior improvements that will enhance both the home and the surrounding neighborhood. These improvements are expected to contribute positively to the aesthetic and value of the community, ensuring that the character of the zoning district is maintained and potentially improved.

#### **Conclusion**

Based on the extraordinary conditions present, the certified arborist's findings, the formal Arborist Report, and the lack of negative impact on the surrounding community, the requested variance meets the criteria outlined in LMO.

\* Site pictures attached.



**Town of Hilton Head Island**  
 Community Development Department  
 1 Town Center Court  
 Hilton Head Island, SC 29928  
 Phone: 843-341-4757 Fax: 843-341-2087  
[hiltonheadislandsc.gov](http://hiltonheadislandsc.gov)

FOR OFFICIAL USE ONLY  
 Date Received: \_\_\_\_\_  
 Accepted by: \_\_\_\_\_  
 Permit #: \_\_\_\_\_

**AFFIDAVIT OF OWNERSHIP AND HOLD HARMLESS PERMISSION TO ENTER PROPERTY**

The undersigned being duly sworn and upon oath states as follows:

1. I am the current owner of the property which is the subject of this application.
2. I hereby authorize W. Investment Company, LLC to act as my agent for this application only.
3. All statements contained in this application have been prepared by me or my agents and are true and correct to the best of my knowledge.
4. The application is being submitted with my knowledge and consent.
5. Owner grants the Town, its employees, agents, engineers, contractors or other representatives the right to enter upon Owner's real property, located at 12 Heath Drive (address), RS2001600A01320000 (parcel ID) for the purpose of application review, for the limited time necessary to complete that purpose.  
 Description of Work: Tree Removal
6. Owner agrees to hold the Town harmless for any loss or damage to persons or property occurring on the private property during the Town's entry upon the property, unless the loss or damage is the result of the sole negligence of the Town.
7. I acknowledge that the Town of Hilton Head Island Municipal Code requires that all construction in a Special Flood Hazard Zone be constructed in accordance with the following provisions that:
  - a. any enclosed area below the base flood elevation will be used solely for parking of vehicles, limited storage or access to the building. This space will never be used for human habitation without first becoming fully compliant with the Town's Flood Damage Controls Ordinance in effect at the time of conversion.
  - b. all interior walls, ceilings and floors below the base flood elevation will be constructed of flood resistant materials.
  - c. all mechanical, electrical and plumbing devices will be installed above base flood elevation.
  - d. walls of the enclosed area below base flood elevation will be equipped with at least two openings which allow automatic entry and exit of flood water. Openings will be on two different walls with at least one square inch of free area for every square foot of enclosed space and have the bottom of openings no more than a foot above grade.
  - e. the structure may be subject to increased premium rates for flood insurance from the National Flood Insurance Program.
8. I understand that failure to abide by Town permits, any conditions, and all codes adopted by the Town of Hilton Head Island deems me subject to enforcement action and/or fines.

Print Name: CAROL BALAZSI Owner Signature: Carol Balazsi Date: 2/26/26  
 Phone No.: 609 947-5309 Email: d1bdmd@yahoo.com

The foregoing instrument was acknowledged before me by Carol Balazsi, who is personally known to me or has produced NS Drivers License as identification and who did not take an oath.

WITNESS my hand and official seal this 26th day of February, A.D., 2026.

[Signature]  
 Notary Public Signature

My Commission expires: July 29th 2030  
 Please affix seal or stamp

NICHOLAS LEARY  
 NOTARY PUBLIC  
 STATE OF NEW JERSEY  
 MY COMMISSION EXPIRES JULY 29, 2030





## TIER 1 WORK PERMIT – JOB SITE POSTING

Permit No.	Issued	Expires
T1-26-038	2/26/2026	2/26/2026
Property Address	Owner	Contractor
12 Heath	Watts	info@arbornature.com

**APPROVED TIER 1 WORK (CHECKED ITEMS ONLY)**

- Tree Work  
  Doors / Windows  
  Exterior Lighting  
  Dumpster / Portable Toilet  
  Railing  
 Paint / Stain  
  Stucco / Siding  
  PDPOA Signage  
  Other: \_\_\_\_\_

**WORK DESCRIPTION (AS APPROVED)**

Approved per Tier 1 Application dated: 2/20/2026

Approval to remove 36" Live Oak causing damage to foundatio per application dated 2/18/2026 town permit on file.

**PERMIT CONDITIONS**

- Tier 1 work only as approved
- Work to be completed in 90 days
- No changes without ARB approval
- Contractors must follow PDPOA rules

**POSTING & ENFORCEMENT** - Permit must be posted visibly from the street or common area (not on a tree). Work outside approved scope may result in stop-work orders, fines, or contractor access suspension.

Approved By	Lisa Martin _____	Date	2/17/2026 _____
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March 17, 2026

John Watts  
12 Heath Dr  
Hilton Head Island, SC 29928

Dear John,

**RE: Tree Inspection & Analysis - Arborist Report for 12 Heath Dr**

This report presents the results of the tree inspection at 12 Heath Dr in Palmetto Dunes, Hilton Head Island. International Society of Arboriculture (ISA) Certified Arborist, Richard McDevitt, surveyed the site.

**Assignment Scope of Work:**

*The subject trees listed below were evaluated.*

**Location and Identification of the Tree(s) Assessed:**

**Left side of home:** 1 – 36" Live Oak tree

**Level of Inspection:**

*Limited visual inspection*

**Site Factors Considered:**

**The tree is located next to the home and service yard.**

**Tree Conditions:**

**The tree is too close to the home. Structure damage is very obvious on exterior walls. The trunk is within 6" of the roof line. Major home exterior improvements are planned after the removal of this tree.**

**The Risk Assessment and Conclusion:**

**This tree will cause catastrophic damage to the home foundation unless removed.**

**ArborNature Llc**  
PO Box 22268 • Hilton Head, SC 29925  
**(843) 681-2726 • Info@ArborNature.com**



### Likelihood of Failure Key

**Improbable** – The tree or branch is unlikely to fail even under severe weather conditions.

**Possible** – Failure could occur, but it is unlikely during normal weather conditions.

**Probable** – Failure could occur under normal weather conditions in the area.

**Imminent** – Failure has started or is most likely to occur in the near future, even if there is no significant wind or increased load.

### Level of Risk Key

**Extreme-risk** – trees should be mitigated as soon as possible. Immediate action may be required to restrict access to the target zone.

**High-risk** – trees should be mitigated as soon as it is practical, when the work schedule or pruning cycle allows.

**Moderate-risk** – trees may be mitigated and/or retained and monitored. Mitigation may be conducted when budget, work schedule, or pruning cycle allows, preferably before seasonal storms develop.

**Low-risk** – trees should be retained and monitored (if appropriate) and/or mitigated, if deemed necessary, when the budget, work schedule, or pruning cycle allows.

The Likelihood of Failure is: Imminent

The Risk Key designation is: High Risk

### Options and/or Recommendations for Mitigation:

*Remove tree as soon as possible.*

*Tree risk assessment considers known targets and visible or detectable tree conditions, and it represents the condition of the tree at the time of inspection. Only those trees specified in the scope of work were assessed, and assessments were performed within the limitations specified.*

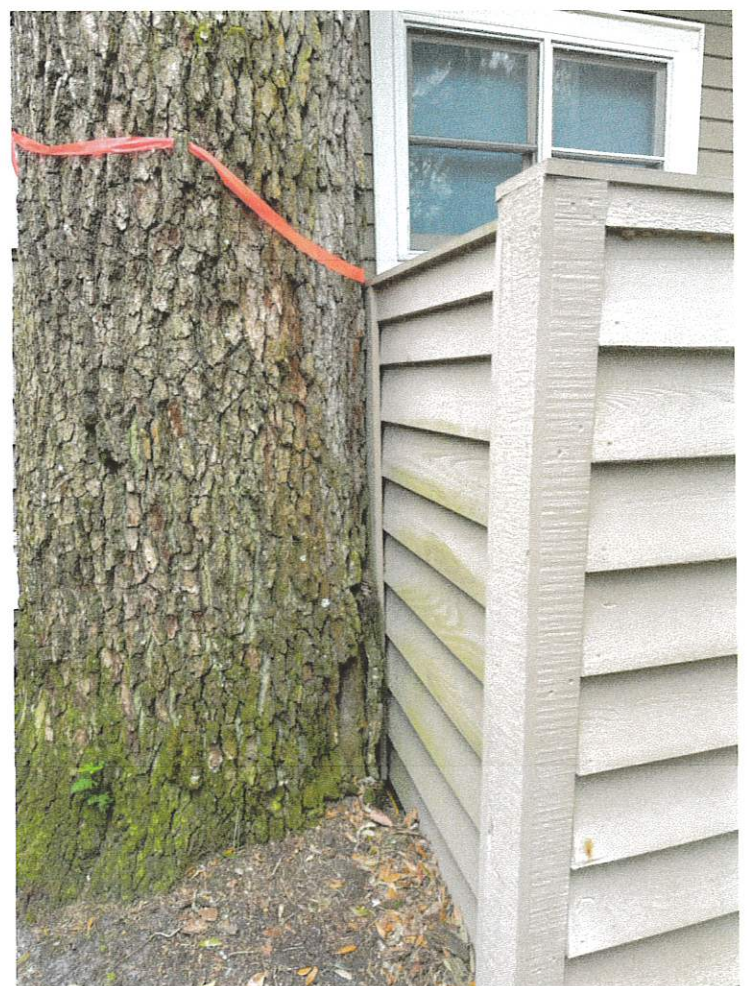
Sincerely,

Richard V. McDevitt

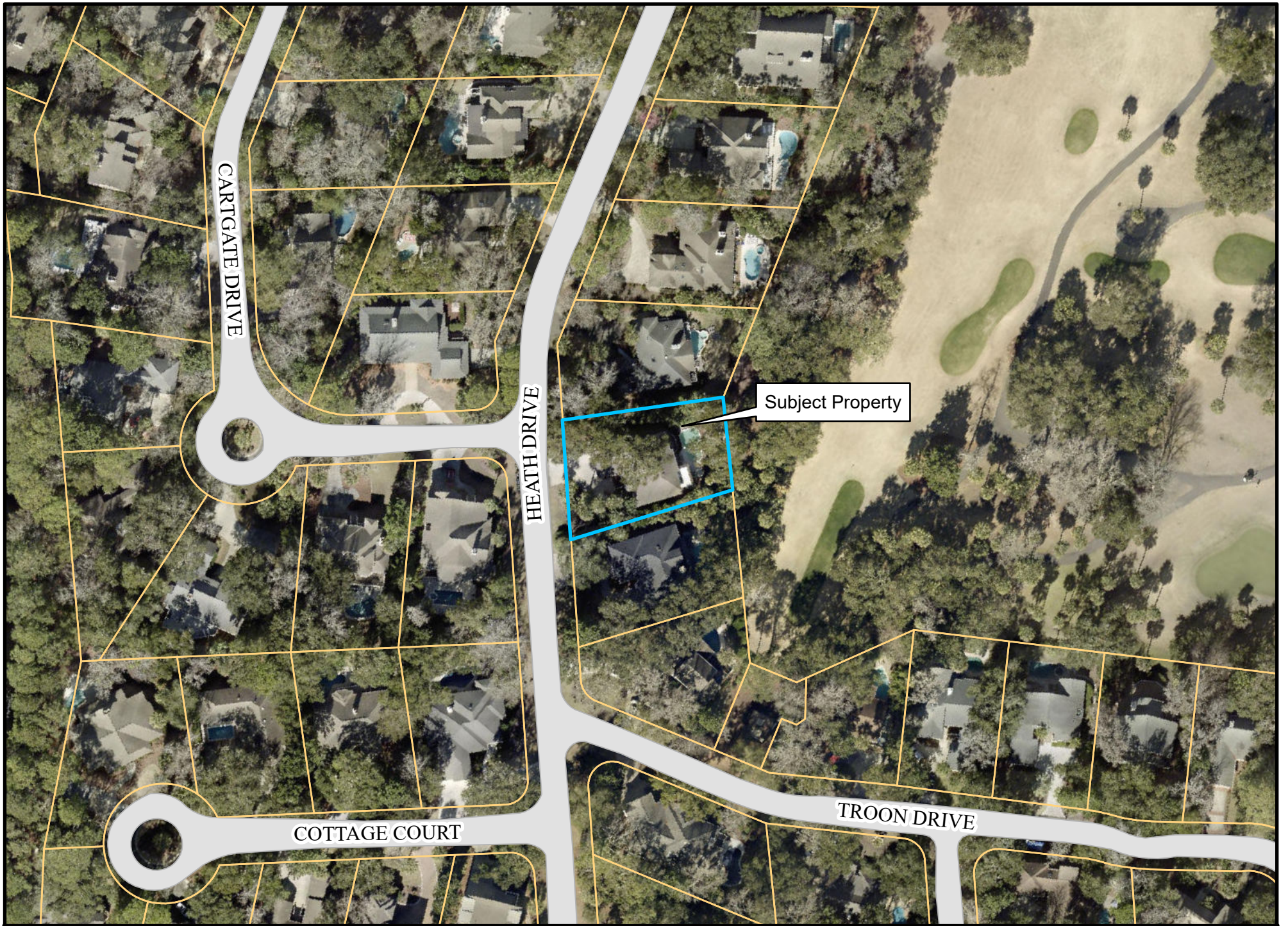
ISA Certified Arborist SA10995A

**ArborNature Llc**

PO Box 22268 • Hilton Head, SC 29925  
(843) 681-2726 • [Info@ArborNature.com](mailto:Info@ArborNature.com)







TOWN OF HILTON HEAD ISLAND  
ONE TOWN CENTER COURT  
HILTON HEAD ISLAND, S.C. 29928  
PHONE (843) 341-4800  
WWW.HILTONHEADISLAND.COM

### Exhibit B - Location Map VAR-000252-2026

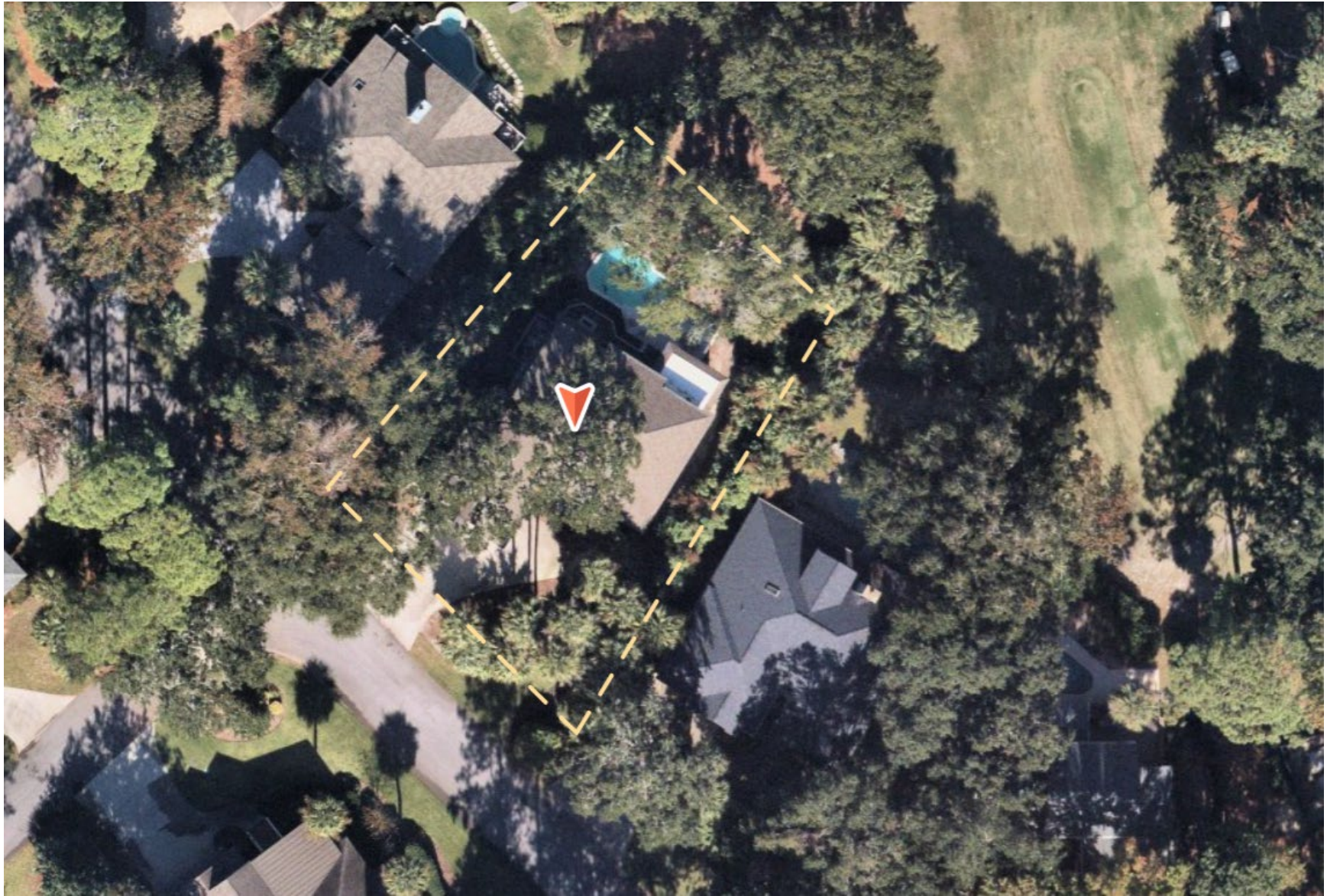
### Town of Hilton Head Island

Location Map  
12 Heath Drive  
March 26, 2026



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 declines all liability for its accuracy or status of completion or for any losses arising from the use of the map.

**Exhibit C - Aerial View of Tree Canopy**  
**VAR-000252-2026**



**TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA**

**ORDINANCE NO. 2025-13**

**AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND TO AMEND CHAPTER 16 OF THE MUNICIPAL CODE, THE LAND MANAGEMENT ORDINANCE, TO AMEND CURRENT REGULATIONS FOR TREE PROTECTION TO INCLUDE SECTIONS: 16-5-115, 16-6-104 AND APPENDIX C FOR THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the Town Council for the Town of Hilton Head Island, South Carolina, has identified a continued need for the adoption of LMO Amendments to address needs and issues in the Town as such arise; and,

**WHEREAS**, the Town Council seeks to amend the Land Management Ordinance to increase tree protection requirements for development to enhance ecological outcomes, and promote sustainable development; and,

**WHEREAS**, on May 21, 2025, the Planning Commission held a Public Hearing to consider the proposed amendments to increase tree protection requirements for development, and the public had an opportunity to comment on the proposed amendments, and the Planning Commission voted unanimously to recommend adoption of the amendments to increase tree protection requirements for development; and,

**WHEREAS**, on June 16, 2025, the Community Services & Public Safety Committee voted unanimously to recommend approval of the proposed amendments to increase tree protection requirements for development; and,

**WHEREAS**, the Town Council finds it is in the best interest of the Town and its citizens, residents and visitors to amend Land Management Ordinance by amending the current regulations for tree protection.

**NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE TOWN COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, AND IT IS HEREBY ORDERED AND ORDAINED BY AND UNDER AUTHORITY OF SAID TOWN COUNCIL, AS FOLLOWS:**

**Section 1. Amendment.** That the Land Management Ordinance is amended as shown on Exhibit "A" to this Ordinance. Newly added language is illustrated with double underline and deleted language is illustrated with ~~strikethrough~~.

**Section 2. Severability.** If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion

shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**Section 3. Effective Date.** This Ordinance shall be effective upon its adoption by the Town Council of the Town of Hilton Head Island, South Carolina.

**PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND ON THIS 19<sup>TH</sup> DAY OF AUGUST, 2025.**

THE TOWN OF HILTON HEAD  
ISLAND, SOUTH CAROLINA

  
\_\_\_\_\_  
Alan R. Perry, Mayor


ATTEST:

  
\_\_\_\_\_  
Kimberly Gammon, Town Clerk

First Reading: July 15, 2025

Second Reading: August 19, 2025

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Curtis L. Coltrane, Town Attorney

## Chapter 16-5: Development and Design Standards

### Sec.16-5-115. Subdivision Standards

#### A. Purpose and Intent

The purpose of *subdivision* layout is to create a functional and attractive *development* with infrastructure and *lots* appropriately sized and located to minimize adverse impacts. The intent of this section is to provide clear requirements and guidelines for *subdivision* design for both Major and Minor Subdivisions.

*Subdivisions* should promote the health, safety, convenience, order, prosperity and welfare of the present and future residents of the *Town* by:

- a. Providing for the orderly growth and *development* of the *Town*;
- b. Coordinating with the existing *street* system, transportation plans, and public facilities;
- c. Providing *right-of-way* for *street* and vehicular *easements*;
- d. Avoiding congestion and overcrowding and encouraging proper arrangement of *streets* in relation to existing planned *streets*;
- e. [Preservation of the natural tree canopy and preservation of protected tree species](#);
- e.f. Ensuring there is adequate *open space* and recreation facilities; and
- f.g. Ensuring there is proper recordation of *land* ownership.

#### C. General Requirements

1. Layout of the *subdivision* shall be based on complete *site* analysis. *Streets* and *lots* shall be designed to preserve significant trees, stands of trees and understory vegetation and situated to minimize alteration of natural and historic *site* features to be preserved.
2. The *subdivision* layout shall consider the practicality and economic feasibility of *development* of individual *lots* including the environmental characteristics, size of the *site*, and the requirements of [this the Ordinance](#).
3. The applicant is required to demonstrate that they have made all reasonable efforts to preserve unique and fragile elements on site, including but not limited to wetlands, ~~significant stands of~~ [significant stands of trees](#) and individual *trees* of significant size, with *development* reserved for environmentally stable areas.  
*(Revised 1-7-2020 - Ordinance 2020-02; revised 3-7-2023 - Ordinance 2023-04)*
4. *Open space* and recreational areas shall be planned in accordance with Sec. 16-5-104, Open Space Standards.
5. *Lots* shall be situated so that stormwater may be easily directed away from *buildings* in subsequent *site-specific development*. *Lots* shall be configured so that *buildings* and general *flood* sensitive *site* facilities can be located out of drainageways. *Subdivisions* shall be designed so as to comply with Sec. 16-5-109, Stormwater Management and Erosion and Sedimentation Control Standards.
6. All *lots* shall have the *access* required by Sec. 16-5-105.I, Access to Streets.

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## Chapter 16-6: Natural Resource Protection

### Sec.16-6-104. Tree Protection

#### B. Applicability

#### 2. Exemptions

- a. The following activities are exempt from the standards in this section and the requirement for a Natural Resources Permit:
  - i. Removal of damaged protected **trees** during an emergency such as a hurricane, tornado, ice or wind storm, **flood**, wildfire or any other such act of nature;
  - ii. The removal of invasive species;
  - iii. Removal of a **hazardous tree**, provided such removal is reported to the **Official** within five days after removal. Removal of a **hazardous tree** may require mitigation at the discretion of the ~~Official~~ **Official**;  
*(Revised 1-7-2020 - Ordinance 2020-02)*
  - iv. The selective and limited pruning and removal of **trees** or vegetation within **sight triangles** (see Sec. 16-5-105.H.4, Sight Triangles) as necessary to obtain clear visibility at **street** and **driveway** intersections;
  - v. Necessary **tree** removal by a utility company consistent with plans submitted periodically to the **Official** for approval in accordance with Sec. 16-5-110, Utility Standards, provided such plans include appropriate provision for removal of any felled **trees**;
  - vi. Topping of healthy **trees** is only permitted on **land** of the Hilton Head Island Airport, and only for the **maintenance** of the slope approaches to the airport as referenced in Sec. 16-3-106.E, Airport Overlay (A-O) District;
  - vii. **Tree** removal associated with forestry activities shielded from local **development** regulation in accordance with S.C. Code Ann. § 48-23-205, subject to the limitations on subsequent **development** in Sec. 16-6-104.E, Limitations on Development Applications Subsequent to Exempt Forestry Activity; and
  - viii. Routine or seasonal pruning (see Sec. 16-5-103.H, Existing Vegetation, for restrictions on limbing **trees** in adjacent street and use buffers), subject to the following requirements and conditions:
    01. Pruning shall be done according to the guidelines of the International Society of Arboriculture, as published in the *Arborist Certification Guide*.
    02. No more than ten percent of the **tree's** leaf surface shall be removed.
    03. Climbing spikes shall not be used on **trees** that are not being removed.
    04. **Property owners** bear the burden of proving that they have met the above requirements.
  - ix. Removal or pruning of trees in the PD-1 zoning district under the following conditions:

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**01.** On the Common Property owned by a Property Owners Association, to which all landowners of property located behind the security gate must belong, that is behind any security gate or access point that is manned a minimum of eight (8) hours per day, or at any point within the Spanish Wells PD-1, where the **tree** or **trees** to be removed or pruned are:

- a) Damaged, dead or dying or a fall hazard; or,
  - b) Causing an actual, imminent hazard to pedestrian, bicycle or vehicular travel because roots of any **tree** or **trees** have uplifted pavement, or because branches and foliage are impeding travel sight lines, or because branches and foliage impede travel areas for pedestrians, bicycles and vehicles, and no feasible alternative to removing or pruning the **tree** or **trees** exists.
- b. No Natural Resources Permit is required where the proposed **tree** removal or alteration is reviewed and authorized in accordance with an approved Subdivision Plan (see Sec. 16-2-103.F), Development Plan (Minor or Major) (see Sec. 16-2-103.G), Small Residential Development (see Sec. 16-2-103.H) or Public Project (see Sec. 16-2-103.Q)—though compliance with the standards in this section is required.

## **C. Tree Protection Information in Applications**

### **2. Tree Survey**

- a. The **tree survey** shall be in the form of a map or a **site plan** prepared and sealed by a registered **land** surveyor within two years of the date of **application**. The **tree survey** shall be at the same scale as the required **site development** plan and shall include the following information:
  - i. The location of all Category I, II and IV **trees** with a **DBH** of 6 inches or greater, Category III **trees** (other than cedar and palmetto **trees**) with a **DBH** of 12 inches or greater and cedar and palmetto **trees** with a **DBH** of 8 inches or greater within the areas to be developed and within areas 25 feet beyond such area in each direction, or extending to the property line, whichever is less;  
*(Revised 5-17-2016 - Ordinance 2016-07)*
  - ii. The location of any **trees** with a **DBH** less than 6 inches (Category I, II and IV), less than 8 inches (cedar and palmetto **trees**), and less than 12 inches (Category III other than cedar and palmetto **trees**) that the **applicant** wishes to count toward the minimum standard of **tree** coverage on the **site**; and  
*(Revised 5-17-2016 - Ordinance 2016-07)*
  - iii. The species and **DBH** of all **trees**.
- b. In conjunction with the **tree survey**, **trees** shall be marked with color ribbons, using blue ribbons to mark **trees** to be preserved, red ribbons for **trees** to be removed, and orange ribbons for hazardous **trees** that are proposed to be removed (hazardous **trees** will not count towards the overall required **tree** replacement). In heavily wooded areas, the **Official** may allow ~~large groups of a significant stand of trees~~ to be preserved or removed to be marked with the appropriately colored ribbon extending around the perimeter of the group of **trees**.

## F. Specimen and Significant Tree Preservation

### 1. Specimen and Significant Tree Defined

For purposes of this section, a specimen tree is any tree of a species designated by the State or federal government as an endangered, threatened, or rare species, or any tree of a type and with a DBH equal or greater than that indicated in Table 16-6-104.F.1, Specimen Trees, for the tree type. A tree that is within 20% of the size classified as a specimen, is considered a significant tree.

(Revised 5-17-2016 - Ordinance 2016-07; revised 1-7-2020 - Ordinance 2020-02)

TABLE 16-6-104.F.1: SPECIMEN AND SIGNIFICANT TREES			
TREE TYPE		SPECIMEN DBH (INCHES)	SIGNIFICANT DBH (INCHES)
Live oak	Single trunk	<del>35-30</del>	<del>28-24</del>
	Multiple trunks	<del>60-55</del> (sum of all trunks)	<del>48-41</del>
Laurel oak		<del>35-30</del>	<del>28-24</del>
Water oak		30	24
Red oak		25	20
White oak		20	16
All hickories		20	16
American elm		15	12
Loblolly and slash pines		35	28
Longleaf and pond pines		25	20
Red bay		10	8
Southern magnolia		30	24
Bald cypress and pond cypress		15	12
Black gum and sweet gum		30	24
Red maple		30	24
Spruce pine		Any size	Any size
Red cedar		10	8
Sycamore		30	24
Black cherry		25	20
Sassafras		6	5

(Revised 1-7-2020 - Ordinance 2020-02)

### 2. General Requirements

- a. No **specimen tree** may be removed except in accordance with paragraph b below. In addition, all **specimen trees** shall have the following protections, whether located on public or private **land**, with the exception of ~~specimen trees~~ located on ~~single-family lots~~:

(Revised 5-17-2016 - Ordinance 2016-07)

- i. Any activities performed within the drip line of a **specimen tree** shall have the prior approval of the **Official**.
- ii. **Specimen trees** shall not be cut, removed, pushed over, killed, or otherwise harmed.

- iii. No more than 20 percent of the total area within the drip line of any **specimen tree** shall be subject to paving or soil compaction, and no paving or soil compaction is allowed within 15 feet of the **tree** trunk. (See Figure 16-6-104.F.2: Limits of Paving or Compaction near Specimen Trees.) The **Official** may allow paving or soil compaction beyond the 20 percent limit if low impact **development** techniques (e.g., **pervious** pavers, materials placed at or above **grade**, no use of mechanical machinery) are used as an alternative means of protecting the **specimen tree**.

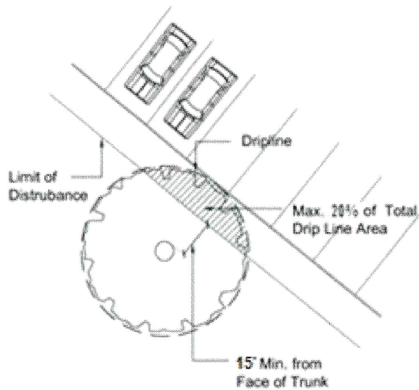


Figure 16-6-104.F.2: Limits of Paving or Compaction near Specimen Trees

- b. If preservation of a **specimen tree** causes unnecessary hardship, the **applicant** may apply for a variance from this subsection (see Sec. 16-2-103.S, Variance) once any required **State** or federal government agency approval, if applicable, to remove the **tree** is received in writing.

(Revised 4-18-2017 - Ordinance 2017-05)

## I. Standards for Supplemental and Replacement Trees

### 3. Replacement Rate, Tree Category, Planting Size

- a. **Trees** that are removed shall be replaced at the rate of one **tree** for every ten **tree** inches removed per **tree** category.
- b. Supplemental and replacement **trees** shall be within the same or lower-numbered **tree** category (see Sec. 16-6-104.H, Tree Equivalency Table) as the **trees** being replaced.
- c. At the time of planting, supplemental and replacement **trees** shall have the minimum **height** and trunk diameter shown in Table 16-6-104.I.3 for the category of the **tree**.

TABLE 16-6-104.I.3: MINIMUM PLANTING SIZE FOR SUPPLEMENTAL AND REPLACEMENT TREES		
TREE CATEGORY	MINIMUM HEIGHT (FEET)	MINIMUM TRUNK DIAMETER (INCHES) (USING ANSI STANDARDS)
Category I	10-12	2-4
Category II	10-12	2-4
Category III	6-8	1-2

Category IV	6-8	1-2
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(Revised 4-18-2017 - Ordinance 2017-05)

## Appendix C: Recommended Native Plants

RECOMMENDED NATIVE PLANTS FOR BUFFERS AND WETLANDS		
This list is meant to be used as a guide, and is not all inclusive. Buffer and <i>wetland</i> plants are intended to supply a year-round filtering and habitat function. Therefore, using a diverse selection of flora is highly encouraged.		
COMMON NAME	LATIN NAME	LOCATION
<b>GRASSES, VINES, AND GROUNDCOVER</b>		
Black Needle-Rush	<i>Juncus roemerianus</i>	Tidal <i>wetland</i>
Blue-Flag-Iris	<i>Iris virginica</i>	Freshwater <i>wetland</i>
Lizard's Tail	<i>Saururus cernuus</i>	Freshwater <i>wetland</i>
Maidencane	<i>Panicum hemitoman</i>	Freshwater <i>wetland</i>
Muhley-Grass	<i>Muhlenbergia capillaris</i>	<i>Upland</i>
Passion-Flower	<i>Passiflora incarnata</i>	<i>Upland</i>
Pickeralweed	<i>Pontederia cordata</i>	Freshwater <i>wetland</i>
Saltmeadow-Cordgrass	<i>Spartina patens</i>	<i>Upland</i>
Sand-Cordgrass	<i>Spartina bakeri</i>	<i>Upland</i>
Smooth-Cordgrass	<i>Spartina alterniflora</i>	Tidal <i>wetland</i>
Soft-Rush	<i>Juncus effuses</i>	Tidal <i>wetland</i>
Wild-Ginger	<i>Asarum canadense</i>	<i>Upland</i>
Yellow-Jasmine	<i>Gelsemium sempervirens</i>	<i>Upland</i>
<b>SHRUBS AND SMALL TREES</b>		
Beautyberry	<i>Callicarpa Americana</i>	<i>Upland</i>
Coral-Bean	<i>Erythrina herbacea</i>	<i>Upland</i>
Dahoon-Holly	<i>Ilex cassine</i>	<i>Upland</i>
Fetterbush	<i>Lyonia lucida</i>	Freshwater <i>wetland/Upland</i>
Inkberry	<i>Ilex glabra</i>	Freshwater <i>wetland/Upland</i>
Loblolly-Bay	<i>Gordonia lasianthus</i>	<i>Upland</i>
Salt-Myrtle	<i>Baccharis halimifolia</i>	<i>Upland</i>
Saw-Palmetto	<i>Serona repens</i>	<i>Upland</i>
Sparkleberry	<i>Vaccinium arboreum</i>	<i>Upland</i>
Star-Anise	<i>Illicium floridanum</i>	<i>Upland</i>
Wax-Myrtle	<i>Myrica ceriflora</i>	<i>Upland</i>
Witch-Hazel	<i>Hamamelis virginiana</i>	<i>Upland</i>
Yaupon-Holly	<i>Ilex vomitoria</i>	<i>Upland</i>
<b>MEDIUM AND LARGE TREES</b>		
American-Holly	<i>Ilex opaca</i>	<i>Upland</i>

Bald Cypress	<i>Taxodium distichum</i>	Freshwater <i>wetland/Upland</i>
Black Gum	<i>Nyssa sylvatica</i>	Freshwater <i>wetland/Upland</i>
Laurel Oak	<i>Quercus laurifolia</i>	<i>Upland</i>
Little Gem Magnolia	<i>Magnolia grandiflora</i> "Little Gem"	<i>Upland</i>
Live Oak	<i>Quercus virginiana</i>	<i>Upland</i>
Red Maple	<i>Acer rubrum</i>	Freshwater <i>wetland/Upland</i>
Sabal palmetto	<i>Sabal palmetto</i>	<i>Upland</i>
Southern Magnolia	<i>Magnolia grandiflora</i>	<i>Upland</i>
Southern Red Cedar	<i>Juniperis silicicola</i>	<i>Upland</i>
Sweet Gum	<i>Liquidamber styraciflua</i>	Freshwater <i>wetland/Upland</i>

**RECOMMENDED NATIVE PLANTS FOR BUFFERS AND WETLANDS**

This list is meant to be used as a guide, and is not all inclusive. *Buffer* and *wetland* plants are intended to supply a year-round filtering and habitat function. Therefore, using a diverse selection of flora is highly encouraged.

<u>COMMON NAME</u>	<u>LATIN NAME</u>	<u>LOCATION</u>
<u>NATIVE PLANTS FOR DUNES</u>		
<u>Beach evening primrose</u>	<u>Oenothera drummondii</u>	<u>Primary Dune</u>
<u>Beach morning glory</u>	<u>Ipomoea imperati</u>	<u>Primary Dune</u>
<u>Bear-grass (yucca)</u>	<u>Yucca filamentosa</u>	<u>Primary Dune</u>
<u>Camphor weed</u>	<u>Heterotheca subaxillaris</u>	<u>Primary Dune</u>
<u>Climbing Butterfly pea</u>	<u>Centrosema virginianum</u>	<u>Primary Dune</u>
<u>Devil-joint cactus</u>	<u>Opuntia drummondii</u>	<u>Primary Dune</u>
<u>Dune sunflower</u>	<u>Helianthus debilis</u>	<u>Primary Dune</u>
<u>Dwarf palmetto</u>	<u>Sabal minor</u>	<u>Primary Dune</u>
<u>Moundlily yucca</u>	<u>Yucca gloriosa</u>	<u>Primary Dune</u>
<u>Prickly pear cactus</u>	<u>Opuntia compressa</u>	<u>Primary Dune</u>
<u>Purple passion flower (vine)</u>	<u>Passiflora incarnata</u>	<u>Primary Dune</u>
<u>Railroad vine</u>	<u>Ipomea pes-caprae</u>	<u>Primary Dune</u>
<u>Salt myrtle</u>	<u>Baccharus halimifolia</u>	<u>Primary Dune</u>
<u>Saw palm</u>	<u>Serenoa repens</u>	<u>Primary Dune</u>
<u>Sea oats</u>	<u>Uniola paniculata</u>	<u>Primary Dune</u>
<u>Seaside panicum</u>	<u>Panicum amarum</u>	<u>Primary Dune</u>
<u>Spanish bayonet</u>	<u>Yucca aloifolia</u>	<u>Primary Dune</u>
<u>Wax myrtle</u>	<u>Myrica cerifera</u>	<u>Primary Dune</u>
<u>Yaupon holly</u>	<u>Ilex vomitoria</u>	<u>Primary Dune</u>
<u>Yellow passion flower (vine)</u>	<u>Passiflora lutea</u>	<u>Primary Dune</u>
*Dune fields can contain several dune rows that have mostly grasses and other non-woody plants in them. Look at dune areas adjacent to yours to determine which plants are best to use in similar areas. NEVER plant a non-native plant in dune areas; they may become invasive.		
<u>GRASSES, VINES, AND GROUNDCOVER</u>		

<u>Arrow Arum</u>	<u><i>Peltandra virginica</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Black Needle Rush</u>	<u><i>Juncus roemerianus</i></u>	<u>Tidal <b>wetland, Salt marsh buffer</b></u>
<u>Blue Flag Iris</u>	<u><i>Iris virginica</i></u>	<u>Freshwater <b>wetland</b></u>
<u>Bur-marigolds</u>	<u><i>Bidens sp. (yellow flower, blooms in fall)</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Buttonbush</u>	<u><i>Cephalanthus occidentalis</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Duck potato</u>	<u><i>Sagittaria latifolia</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Floating hearts</u>	<u><i>Nymphoides aquatica</i></u>	<u>Floating Plants</u>
<u>Fragrant water lily</u>	<u><i>Nymphaea odorata</i></u>	<u>Floating Plants</u>
<u>Golden club</u>	<u><i>Orontium aquaticum</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Hooded pitcher plant</u>	<u><i>Sarracenia minor</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Jack-in-the-pulpit</u>	<u><i>Arisaema triphyllum</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Large marsh pink</u>	<u><i>Sabatia dodecandra</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Lizard's Tail</u>	<u><i>Saururus cernuus</i></u>	<u>Freshwater <b>wetland</b></u>
<u>Maidencane</u>	<u><i>Panicum hemitoman</i></u>	<u>Freshwater <b>wetland</b></u>
<u>Muhley Grass</u>	<u><i>Muhlenbergia capillaris</i></u>	<u><b>Upland</b></u>
<u>Passion Flower</u>	<u><i>Passiflora incarnata</i></u>	<u><b>Upland</b></u>
<u>Pickernelweed</u>	<u><i>Pontederia cordata</i></u>	<u>Freshwater <b>wetland</b></u>
<u>Rushes</u>	<u><i>Juncus sp.</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Saltmeadow Cordgrass</u>	<u><i>Spartina patens</i></u>	<u><b>Upland</b></u>
<u>Salthay</u>	<u><i>Spartina patens</i></u>	<u><b>Salt marsh buffer</b></u>
<u>Sand Cordgrass</u>	<u><i>Spartina bakeri</i></u>	<u><b>Upland</b></u>
<u>Sea ox-eye</u>	<u><i>Borrchia frutescens</i></u>	<u><b>Salt marsh buffer</b></u>
<u>Smooth Cordgrass</u>	<u><i>Spartina alterniflora</i></u>	<u>Tidal <b>wetland</b></u>
<u>Soft Rush</u>	<u><i>Juncus effuses</i></u>	<u>Tidal <b>wetland</b></u>
<u>Spikerushes</u>	<u><i>Eleocharis sp.</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Swamp rose mallow</u>	<u><i>Hibiscus moscheutos</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Watershield</u>	<u><i>Brasenia schreberi</i></u>	<u>Floating Plants</u>
<u>Wild Rice</u>	<u><i>Zizania aquatica</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Wild Ginger</u>	<u><i>Asarum canadense</i></u>	<u><b>Upland</b></u>
<u>Woolgrass bulrush</u>	<u><i>Scirpus cyperinus</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Yellow canna</u>	<u><i>Canna flaccida</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Yellow Jassamine</u>	<u><i>Gelsemium sempervirens</i></u>	<u><b>Upland</b></u>
<u>Yellow fringed orchid</u>	<u><i>Habenaria ciliaris</i></u>	<u>Lower Bank/Shallow Water</u>
<b>SHRUBS AND SMALL TREES</b>		
<u>American holly</u>	<u><i>Ilex opaca</i></u>	<u><b>Upland</b></u>
<u>Beautyberry</u>	<u><i>Callicarpa Americana</i></u>	<u><b>Upland</b></u>
<u>Cabbage palmetto</u>	<u><i>Sabal palmetto</i></u>	<u><b>Upland, salt marsh buffer</b></u>
<u>Carolina cherry laurel</u>	<u><i>Prunus caroliniana</i></u>	<u><b>Upland</b></u>
<u>Chickasaw plum</u>	<u><i>Prunus angustifolia</i></u>	<u><b>Upland</b></u>
<u>Cinnamon fern</u>	<u><i>Osmunda cinnamomea</i></u>	<u><b>Upland</b></u>
<u>Common persimmon</u>	<u><i>Diospyros virginiana</i></u>	<u><b>Upland</b></u>
<u>Coral Bean</u>	<u><i>Erythrina herbacea</i></u>	<u><b>Upland</b></u>
<u>Coral honeysuckle</u>	<u><i>Lonicera sempervirens</i></u>	<u><b>Upland</b></u>
<u>Cross vine</u>	<u><i>Anisostichus capreolata</i></u>	<u><b>Upland</b></u>
<u>Dahoon Holly</u>	<u><i>Ilex cassine</i></u>	<u><b>Upland</b></u>
<u>Fetterbush</u>	<u><i>Lyonia lucida</i></u>	<u>Freshwater <b>wetland/Upland</b></u>
<u>Hercules' Club</u>	<u><i>Zanthoxylum clava-herculis</i></u>	<u><b>Upland, salt marsh buffer</b></u>

<u>Horse sugar</u>	<u><i>Symplocos tinctoria</i></u>	<u><b>Upland</b></u>
<u>Inkberry</u>	<u><i>Ilex glabra</i></u>	Freshwater <u><b>wetland/Upland</b></u>
<u>Loblolly Bay</u>	<u><i>Gordonia lasianthus</i></u>	<u><b>Upland</b></u>
<u>Redbay</u>	<u><i>Persea borbonia</i></u>	<u><b>Upland</b></u>
<u>Salt Myrtle</u>	<u><i>Baccharis halimifolia</i></u>	<u><b>Upland</b></u>
<u>Sassafras</u>	<u><i>Sassafras albidum</i></u>	<u><b>Upland</b></u>
<u>Saw Palmetto</u>	<u><i>Serona repens</i></u>	<u><b>Upland</b></u>
<u>Southern Red Cedar</u>	<u><i>Juniperus silicicola</i></u>	<u><b>Upland, salt marsh buffer</b></u>
<u>Sparkleberry</u>	<u><i>Vaccinium arboreum</i></u>	<u><b>Upland</b></u>
<u>Star Anise</u>	<u><i>Illicium floridanum</i></u>	<u><b>Upland</b></u>
<u>Sugarberry</u>	<u><i>Celtis laevigata</i></u>	<u><b>Upland</b></u>
<u>Tough bumelia</u>	<u><i>Bumelia tenax</i></u>	<u><b>Upland, salt marsh buffer</b></u>
<u>Trumpet vine</u>	<u><i>Campsis radicans</i></u>	<u><b>Upland</b></u>
<u>Wax Myrtle</u>	<u><i>Myrica ceriflora</i></u>	<u><b>Upland</b></u>
<u>Winged sumac</u>	<u><i>Rhus copallina</i></u>	<u><b>Upland</b></u>
<u>Witch Hazel</u>	<u><i>Hamamelis virginiana</i></u>	<u><b>Upland</b></u>
<u>Yaupon Holly</u>	<u><i>Ilex vomitoria</i></u>	<u><b>Upland</b></u>
<b>MEDIUM AND LARGE TREES</b>		
<u>American Holly</u>	<u><i>Ilex opaca</i></u>	<u><b>Upland</b></u>
<u>Bald Cypress</u>	<u><i>Taxodium distichum</i></u>	Freshwater <u><b>wetland/Upland</b></u>
<u>Black Gum</u>	<u><i>Nyssa sylvatica</i></u>	Freshwater <u><b>wetland/Upland</b></u>
<u>Florida Maple</u>	<u><i>Acer barbatum</i></u>	<u><b>Upland</b></u>
<u>Hickories, various species</u>	<u><i>Carya spp.</i></u>	<u><b>Upland</b></u>
<u>Laurel Oak</u>	<u><i>Quercus laurifolia</i></u>	<u><b>Upland</b></u>
<u>Little Gem Magnolia</u>	<u><i>Magnolia grandiflora</i> "Little Gem"</u>	<u><b>Upland</b></u>
<u>Live Oak</u>	<u><i>Quercus virginiana</i></u>	<u><b>Upland</b></u>
<u>Loblolly pine</u>	<u><i>Pinus taeda</i></u>	<u><b>Upland</b></u>
<u>Long leaf pine</u>	<u><i>Pinus Palustris</i></u>	<u><b>Upland</b></u>
<u>Red Maple</u>	<u><i>Acer rubrum</i></u>	Freshwater <u><b>wetland/Upland</b></u>
<u>Sabal palmetto</u>	<u><i>Sabal palmetto</i></u>	<u><b>Upland</b></u>
<u>Slash pine</u>	<u><i>Pinus elliotii</i></u>	<u><b>Upland</b></u>
<u>Southern Magnolia</u>	<u><i>Magnolia grandiflora</i></u>	<u><b>Upland</b></u>
<u>Southern Red Cedar</u>	<u><i>Juniperis silicicola</i></u>	<u><b>Upland</b></u>
<u>Southern Red Oak</u>	<u><i>Quercus falcata</i></u>	<u><b>Upland</b></u>
<u>Sweet Gum</u>	<u><i>Liquidamber styraciflua</i></u>	Freshwater <u><b>wetland/Upland</b></u>
<u>Water Oak</u>	<u><i>Quercus nigra</i></u>	<u><b>Upland</b></u>

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## **RECOMMENDED INVASIVE TREES AND PLANTS FOR REMOVAL**

**The following is a list of common Invasive Trees and Plants in the Lowcountry. The list contains plants and trees that negatively impact native plants and trees and are recommended for removal. Therefore, using a recommended native plant list is encouraged.**

- Autumn-Olive Tree
- Bamboo
- Beach Vitex ground cover
- Bradford Pear Tree
- Chinese Privet Shrub
- Chinese Silvergrass grass
- Chinese Tallow Tree
- Chinese Wisteria vine
- Cogongrass grass
- Common Reed (Phragmites) grass
- English Ivy vine
- Japanese Honeysuckle shrub
- Japanese Stiltgrass grass
- Kudzu Vine
- Multiflora Rose Shrub
- Non-Native Milkweed



**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**

<b>Case #:</b>	<b>Public Hearing Date:</b>
VAR-000251-2026	April 27, 2026

<b>Parcel or Location Data:</b>	<b>Property Owner</b>	<b>Applicant</b>
Address: 14 Pelican Street Parcel#: R520 015 00A 0467 0000 Zoning: RS-5	Daniel Kirchberg 14 Pelican Street Hilton Head Island, SC 29928	Daniel Kirchberg 14 Pelican Street Hilton Head Island, SC 29928

**Application Summary:**

Request from Daniel Kirchberg, owner of 14 Pelican St., also identified as Beaufort County Tax Map Parcel R550 015 00A 0467 0000, for a variance from LMO Section 16-6-104.F.2.a, General requirements, to remove a specimen tree that is located on a single family lot.

**Background:**

The subject property is a developed single-family residential lot and is located at 14 Pelican Street. The property is located within the RSF-5 District and subject to the Forest Beach Neighborhood Character Overlay (FB-NC-O). The subject parcel borders single-family residential uses to the north and south while fronting Pelican Street. (See Exhibit B.)

The request for the variance is to allow removal of a 36-inch Live Oak tree located immediately adjacent to the rear of the home so a new swimming pool can be constructed.

According to the applicant's narrative and site plan:

- The tree is located within the boundary of the proposed swimming pool.
- The tree is located within 9 ft of the structure

An ISA Certified Arborist report has not been provided to provide a condition analysis:

Additionally:

- The Forest Beach Owners Association, Inc. has approved the removal of the tree.

The purpose of the Residential Single-Family-5 (RSF-5) District is to primarily accommodate neighborhoods of single-family dwellings at densities ranging up to five units per acre. It is intended to discourage any use that would substantially interfere with the development of single-family dwellings or would be detrimental to the quiet residential nature of single-family neighborhoods. The district also accommodates agricultural uses and parks as permitted uses

Section 16-6-104.F.2.a of the Town’s Land Management Ordinance, LMO, reads. “No specimen tree may be removed except in accordance with paragraph below. In addition, all specimen trees shall have the following protections, whether located on public or private land.”

**Applicant’s Grounds for Variance, Summary of Facts:**

**Grounds for Variance:**

- Per the application, the applicant is seeking a variance from LMO Section 16-6-104-F.2.a, General requirements, specifically to remove a specimen tree that is located on a single-family lot.

**Summary of Fact:**

- The applicant seeks a variance as set forth in LMO Section 16-6-104.F.2.a

**Summary of Facts:**

- Application was submitted on March 9, 2026, as set forth in LMO Section 16-2-102.C and Appendix D-23.
- Notice of the Application was published in the Island Packet on April 5, 2026, as set forth in LMO Section 16-2-102.E.2.
- Notice of the Application was posted on April 8, 2026, as set forth in LMO Section 16-2-102.E.2.
- Notice of Application was mailed on April 7, 2026, 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.
- 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:**

*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 property contains a specimen tree that the applicant stated is approximately 36 inches in diameter.
- The subject property contains four (4) specimen live oak trees and one (1) significant 28” live oak tree.
- The subject parcel is approximately 0.27 acres in size and is generally consistent in size with adjacent parcels.

**Summary of Facts:**

*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 tree is within approximately nine feet to the home and is located within the proposed location of the swimming pool. The tree is not significantly closer than what is typically observed in a residential site condition within the surrounding area.
- The risk associated with the tree has not been professionally evaluated to determine if there is an imminent likelihood of failure. Absent such an analysis, the hazard level is considered typical of tree-related conditions in the vicinity.
- On March 19, 2026, I received a phone call from Jones Brothers Tree Service who the owner asks to examine the tree in question. Clay Jones an arborist stated that in his opinion the tree was healthy.

**Summary of Facts:**

*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 subject property contains four (4) specimen live oak trees.
- The property owner's proposal of a 350 sqft accessory use (swimming pool) is the sole reason for the removal of the specimen tree.
- The property owner's proposal of a 417 sqft permeable paver pool deck.

- The applicant has self-created this hardship due to the location and size of the pool. He could have proposed a smaller pool at an alternative location.

**Summary of Facts:**

*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 proposed variance is limited in scope to the removal of a single 36-inch diameter specimen tree and does not involve broader site alterations or changes to the overall development pattern of the property.
- The Forest Beach Owners Association, Inc. has approved the removal of the tree.
- The removal of the subject tree will not materially alter the established character of the neighborhood, which is defined by a mix of mature vegetation, residential structures, and maintained landscaping.
- The tree removal is not supported by a certified arborist.

**LMO Official Determination:**

**Based on the above Findings of Facts, it is staff’s recommendation that the Board considers the findings of facts and circumstances of this variance request and makes a decision that is believed to be the most fair and equitable decision for all parties involved in this matter.**

**PREPARED BY:**

BE  
 Brian Eber,  
 Interim Development Review Manager

4/10/2026  
 DATE

**REVIEWED BY:**

BE  
 Brian Eber,  
 Interim Development Review Manager

4/20/2026  
 DATE

**REVIEWED BY:**

\_\_\_\_\_

\_\_\_\_\_

TL

---

Trey Lowe,  
*Interim Planning Director and LMO  
Official*

4/20/26

---

DATE

**ATTACHMENTS:**

- A) Applicant's Variance Narrative and Site Plan**
- B) Subdivision Plat**
- C) 14 Pelican Location Map**
- D) LMO Ordinance No. 2025-13**
- E) 2026 Permit Site Plan**
- F) 350 Mailing Map**



**Town of Hilton Head Island**  
 Community Development Department  
 1 Town Center Court  
 Hilton Head Island, SC 29928  
 Phone: 843-341-4757 Fax: 843-341-2087  
[hiltonheadislandsc.gov](http://hiltonheadislandsc.gov)

FOR OFFICIAL USE ONLY  
 Date Received: 3/6/26  
 Accepted by: Cue  
 App. #: VAR: 0251-2024  
 Meeting Date: \_\_\_\_\_

\$250.00

**APPLICATION PACKET FOR  
 VARIANCE (VAR)**

Applicant		Property Owner	
Name: DANIEL Kirchberg		Name: Daniel Kirchberg	
Phone: 843-802-0074		Phone:	
Mailing Address: 14 Pelican St Hilton Head SC 29928		Mailing Address:	
Email: KIRCHZ@Verizon.net		Email:	
Town Business License # (if applicable): N/A			
Project Information			
Project Name:			
Project Address/Location: 14 Pelican St Hilton Head, SC 29928			
Zoning District: RSF5		Overlay District(s): Forest Beach FB-NC-C	
Parcel Number (PIN): R550 015 00A 0467 0000			
Project Description: New Pool in rear of house - requires removal of ONE(1) Live Oak and one(1) Palm. The Live Oak is >30in. The property has Three(3) other 30in Live Oaks and Two(2) <30in Live Oaks. Total inches of Live Oaks (79in) (After remov. 143in)			
Are there recorded private covenants and/or restrictions that are contrary to, conflict with, or prohibit the proposed request? If so, a copy of the private covenants and/or restrictions must be submitted with this application <input type="checkbox"/> YES or <input checked="" type="checkbox"/> NO			
Disclaimer: The Town of Hilton Head Island assumes no legal or financial liability to the applicant or any third party whatsoever by approving the plans associated with this permit.			
To the best of my knowledge, the information on this application and all additional documentation is true, factual, and complete. I hereby agree to abide by all conditions of any approvals granted by the Town of Hilton Head Island. I understand that such conditions shall apply to the subject property and are a right or obligation transferable by sale.			
I further understand that in the event of a State of Emergency due to a Disaster, the review and approval times set forth in the Land Management Ordinance may be suspended.			
Property Owner Signature:		Date:	
Applicant Signature:		Date: 3/6/2026	



**Town of Hilton Head Island**  
 Community Development Department  
 1 Town Center Court  
 Hilton Head Island, SC 29928  
 Phone: 843-341-4757 Fax: 843-341-2087  
[hiltonheadislandsc.gov](http://hiltonheadislandsc.gov)

**FOR OFFICIAL USE ONLY**  
 Date Received: 3/6/2026  
 Accepted by: \_\_\_\_\_  
 Permit #: 0251-2026

**AFFIDAVIT OF OWNERSHIP AND HOLD HARMLESS PERMISSION TO ENTER PROPERTY**

The undersigned being duly sworn and upon oath states as follows:

1. I am the current owner of the property which is the subject of this application.
2. I hereby authorize DANIEL KIRCHBERG to act as my agent for this application only.
3. All statements contained in this application have been prepared by me or my agents and are true and correct to the best of my knowledge.
4. The application is being submitted with my knowledge and consent.
5. Owner grants the Town, its employees, agents, engineers, contractors or other representatives the right to enter upon Owner's real property, located at 14 PELICAN ST (address), R \_\_\_\_\_ (parcel ID) for the purpose of application review, for the limited time necessary to complete that purpose.  
 Description of Work: VARIANCE
6. Owner agrees to hold the Town harmless for any loss or damage to persons or property occurring on the private property during the Town's entry upon the property, unless the loss or damage is the result of the sole negligence of the Town.
7. I acknowledge that the Town of Hilton Head Island Municipal Code requires that all construction in a Special Flood Hazard Zone be constructed in accordance with the following provisions that:
  - a. any enclosed area below the base flood elevation will be used solely for parking of vehicles, limited storage or access to the building. This space will never be used for human habitation without first becoming fully compliant with the Town's Flood Damage Controls Ordinance in effect at the time of conversion.
  - b. all interior walls, ceilings and floors below the base flood elevation will be constructed of flood resistant materials.
  - c. all mechanical, electrical and plumbing devices will be installed above base flood elevation.
  - d. walls of the enclosed area below base flood elevation will be equipped with at least two openings which allow automatic entry and exit of flood water. Openings will be on two different walls with at least one square inch of free area for every square foot of enclosed space and have the bottom of openings no more than a foot above grade.
  - e. the structure may be subject to increased premium rates for flood insurance from the National Flood Insurance Program.
8. I understand that failure to abide by Town permits, any conditions, and all codes adopted by the Town of Hilton Head Island deems me subject to enforcement action and/or fines.

Print Name: Daniel John Kirchberg Owner Signature: \_\_\_\_\_ Date: 3/6/2026  
 Phone No.: \_\_\_\_\_ Email: \_\_\_\_\_

The foregoing instrument was acknowledged before me by Daniel John Kirchberg who is personally known to me or has produced SC DL as identification and who did not take an oath.

WITNESS my hand and official seal this 6<sup>th</sup> day of March, A.D., 2026

[Signature] My Commission expires: 1/8/2034  
 Notary Public Signature Please affix seal or stamp

3/6/26, 11:57 AM

Property Viewer

Map Gallery



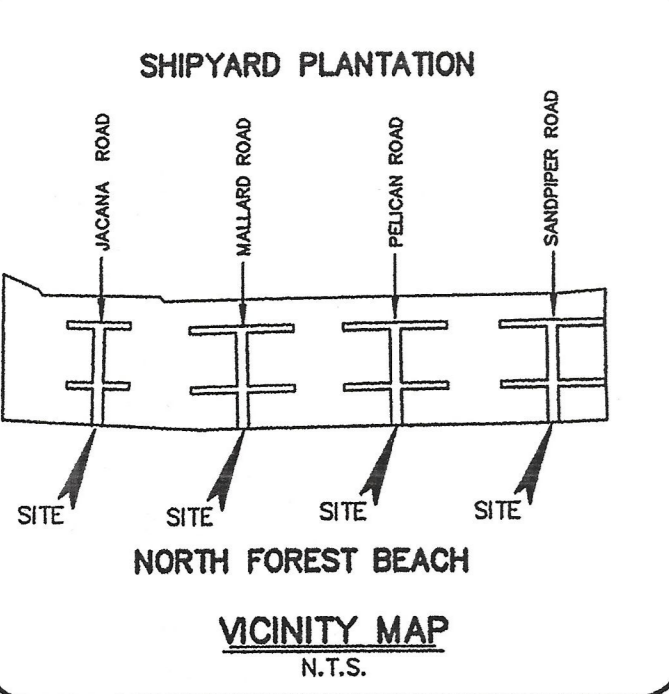
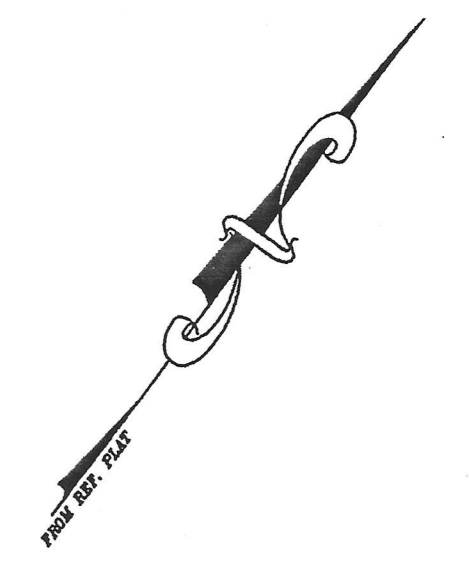
# Property Information Viewer



1.1128

-8987949, 3783102

**Exhibit B - Subdivision Plat**  
**VAR - 000251-2026**  
**14 Pelican St**

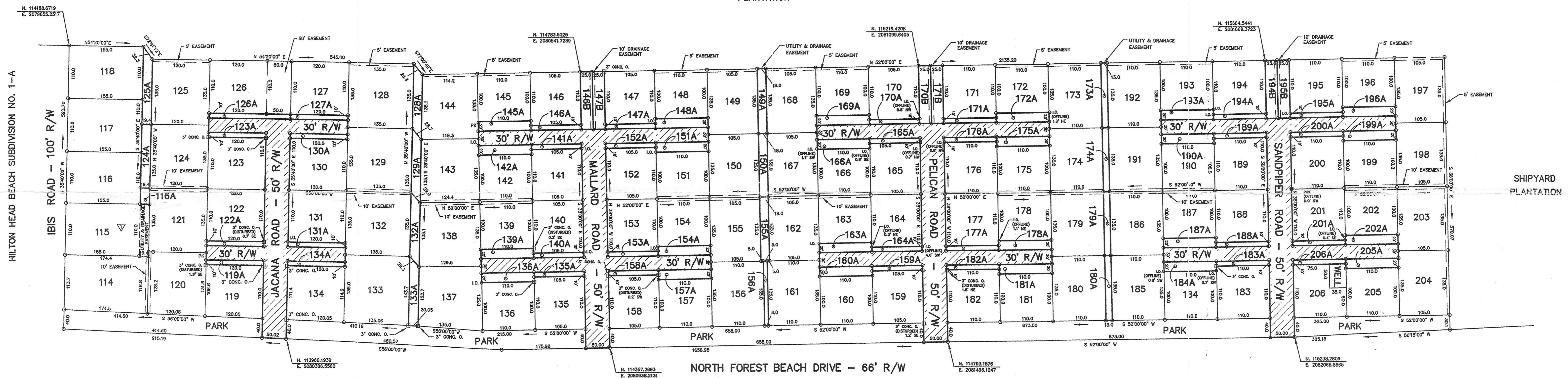


LOT	AREA	LOT	AREA
116A	0.015 Ac.	171A	0.025 Ac.
124A	0.060 Ac.	171B	0.089 Ac.
125A	0.066 Ac.	172A	0.051 Ac.
119A	0.028 Ac.	175A	0.051 Ac.
122A	0.028 Ac.	176A	0.025 Ac.
123A	0.028 Ac.	177A	0.025 Ac.
126A	0.039 Ac.	178A	0.051 Ac.
127A	0.028 Ac.	181A	0.051 Ac.
130A	0.028 Ac.	182A	0.025 Ac.
131A	0.028 Ac.	173A	0.040 Ac.
134A	0.028 Ac.	174A	0.040 Ac.
128A	0.059 Ac.	179A	0.040 Ac.
129A	0.060 Ac.	180A	0.040 Ac.
132A	0.061 Ac.	183A	0.025 Ac.
133A	0.061 Ac.	184A	0.051 Ac.
135A	0.024 Ac.	187A	0.051 Ac.
136A	0.051 Ac.	188A	0.025 Ac.
139A	0.051 Ac.	189A	0.025 Ac.
140A	0.024 Ac.	190A	0.051 Ac.
141A	0.024 Ac.	193A	0.051 Ac.
142A	0.051 Ac.	194A	0.025 Ac.
145A	0.051 Ac.	194B	0.069 Ac.
146A	0.024 Ac.	195A	0.025 Ac.
146B	0.069 Ac.	195B	0.069 Ac.
147A	0.024 Ac.	196A	0.051 Ac.
147B	0.069 Ac.	199A	0.051 Ac.
148A	0.051 Ac.	200A	0.025 Ac.
151A	0.051 Ac.	201A	0.025 Ac.
152A	0.024 Ac.	202A	0.051 Ac.
153A	0.024 Ac.	205A	0.051 Ac.
154A	0.051 Ac.	208A	0.025 Ac.
157A	0.051 Ac.	149A	0.056 Ac.
158A	0.024 Ac.	150A	0.056 Ac.
159A	0.024 Ac.	155A	0.056 Ac.
160A	0.051 Ac.	156A	0.025 Ac.
163A	0.051 Ac.		
164A	0.024 Ac.		
165A	0.024 Ac.		
166A	0.051 Ac.		
169A	0.051 Ac.		
170A	0.024 Ac.		
170B	0.069 Ac.		

PROPERTY TO BE CONVEYED TO THE TOWN OF HILTON HEAD ISLAND.

JACANA ROAD = 0.859 Ac.  
MALLARD ROAD = 1.120 Ac.  
PELICAN ROAD = 1.127 Ac.  
SANDPIPER ROAD = 1.134 Ac.

**TOTAL TO BE CONVEYED = 4.240 Ac.**  
**TO THE TOWN OF HILTON HEAD ISLAND**



HILTON HEAD BEACH SUBDIVISION #2

APPROVED BY  
TOWN OF HILTON HEAD ISLAND  
PLANNING DEPARTMENT

DATE: 4/11/03  
STAFF: [Signature]

**SYMBOLS**

PK O - PK NAIL (OLD)  
I.O. O - IRON PIN (OLD)  
3" CONC. O. □ - CONCRETE MONUMENT (FOUND)  
PIPE ● - IRON PIPE (OLD)

**REFERENCE PLAT**

1) A PLAT OF HILTON HEAD BEACH SUBDIVISION NO. 2-A, NORTH FOREST BEACH, DRAWN: 06/1958 R.M.C. BEAUFORT COUNTY, SC BY: FRED C. HACK, S.C.R.L.S. NO. 1377

DISTRICT: 551, MAP: 15A, PARCEL: VARIOUS

THIS PROPERTY LIES IN F.E.M.A. COMMUNITY #: 450250  
PANEL #: 0013D  
DATE: 09/29/86  
FLOOD ZONE: A7  
(BASE ELEVATION = 14.0)

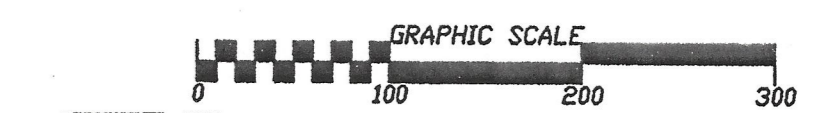
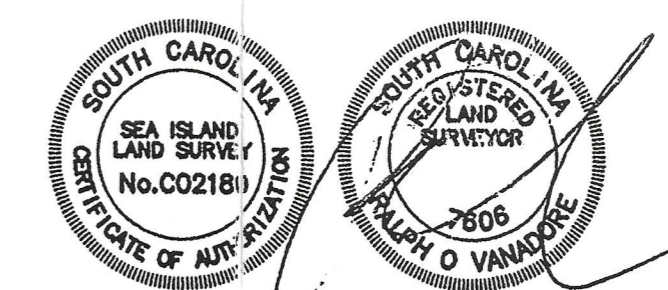
BEAUFORT COUNTY SC. ROD  
BK 00092 P 0107 IN 2003029077  
DATE: 04/15/2003 12:33:43 PM  
REC BY B BING RCP1H 138716

SURVEY OF:  
BOUNDARY RECONFIGURATION OF,  
JACANA, MALLARD, PELICAN & SANDPIPER ROADS,  
HILTON HEAD BEACH SUBDIVISION NO. 2-A,  
HILTON HEAD ISLAND,  
BEAUFORT COUNTY, SOUTH CAROLINA

PREPARED FOR:  
PROPERTY RESEARCH HOLDINGS

DATE: 01/24/02  
REVISED: 03/14/03  
REVISED: 03/17/03

SCALE: 1" = 100'



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

NOT W/LID UNLESS EMBOSSED.

**SIS** Sea Island Land Survey, LLC  
P.O. Box 21568, Hilton Head Island, SC 29925 Tel (843) 681-3248  
4-D Mathews Court, Hilton Head Island, SC 29926 Fax (843) 689-3871  
FILE No : 01384 DWG No : 2-873  
COPYRIGHT © BY SEA ISLAND LAND SURVEY, LLC. RNB Page 43 of 59



TOWN OF HILTON HEAD ISLAND  
ONE TOWN CENTER COURT  
HILTON HEAD ISLAND, S.C. 29928  
PHONE (843) 341-4000  
FAX (843) 341-4000  
WWW.HILTONHEADISLANDSC.COM

### Exhibit C Location Map VAR 000251-2026

### Town of Hilton Head Island

Location Map  
14 Pelican St.  
March 26, 2026



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 disclaims any liability for its accuracy or status of completion or for any losses arising from the use of the map.

**TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA**

**ORDINANCE NO. 2025-13**

**AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND TO AMEND CHAPTER 16 OF THE MUNICIPAL CODE, THE LAND MANAGEMENT ORDINANCE, TO AMEND CURRENT REGULATIONS FOR TREE PROTECTION TO INCLUDE SECTIONS: 16-5-115, 16-6-104 AND APPENDIX C FOR THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the Town Council for the Town of Hilton Head Island, South Carolina, has identified a continued need for the adoption of LMO Amendments to address needs and issues in the Town as such arise; and,

**WHEREAS**, the Town Council seeks to amend the Land Management Ordinance to increase tree protection requirements for development to enhance ecological outcomes, and promote sustainable development; and,

**WHEREAS**, on May 21, 2025, the Planning Commission held a Public Hearing to consider the proposed amendments to increase tree protection requirements for development, and the public had an opportunity to comment on the proposed amendments, and the Planning Commission voted unanimously to recommend adoption of the amendments to increase tree protection requirements for development; and,

**WHEREAS**, on June 16, 2025, the Community Services & Public Safety Committee voted unanimously to recommend approval of the proposed amendments to increase tree protection requirements for development; and,

**WHEREAS**, the Town Council finds it is in the best interest of the Town and its citizens, residents and visitors to amend Land Management Ordinance by amending the current regulations for tree protection.

**NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE TOWN COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, AND IT IS HEREBY ORDERED AND ORDAINED BY AND UNDER AUTHORITY OF SAID TOWN COUNCIL, AS FOLLOWS:**

**Section 1. Amendment.** That the Land Management Ordinance is amended as shown on Exhibit "A" to this Ordinance. Newly added language is illustrated with double underline and deleted language is illustrated with ~~strikethrough~~.

**Section 2. Severability.** If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion

shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**Section 3. Effective Date.** This Ordinance shall be effective upon its adoption by the Town Council of the Town of Hilton Head Island, South Carolina.

**PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND ON THIS 19<sup>TH</sup> DAY OF AUGUST, 2025.**

THE TOWN OF HILTON HEAD  
ISLAND, SOUTH CAROLINA

  
Alan R. Perry, Mayor

ATTEST:

  
Kimberly Gammon, Town Clerk

First Reading: July 15, 2025

Second Reading: August 19, 2025

APPROVED AS TO FORM:

  
Curtis L. Coltrane, Town Attorney

## Chapter 16-5: Development and Design Standards

### Sec.16-5-115. Subdivision Standards

#### A. Purpose and Intent

The purpose of *subdivision* layout is to create a functional and attractive *development* with infrastructure and *lots* appropriately sized and located to minimize adverse impacts. The intent of this section is to provide clear requirements and guidelines for *subdivision* design for both Major and Minor Subdivisions.

*Subdivisions* should promote the health, safety, convenience, order, prosperity and welfare of the present and future residents of the *Town* by:

- a. Providing for the orderly growth and *development* of the *Town*;
- b. Coordinating with the existing *street* system, transportation plans, and public facilities;
- c. Providing *right-of-way* for *street* and vehicular *easements*;
- d. Avoiding congestion and overcrowding and encouraging proper arrangement of *streets* in relation to existing planned *streets*;
- e. [Preservation of the natural tree canopy and preservation of protected tree species](#);
- e.f. Ensuring there is adequate *open space* and recreation facilities; and
- f.g. Ensuring there is proper recordation of *land* ownership.

#### C. General Requirements

1. Layout of the *subdivision* shall be based on complete *site* analysis. *Streets* and *lots* shall be designed to preserve significant trees, stands of trees and understory vegetation and situated to minimize alteration of natural and historic *site* features to be preserved.
2. The *subdivision* layout shall consider the practicality and economic feasibility of *development* of individual *lots* including the environmental characteristics, size of the *site*, and the requirements of [this the Ordinance](#).
3. The applicant is required to demonstrate that they have made all reasonable efforts to preserve unique and fragile elements on site, including but not limited to wetlands, ~~significant stands of~~ [significant stands of trees](#) and individual *trees* of significant size, with *development* reserved for environmentally stable areas.  
*(Revised 1-7-2020 - Ordinance 2020-02; revised 3-7-2023 - Ordinance 2023-04)*
4. *Open space* and recreational areas shall be planned in accordance with Sec. 16-5-104, Open Space Standards.
5. *Lots* shall be situated so that stormwater may be easily directed away from *buildings* in subsequent *site-specific development*. *Lots* shall be configured so that *buildings* and general *flood* sensitive *site* facilities can be located out of drainageways. *Subdivisions* shall be designed so as to comply with Sec. 16-5-109, Stormwater Management and Erosion and Sedimentation Control Standards.
6. All *lots* shall have the *access* required by Sec. 16-5-105.I, Access to Streets.

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## Chapter 16-6: Natural Resource Protection

### Sec.16-6-104. Tree Protection

#### B. Applicability

#### 2. Exemptions

- a. The following activities are exempt from the standards in this section and the requirement for a Natural Resources Permit:
  - i. Removal of damaged protected **trees** during an emergency such as a hurricane, tornado, ice or wind storm, **flood**, wildfire or any other such act of nature;
  - ii. The removal of invasive species;
  - iii. Removal of a **hazardous tree**, provided such removal is reported to the **Official** within five days after removal. Removal of a **hazardous tree** may require mitigation at the discretion of the ~~Official~~ **Official**;  
*(Revised 1-7-2020 - Ordinance 2020-02)*
  - iv. The selective and limited pruning and removal of **trees** or vegetation within **sight triangles** (see Sec. 16-5-105.H.4, Sight Triangles) as necessary to obtain clear visibility at **street** and **driveway** intersections;
  - v. Necessary **tree** removal by a utility company consistent with plans submitted periodically to the **Official** for approval in accordance with Sec. 16-5-110, Utility Standards, provided such plans include appropriate provision for removal of any felled **trees**;
  - vi. Topping of healthy **trees** is only permitted on **land** of the Hilton Head Island Airport, and only for the **maintenance** of the slope approaches to the airport as referenced in Sec. 16-3-106.E, Airport Overlay (A-O) District;
  - vii. **Tree** removal associated with forestry activities shielded from local **development** regulation in accordance with S.C. Code Ann. § 48-23-205, subject to the limitations on subsequent **development** in Sec. 16-6-104.E, Limitations on Development Applications Subsequent to Exempt Forestry Activity; and
  - viii. Routine or seasonal pruning (see Sec. 16-5-103.H, Existing Vegetation, for restrictions on limbing **trees** in adjacent street and use buffers), subject to the following requirements and conditions:
    01. Pruning shall be done according to the guidelines of the International Society of Arboriculture, as published in the *Arborist Certification Guide*.
    02. No more than ten percent of the **tree's** leaf surface shall be removed.
    03. Climbing spikes shall not be used on **trees** that are not being removed.
    04. **Property owners** bear the burden of proving that they have met the above requirements.
  - ix. Removal or pruning of trees in the PD-1 zoning district under the following conditions:

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01. On the Common Property owned by a Property Owners Association, to which all landowners of property located behind the security gate must belong, that is behind any security gate or access point that is manned a minimum of eight (8) hours per day, or at any point within the Spanish Wells PD-1, where the **tree** or **trees** to be removed or pruned are:

- a) Damaged, dead or dying or a fall hazard; or,
- b) Causing an actual, imminent hazard to pedestrian, bicycle or vehicular travel because roots of any **tree** or **trees** have uplifted pavement, or because branches and foliage are impeding travel sight lines, or because branches and foliage impede travel areas for pedestrians, bicycles and vehicles, and no feasible alternative to removing or pruning the **tree** or **trees** exists.

b. No Natural Resources Permit is required where the proposed **tree** removal or alteration is reviewed and authorized in accordance with an approved Subdivision Plan (see Sec. 16-2-103.F), Development Plan (Minor or Major) (see Sec. 16-2-103.G), Small Residential Development (see Sec. 16-2-103.H) or Public Project (see Sec. 16-2-103.Q)—though compliance with the standards in this section is required.

### **C. Tree Protection Information in Applications**

#### **2. Tree Survey**

- a. The **tree survey** shall be in the form of a map or a **site plan** prepared and sealed by a registered **land** surveyor within two years of the date of **application**. The **tree survey** shall be at the same scale as the required **site development** plan and shall include the following information:
  - i. The location of all Category I, II and IV **trees** with a **DBH** of 6 inches or greater, Category III **trees** (other than cedar and palmetto **trees**) with a **DBH** of 12 inches or greater and cedar and palmetto **trees** with a **DBH** of 8 inches or greater within the areas to be developed and within areas 25 feet beyond such area in each direction, or extending to the property line, whichever is less;  
*(Revised 5-17-2016 - Ordinance 2016-07)*
  - ii. The location of any **trees** with a **DBH** less than 6 inches (Category I, II and IV), less than 8 inches (cedar and palmetto **trees**), and less than 12 inches (Category III other than cedar and palmetto **trees**) that the **applicant** wishes to count toward the minimum standard of **tree** coverage on the **site**; and  
*(Revised 5-17-2016 - Ordinance 2016-07)*
  - iii. The species and **DBH** of all **trees**.
- b. In conjunction with the **tree survey**, **trees** shall be marked with color ribbons, using blue ribbons to mark **trees** to be preserved, red ribbons for **trees** to be removed, and orange ribbons for hazardous **trees** that are proposed to be removed (hazardous **trees** will not count towards the overall required **tree** replacement). In heavily wooded areas, the **Official** may allow ~~large groups of a significant stand of trees~~ to be preserved or removed to be marked with the appropriately colored ribbon extending around the perimeter of the group of **trees**.

## F. Specimen and Significant Tree Preservation

### 1. Specimen and Significant Tree Defined

For purposes of this section, a specimen tree is any tree of a species designated by the State or federal government as an endangered, threatened, or rare species, or any tree of a type and with a DBH equal or greater than that indicated in Table 16-6-104.F.1, Specimen Trees, for the tree type. A tree that is within 20% of the size classified as a specimen, is considered a significant tree.

(Revised 5-17-2016 - Ordinance 2016-07; revised 1-7-2020 - Ordinance 2020-02)

TABLE 16-6-104.F.1: SPECIMEN AND SIGNIFICANT TREES			
TREE TYPE		SPECIMEN DBH (INCHES)	SIGNIFICANT DBH (INCHES)
Live oak	Single trunk	<del>35-30</del>	<del>28-24</del>
	Multiple trunks	<del>60-55</del> (sum of all trunks)	<del>48-41</del>
Laurel oak		<del>35-30</del>	<del>28-24</del>
Water oak		30	24
Red oak		25	20
White oak		20	16
All hickories		20	16
American elm		15	12
Loblolly and slash pines		35	28
Longleaf and pond pines		25	20
Red bay		10	8
Southern magnolia		30	24
Bald cypress and pond cypress		15	12
Black gum and sweet gum		30	24
Red maple		30	24
Spruce pine		Any size	Any size
Red cedar		10	8
Sycamore		30	24
Black cherry		25	20
Sassafras		6	5

(Revised 1-7-2020 - Ordinance 2020-02)

### 2. General Requirements

- a. No **specimen tree** may be removed except in accordance with paragraph b below. In addition, all **specimen trees** shall have the following protections, whether located on public or private **land**, with the exception of ~~specimen trees~~ located on ~~single-family lots~~:

(Revised 5-17-2016 - Ordinance 2016-07)

- i. Any activities performed within the drip line of a **specimen tree** shall have the prior approval of the **Official**.
- ii. **Specimen trees** shall not be cut, removed, pushed over, killed, or otherwise harmed.

- iii. No more than 20 percent of the total area within the drip line of any **specimen tree** shall be subject to paving or soil compaction, and no paving or soil compaction is allowed within 15 feet of the **tree** trunk. (See Figure 16-6-104.F.2: Limits of Paving or Compaction near Specimen Trees.) The **Official** may allow paving or soil compaction beyond the 20 percent limit if low impact **development** techniques (e.g., **pervious** pavers, materials placed at or above **grade**, no use of mechanical machinery) are used as an alternative means of protecting the **specimen tree**.

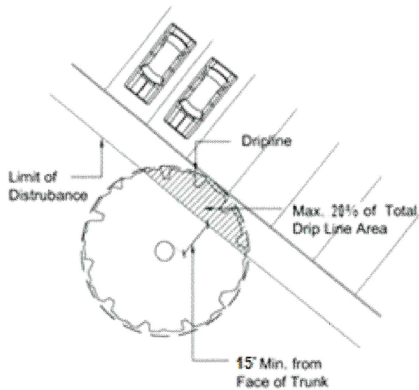


Figure 16-6-104.F.2: Limits of Paving or Compaction near Specimen Trees

- b. If preservation of a **specimen tree** causes unnecessary hardship, the **applicant** may apply for a variance from this subsection (see Sec. 16-2-103.S, Variance) once any required **State** or federal government agency approval, if applicable, to remove the **tree** is received in writing.

(Revised 4-18-2017 - Ordinance 2017-05)

## I. Standards for Supplemental and Replacement Trees

### 3. Replacement Rate, Tree Category, Planting Size

- a. **Trees** that are removed shall be replaced at the rate of one **tree** for every ten **tree** inches removed per **tree** category.
- b. Supplemental and replacement **trees** shall be within the same or lower-numbered **tree** category (see Sec. 16-6-104.H, Tree Equivalency Table) as the **trees** being replaced.
- c. At the time of planting, supplemental and replacement **trees** shall have the minimum **height** and trunk diameter shown in Table 16-6-104.I.3 for the category of the **tree**.

TABLE 16-6-104.I.3: MINIMUM PLANTING SIZE FOR SUPPLEMENTAL AND REPLACEMENT TREES		
TREE CATEGORY	MINIMUM HEIGHT (FEET)	MINIMUM TRUNK DIAMETER (INCHES) (USING ANSI STANDARDS)
Category I	10-12	2-4
Category II	10-12	2-4
Category III	6-8	1-2

Category IV	6-8	1-2
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(Revised 4-18-2017 - Ordinance 2017-05)

## Appendix C: Recommended Native Plants

RECOMMENDED NATIVE PLANTS FOR BUFFERS AND WETLANDS		
This list is meant to be used as a guide, and is not all inclusive. Buffer and <i>wetland</i> plants are intended to supply a year-round filtering and habitat function. Therefore, using a diverse selection of flora is highly encouraged.		
COMMON NAME	LATIN NAME	LOCATION
<b>GRASSES, VINES, AND GROUNDCOVER</b>		
Black Needle-Rush	<i>Juncus roemerianus</i>	Tidal <i>wetland</i>
Blue-Flag-Iris	<i>Iris virginica</i>	Freshwater <i>wetland</i>
Lizard's Tail	<i>Saururus cernuus</i>	Freshwater <i>wetland</i>
Maidencane	<i>Panicum hemitoman</i>	Freshwater <i>wetland</i>
Muhley-Grass	<i>Muhlenbergia capillaris</i>	<i>Upland</i>
Passion-Flower	<i>Passiflora incarnata</i>	<i>Upland</i>
Pickeralweed	<i>Pontederia cordata</i>	Freshwater <i>wetland</i>
Saltmeadow-Cordgrass	<i>Spartina patens</i>	<i>Upland</i>
Sand-Cordgrass	<i>Spartina bakeri</i>	<i>Upland</i>
Smooth-Cordgrass	<i>Spartina alterniflora</i>	Tidal <i>wetland</i>
Soft-Rush	<i>Juncus effuses</i>	Tidal <i>wetland</i>
Wild-Ginger	<i>Asarum canadense</i>	<i>Upland</i>
Yellow-Jasmine	<i>Gelsemium sempervirens</i>	<i>Upland</i>
<b>SHRUBS AND SMALL TREES</b>		
Beautyberry	<i>Callicarpa Americana</i>	<i>Upland</i>
Coral-Bean	<i>Erythrina herbacea</i>	<i>Upland</i>
Dahoon-Holly	<i>Ilex cassine</i>	<i>Upland</i>
Fetterbush	<i>Lyonia lucida</i>	Freshwater <i>wetland/Upland</i>
Inkberry	<i>Ilex glabra</i>	Freshwater <i>wetland/Upland</i>
Loblolly-Bay	<i>Gordonia lasianthus</i>	<i>Upland</i>
Salt-Myrtle	<i>Baccharis halimifolia</i>	<i>Upland</i>
Saw-Palmetto	<i>Serona repens</i>	<i>Upland</i>
Sparkleberry	<i>Vaccinium arboreum</i>	<i>Upland</i>
Star-Anise	<i>Illicium floridanum</i>	<i>Upland</i>
Wax-Myrtle	<i>Myrica ceriflora</i>	<i>Upland</i>
Witch-Hazel	<i>Hamamelis virginiana</i>	<i>Upland</i>
Yaupon-Holly	<i>Ilex vomitoria</i>	<i>Upland</i>
<b>MEDIUM AND LARGE TREES</b>		
American-Holly	<i>Ilex opaca</i>	<i>Upland</i>

Bald Cypress	<i>Taxodium distichum</i>	Freshwater <i>wetland/Upland</i>
Black Gum	<i>Nyssa sylvatica</i>	Freshwater <i>wetland/Upland</i>
Laurel Oak	<i>Quercus laurifolia</i>	<i>Upland</i>
Little Gem Magnolia	<i>Magnolia grandiflora</i> "Little Gem"	<i>Upland</i>
Live Oak	<i>Quercus virginiana</i>	<i>Upland</i>
Red Maple	<i>Acer rubrum</i>	Freshwater <i>wetland/Upland</i>
Sabal palmetto	<i>Sabal palmetto</i>	<i>Upland</i>
Southern Magnolia	<i>Magnolia grandiflora</i>	<i>Upland</i>
Southern Red Cedar	<i>Juniperis silicicola</i>	<i>Upland</i>
Sweet Gum	<i>Liquidamber styraciflua</i>	Freshwater <i>wetland/Upland</i>

### RECOMMENDED NATIVE PLANTS FOR BUFFERS AND WETLANDS

This list is meant to be used as a guide, and is not all inclusive. *Buffer* and *wetland* plants are intended to supply a year-round filtering and habitat function. Therefore, using a diverse selection of flora is highly encouraged.

<u>COMMON NAME</u>	<u>LATIN NAME</u>	<u>LOCATION</u>
<u>NATIVE PLANTS FOR DUNES</u>		
<u>Beach evening primrose</u>	<u>Oenothera drummondii</u>	<u>Primary Dune</u>
<u>Beach morning glory</u>	<u>Ipomoea imperati</u>	<u>Primary Dune</u>
<u>Bear-grass (yucca)</u>	<u>Yucca filamentosa</u>	<u>Primary Dune</u>
<u>Camphor weed</u>	<u>Heterotheca subaxillaris</u>	<u>Primary Dune</u>
<u>Climbing Butterfly pea</u>	<u>Centrosema virginianum</u>	<u>Primary Dune</u>
<u>Devil-joint cactus</u>	<u>Opuntia drummondii</u>	<u>Primary Dune</u>
<u>Dune sunflower</u>	<u>Helianthus debilis</u>	<u>Primary Dune</u>
<u>Dwarf palmetto</u>	<u>Sabal minor</u>	<u>Primary Dune</u>
<u>Moundlily yucca</u>	<u>Yucca gloriosa</u>	<u>Primary Dune</u>
<u>Prickly pear cactus</u>	<u>Opuntia compressa</u>	<u>Primary Dune</u>
<u>Purple passion flower (vine)</u>	<u>Passiflora incarnata</u>	<u>Primary Dune</u>
<u>Railroad vine</u>	<u>Ipomea pes-caprae</u>	<u>Primary Dune</u>
<u>Salt myrtle</u>	<u>Baccharus halimifolia</u>	<u>Primary Dune</u>
<u>Saw palm</u>	<u>Serenoa repens</u>	<u>Primary Dune</u>
<u>Sea oats</u>	<u>Uniola paniculata</u>	<u>Primary Dune</u>
<u>Seaside panicum</u>	<u>Panicum amarum</u>	<u>Primary Dune</u>
<u>Spanish bayonet</u>	<u>Yucca aloifolia</u>	<u>Primary Dune</u>
<u>Wax myrtle</u>	<u>Myrica cerifera</u>	<u>Primary Dune</u>
<u>Yaupon holly</u>	<u>Ilex vomitoria</u>	<u>Primary Dune</u>
<u>Yellow passion flower (vine)</u>	<u>Passiflora lutea</u>	<u>Primary Dune</u>
*Dune fields can contain several dune rows that have mostly grasses and other non-woody plants in them. Look at dune areas adjacent to yours to determine which plants are best to use in similar areas. NEVER plant a non-native plant in dune areas; they may become invasive.		
<u>GRASSES, VINES, AND GROUNDCOVER</u>		

<u>Arrow Arum</u>	<u><i>Peltandra virginica</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Black Needle Rush</u>	<u><i>Juncus roemerianus</i></u>	<u>Tidal <b>wetland, Salt marsh buffer</b></u>
<u>Blue Flag Iris</u>	<u><i>Iris virginica</i></u>	<u>Freshwater <b>wetland</b></u>
<u>Bur-marigolds</u>	<u><i>Bidens sp. (yellow flower, blooms in fall)</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Buttonbush</u>	<u><i>Cephalanthus occidentalis</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Duck potato</u>	<u><i>Sagittaria latifolia</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Floating hearts</u>	<u><i>Nymphoides aquatica</i></u>	<u>Floating Plants</u>
<u>Fragrant water lily</u>	<u><i>Nymphaea odorata</i></u>	<u>Floating Plants</u>
<u>Golden club</u>	<u><i>Orontium aquaticum</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Hooded pitcher plant</u>	<u><i>Sarracenia minor</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Jack-in-the-pulpit</u>	<u><i>Arisaema triphyllum</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Large marsh pink</u>	<u><i>Sabatia dodecandra</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Lizard's Tail</u>	<u><i>Saururus cernuus</i></u>	<u>Freshwater <b>wetland</b></u>
<u>Maidencane</u>	<u><i>Panicum hemitoman</i></u>	<u>Freshwater <b>wetland</b></u>
<u>Muhley Grass</u>	<u><i>Muhlenbergia capillaris</i></u>	<u><b>Upland</b></u>
<u>Passion Flower</u>	<u><i>Passiflora incarnata</i></u>	<u><b>Upland</b></u>
<u>Pickernelweed</u>	<u><i>Pontederia cordata</i></u>	<u>Freshwater <b>wetland</b></u>
<u>Rushes</u>	<u><i>Juncus sp.</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Saltmeadow Cordgrass</u>	<u><i>Spartina patens</i></u>	<u><b>Upland</b></u>
<u>Salthay</u>	<u><i>Spartina patens</i></u>	<u><b>Salt marsh buffer</b></u>
<u>Sand Cordgrass</u>	<u><i>Spartina bakeri</i></u>	<u><b>Upland</b></u>
<u>Sea ox-eye</u>	<u><i>Borrchia frutescens</i></u>	<u><b>Salt marsh buffer</b></u>
<u>Smooth Cordgrass</u>	<u><i>Spartina alterniflora</i></u>	<u>Tidal <b>wetland</b></u>
<u>Soft Rush</u>	<u><i>Juncus effuses</i></u>	<u>Tidal <b>wetland</b></u>
<u>Spikerushes</u>	<u><i>Eleocharis sp.</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Swamp rose mallow</u>	<u><i>Hibiscus moscheutos</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Watershield</u>	<u><i>Brasenia schreberi</i></u>	<u>Floating Plants</u>
<u>Wild Rice</u>	<u><i>Zizania aquatica</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Wild Ginger</u>	<u><i>Asarum canadense</i></u>	<u><b>Upland</b></u>
<u>Woolgrass bulrush</u>	<u><i>Scirpus cyperinus</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Yellow canna</u>	<u><i>Canna flaccida</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Yellow Jassamine</u>	<u><i>Gelsemium sempervirens</i></u>	<u><b>Upland</b></u>
<u>Yellow fringed orchid</u>	<u><i>Habenaria ciliaris</i></u>	<u>Lower Bank/Shallow Water</u>
<b>SHRUBS AND SMALL TREES</b>		
<u>American holly</u>	<u><i>Ilex opaca</i></u>	<u><b>Upland</b></u>
<u>Beautyberry</u>	<u><i>Callicarpa Americana</i></u>	<u><b>Upland</b></u>
<u>Cabbage palmetto</u>	<u><i>Sabal palmetto</i></u>	<u><b>Upland, salt marsh buffer</b></u>
<u>Carolina cherry laurel</u>	<u><i>Prunus caroliniana</i></u>	<u><b>Upland</b></u>
<u>Chickasaw plum</u>	<u><i>Prunus angustifolia</i></u>	<u><b>Upland</b></u>
<u>Cinnamon fern</u>	<u><i>Osmunda cinnamomea</i></u>	<u><b>Upland</b></u>
<u>Common persimmon</u>	<u><i>Diospyros virginiana</i></u>	<u><b>Upland</b></u>
<u>Coral Bean</u>	<u><i>Erythrina herbacea</i></u>	<u><b>Upland</b></u>
<u>Coral honeysuckle</u>	<u><i>Lonicera sempervirens</i></u>	<u><b>Upland</b></u>
<u>Cross vine</u>	<u><i>Anisostichus capreolata</i></u>	<u><b>Upland</b></u>
<u>Dahoon Holly</u>	<u><i>Ilex cassine</i></u>	<u><b>Upland</b></u>
<u>Fetterbush</u>	<u><i>Lyonia lucida</i></u>	<u>Freshwater <b>wetland/Upland</b></u>
<u>Hercules' Club</u>	<u><i>Zanthoxylum clava-herculis</i></u>	<u><b>Upland, salt marsh buffer</b></u>

<u>Horse sugar</u>	<u><i>Symplocos tinctoria</i></u>	<u><b>Upland</b></u>
<u>Inkberry</u>	<u><i>Ilex glabra</i></u>	Freshwater <u><b>wetland/Upland</b></u>
<u>Loblolly Bay</u>	<u><i>Gordonia lasianthus</i></u>	<u><b>Upland</b></u>
<u>Redbay</u>	<u><i>Persea borbonia</i></u>	<u><b>Upland</b></u>
<u>Salt Myrtle</u>	<u><i>Baccharis halimifolia</i></u>	<u><b>Upland</b></u>
<u>Sassafras</u>	<u><i>Sassafras albidum</i></u>	<u><b>Upland</b></u>
<u>Saw Palmetto</u>	<u><i>Serona repens</i></u>	<u><b>Upland</b></u>
<u>Southern Red Cedar</u>	<u><i>Juniperus silicicola</i></u>	<u><b>Upland, salt marsh buffer</b></u>
<u>Sparkleberry</u>	<u><i>Vaccinium arboreum</i></u>	<u><b>Upland</b></u>
<u>Star Anise</u>	<u><i>Illicium floridanum</i></u>	<u><b>Upland</b></u>
<u>Sugarberry</u>	<u><i>Celtis laevigata</i></u>	<u><b>Upland</b></u>
<u>Tough bumelia</u>	<u><i>Bumelia tenax</i></u>	<u><b>Upland, salt marsh buffer</b></u>
<u>Trumpet vine</u>	<u><i>Campsis radicans</i></u>	<u><b>Upland</b></u>
<u>Wax Myrtle</u>	<u><i>Myrica ceriflora</i></u>	<u><b>Upland</b></u>
<u>Winged sumac</u>	<u><i>Rhus copallina</i></u>	<u><b>Upland</b></u>
<u>Witch Hazel</u>	<u><i>Hamamelis virginiana</i></u>	<u><b>Upland</b></u>
<u>Yaupon Holly</u>	<u><i>Ilex vomitoria</i></u>	<u><b>Upland</b></u>
<b>MEDIUM AND LARGE TREES</b>		
<u>American Holly</u>	<u><i>Ilex opaca</i></u>	<u><b>Upland</b></u>
<u>Bald Cypress</u>	<u><i>Taxodium distichum</i></u>	Freshwater <u><b>wetland/Upland</b></u>
<u>Black Gum</u>	<u><i>Nyssa sylvatica</i></u>	Freshwater <u><b>wetland/Upland</b></u>
<u>Florida Maple</u>	<u><i>Acer barbatum</i></u>	<u><b>Upland</b></u>
<u>Hickories, various species</u>	<u><i>Carya spp.</i></u>	<u><b>Upland</b></u>
<u>Laurel Oak</u>	<u><i>Quercus laurifolia</i></u>	<u><b>Upland</b></u>
<u>Little Gem Magnolia</u>	<u><i>Magnolia grandiflora</i> "Little Gem"</u>	<u><b>Upland</b></u>
<u>Live Oak</u>	<u><i>Quercus virginiana</i></u>	<u><b>Upland</b></u>
<u>Loblolly pine</u>	<u><i>Pinus taeda</i></u>	<u><b>Upland</b></u>
<u>Long leaf pine</u>	<u><i>Pinus Palustris</i></u>	<u><b>Upland</b></u>
<u>Red Maple</u>	<u><i>Acer rubrum</i></u>	Freshwater <u><b>wetland/Upland</b></u>
<u>Sabal palmetto</u>	<u><i>Sabal palmetto</i></u>	<u><b>Upland</b></u>
<u>Slash pine</u>	<u><i>Pinus elliotii</i></u>	<u><b>Upland</b></u>
<u>Southern Magnolia</u>	<u><i>Magnolia grandiflora</i></u>	<u><b>Upland</b></u>
<u>Southern Red Cedar</u>	<u><i>Juniperis silicicola</i></u>	<u><b>Upland</b></u>
<u>Southern Red Oak</u>	<u><i>Quercus falcata</i></u>	<u><b>Upland</b></u>
<u>Sweet Gum</u>	<u><i>Liquidamber styraciflua</i></u>	Freshwater <u><b>wetland/Upland</b></u>
<u>Water Oak</u>	<u><i>Quercus nigra</i></u>	<u><b>Upland</b></u>

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## **RECOMMENDED INVASIVE TREES AND PLANTS FOR REMOVAL**

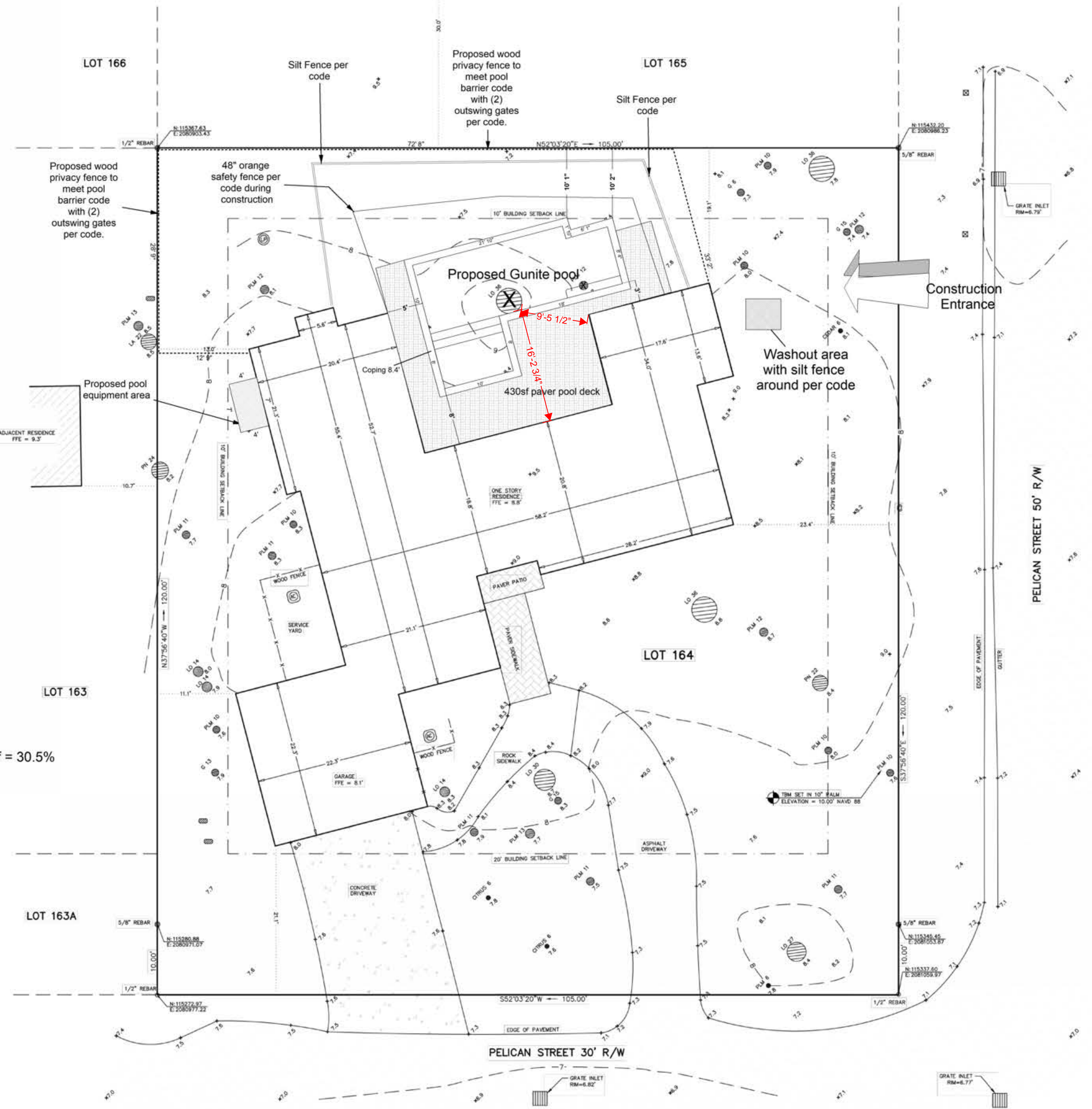
**The following is a list of common Invasive Trees and Plants in the Lowcountry. The list contains plants and trees that negatively impact native plants and trees and are recommended for removal. Therefore, using a recommended native plant list is encouraged.**

- Autumn-Olive Tree
- Bamboo
- Beach Vitex ground cover
- Bradford Pear Tree
- Chinese Privet Shrub
- Chinese Silvergrass grass
- Chinese Tallow Tree
- Chinese Wisteria vine
- Cogongrass grass
- Common Reed (Phragmites) grass
- English Ivy vine
- Japanese Honeysuckle shrub
- Japanese Stiltgrass grass
- Kudzu Vine
- Multiflora Rose Shrub
- Non-Native Milkweed

Exhibit E - Application Site Plan  
VAR - 000251-2026



Note: Install tree save, silt fence & construction safety fence area per code.



Lot Area: 11,550sf  
Impervious Area with pool & deck 3519sf = 30.5%  
Pervious area 8031 = 69.5%

LEGEND & SYMBOLS:

- TREE SIZES ARE INCHES IN DIAMETER
- SPOT ELEVATION
- CONTOUR
- 3/4" REBAR
- 1/2" REBAR
- 1/2" IRON PIPE FOUND
- 1/2" IRON PIPE SET
- MAIL BOX
- CLEANOUT
- WATER METER
- A/C UNIT
- CATCH BASIN
- TBM
- FFE
- LD
- LA
- PN
- PLM
- C
- OTRUS
- 3/4" IRON PIPE FOUND
- 1/2" IRON PIPE FOUND
- 1/2" IRON PIPE SET
- MAIL BOX
- CLEANOUT
- WATER METER
- A/C UNIT
- CATCH BASIN
- TBM
- FFE
- LD
- LA
- PN
- PLM
- C
- OTRUS

REFERENCE PLAT

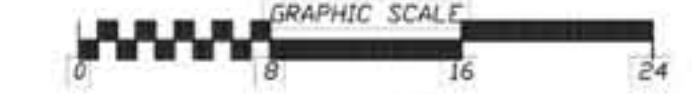
- 1) HILTON HEAD BEACH SUBDIVISION NO. 2-A, HILTON HEAD ISLAND, SOUTH CAROLINA. DRAWN: 01-06/1958. RECORDED IN BOOK 11, PAGE 19, DATED 09/09/1958. REC'D. BEAUFORT COUNTY, SC. BY: FRED C. HACK S.C.R.L.S. #1377

PROPERTY AREA = 0.27 Ac. 11,550 Sq. Ft.  
ADDRESS: 14 PELICAN STREET  
DISTRICT: 550, MAP: 15A, PARCEL: 467  
THIS PROPERTY LIES IN F.E.M.A. ZONE AE  
BASE FLOOD ELEVATION = 9.0'  
COMMUNITY NO. 450250, PANEL 0463G, DATED: 3/23/2021

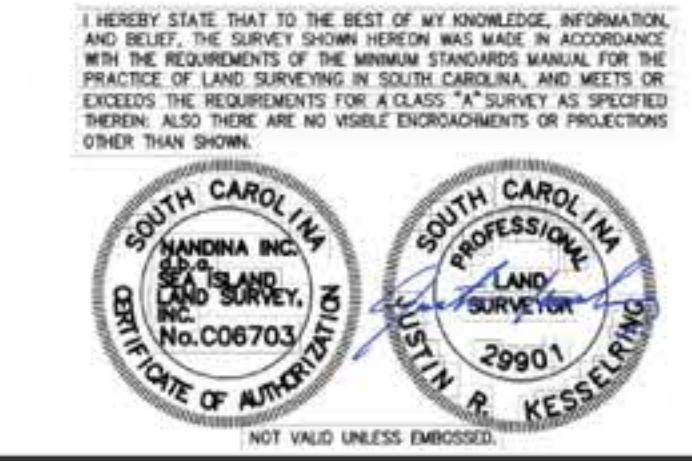
- NOTES:
- 1) UNDERGROUND UTILITIES NOT LOCATED EXCEPT AS SHOWN.
  - 2) NANDINA, INC. CERTIFIES TO THE BOUNDARY, TOPOGRAPHIC AND ASBLUIT INFORMATION PROVIDED HEREON AS THE DATE OF THE SURVEY. THIS SURVEY MAY BE USED IN DIGITAL FORMAT AS A BASE FOR OTHERS AND ANY REVISIONS OR ADDITIONS MADE HEREFTER IS NOT THE RESPONSIBILITY OF NANDINA, INC. A HARD COPY AVAILABLE FROM NANDINA, INC. WILL BE THE ONLY OFFICIAL DOCUMENT.
  - 3) SUBJECT PROPERTY DOES NOT APPEAR TO BE AFFECTED BY THE BEACHFRONT SETBACK REQUIREMENTS OF THE S.C. BEACH PROTECTION ACT OF JULY 1, 1988.
  - 4) HORIZONTAL DATUM IS S.C. STATE PLANE COORDINATES NAD83.
  - 5) VERTICAL DATUM IS NAVD83.
  - 6) CONTOUR INTERVAL IS 1'.
  - 7) USE OF THIS PROPERTY MAY BE AFFECTED BY THE TERMS OF COVENANTS RELATING TO THIS PLANNED RESIDENTIAL COMMUNITY.
  - 8) BUILDING SETBACKS, WHETHER SHOWN OR NOT, SHOULD BE VERIFIED BY THE LOCAL BUILDING AUTHORITY OR ARCHITECTURAL REVIEW BOARD.
  - 9) THIS SURVEY HAS BEEN PREPARED WITHOUT BENEFIT OF A COMPLETE TITLE SEARCH AND IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
  - 10) THIS SURVEY DOES NOT CERTIFY TO THE EXISTENCE OR ABSENCE OF FRESHWATER WETLANDS.
  - 11) IF IDENTIFICATION OF TREES IS CRITICAL TO DEVELOPMENT, AN ARBORIST SHOULD BE CONSULTED TO VERIFY SUCH TREE IDENTIFICATION.

ASBLUIT, BOUNDARY TREE AND TOPOGRAPHIC SURVEY OF:  
LOT 164, HILTON HEAD BEACH SUBDIVISION NO. 2-A,  
HILTON HEAD ISLAND,  
BEAUFORT COUNTY, SOUTH CAROLINA  
PREPARED FOR: DANIEL & MARY ANN KIRCHBERG

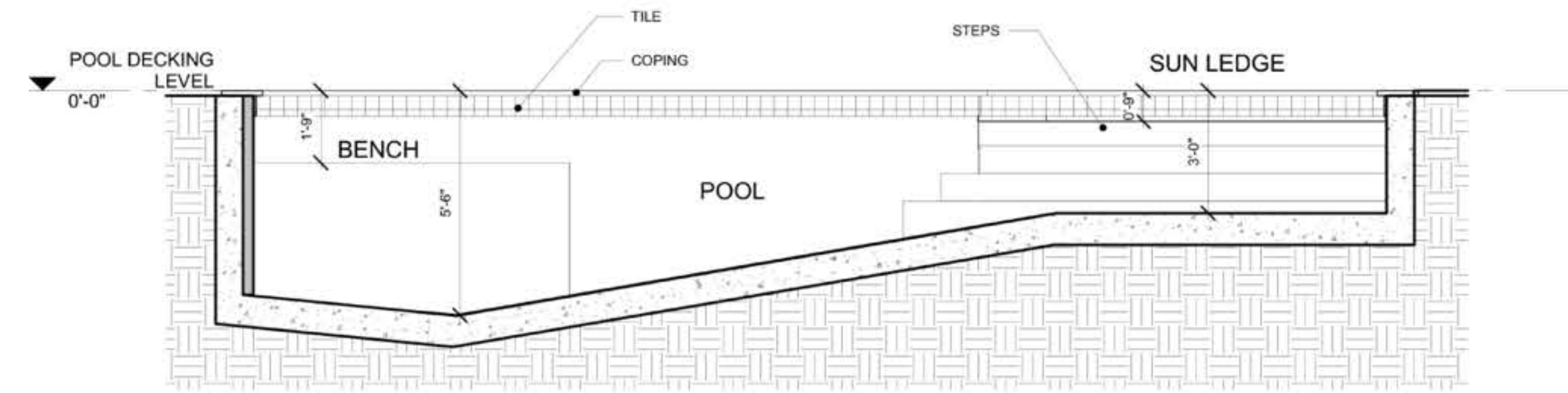
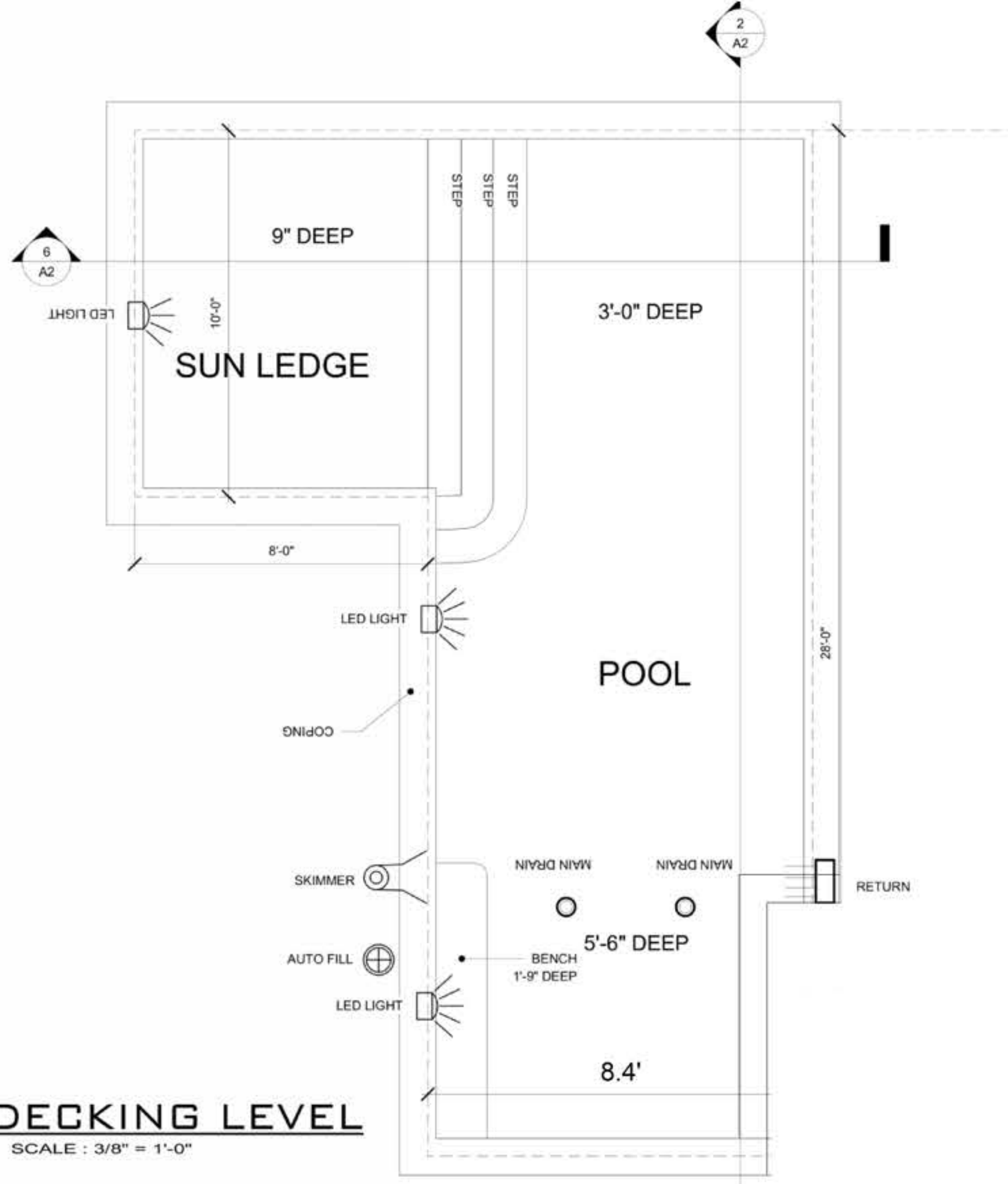
DATE: 02/10/2026 SCALE: 1" = 8'



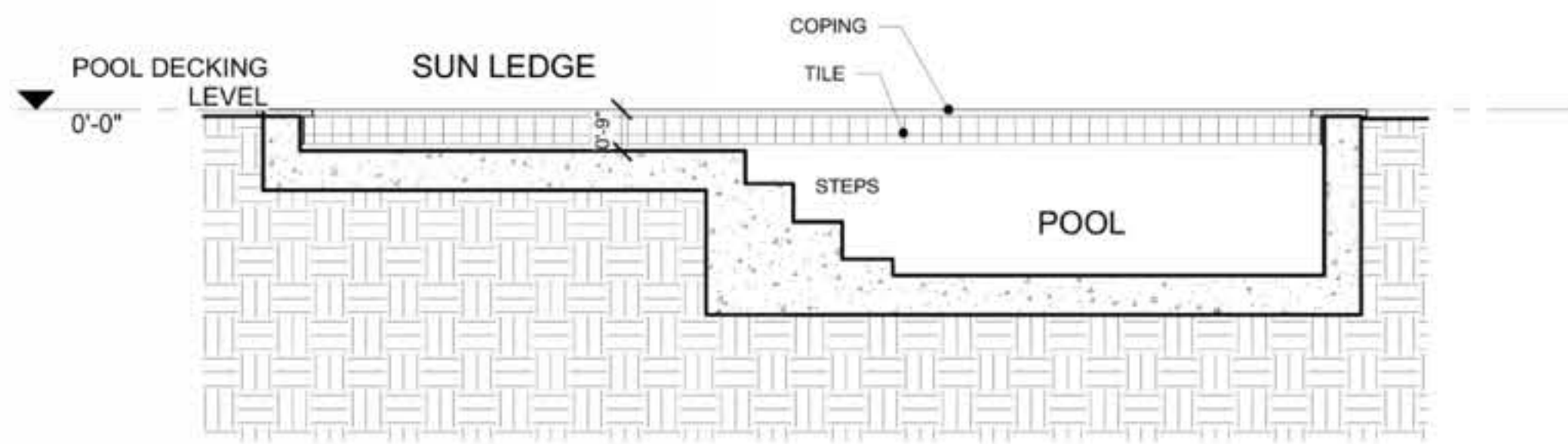
d.b.a. Sea Island Land Survey, Inc.  
60 Arrow Road, Suite B,  
Hilton Head Island, SC 29928  
Tel (843) 681-3248  
E-mail: admin@nandinainc.com  
FILE No.: 18137.3 DWG No.: 2-18137.3  
COPYRIGHT © BY NANDINA, INC. CAD: INDOVANCE, FLD: MK, RB



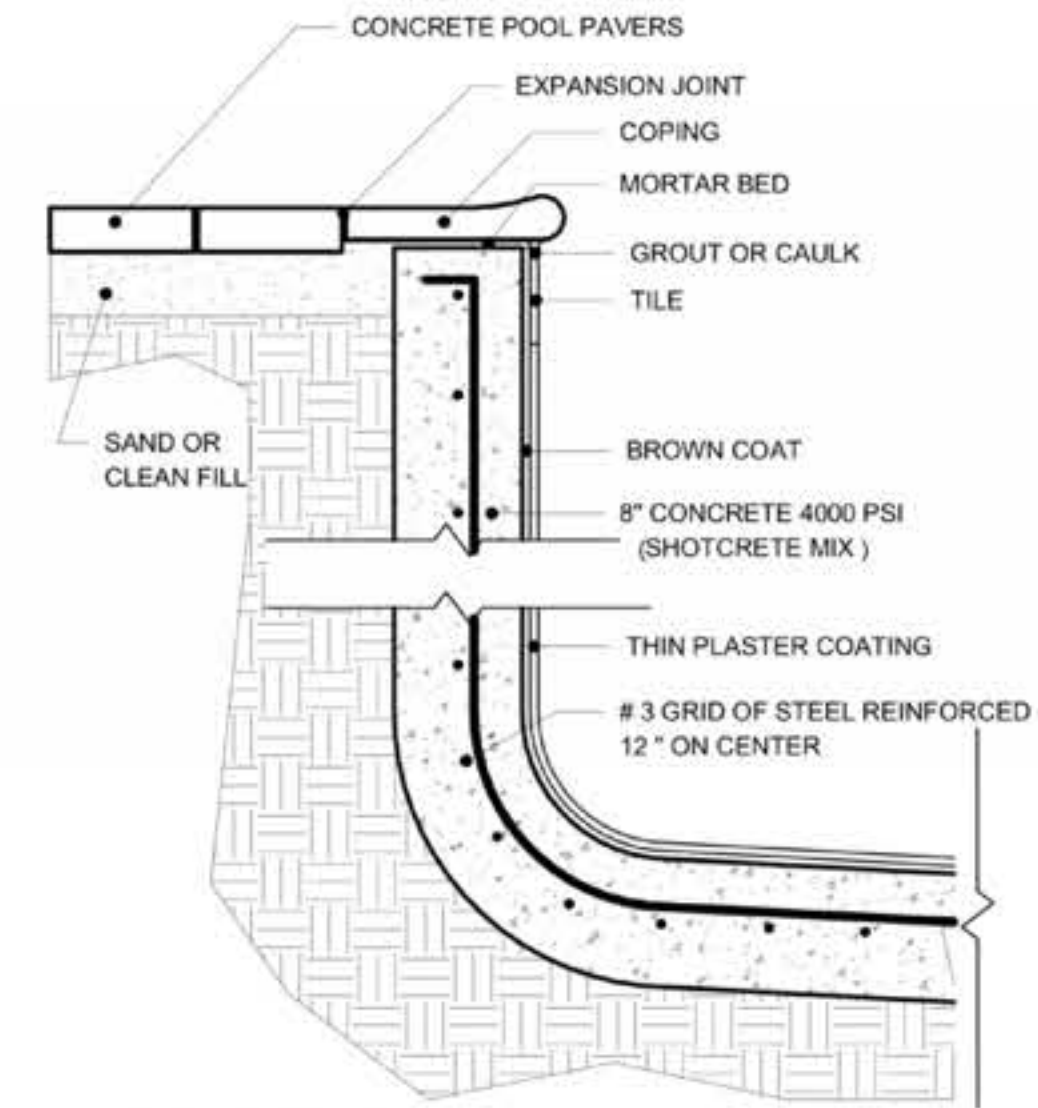
**POOL DECKING LEVEL**  
SCALE : 3/8" = 1'-0"



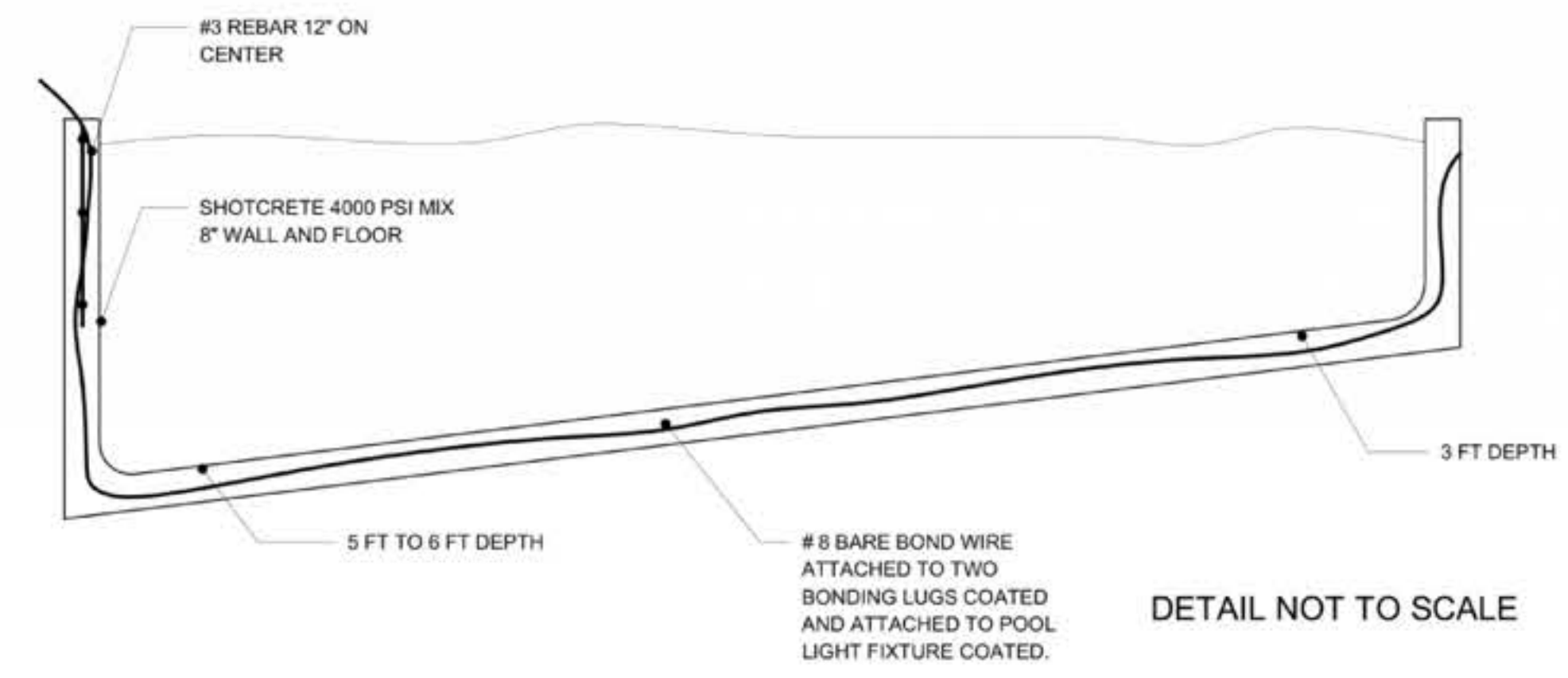
**SECTION 2**  
SCALE : 3/8" = 1'-0"



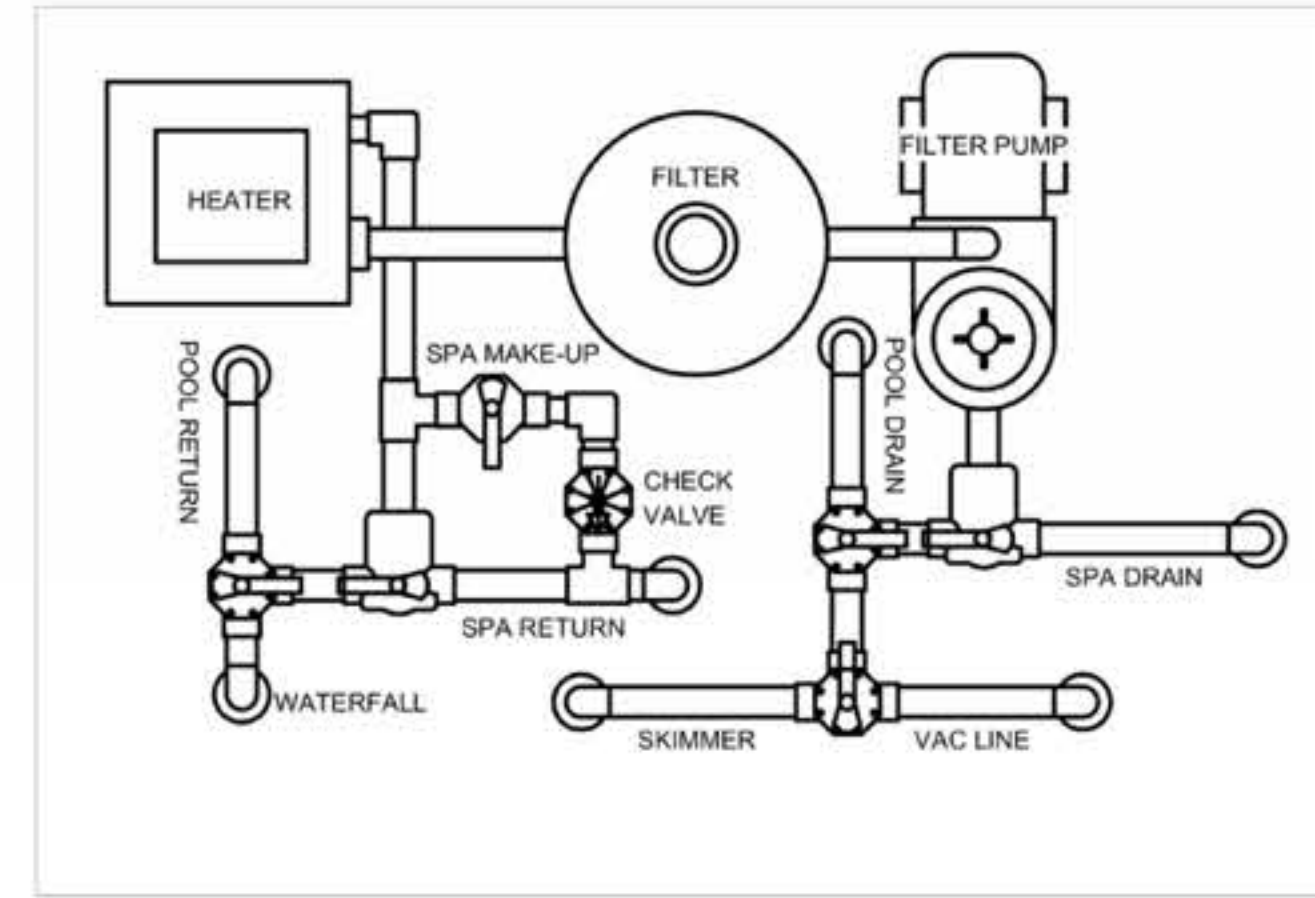
**SECTION 1**  
SCALE : 3/8" = 1'-0"



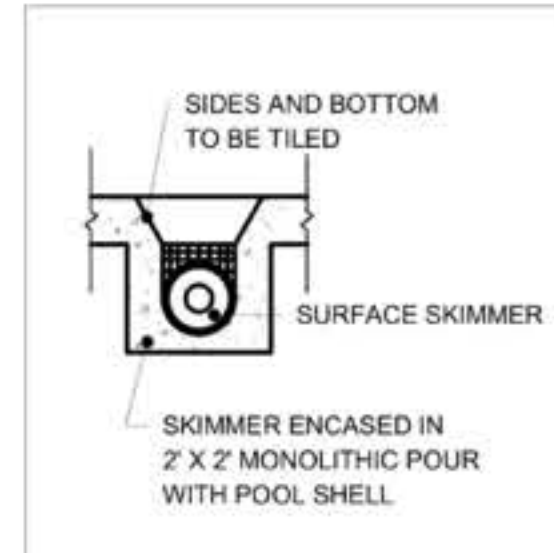
**POOL DETAIL**  
SCALE : 1" = 1'-0"



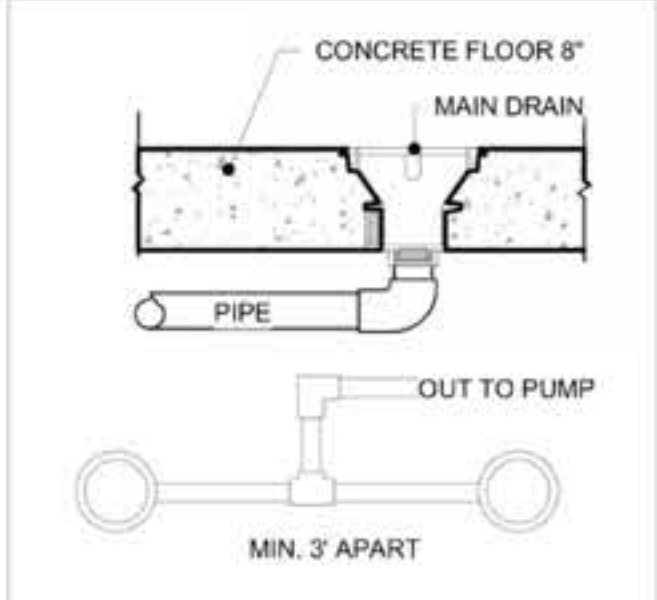
**BONDING ELECTRICAL**  
SCALE : 1" = 1'-0"



**EQUIPMENT LAYOUT**



**SKIMMER DETAIL**



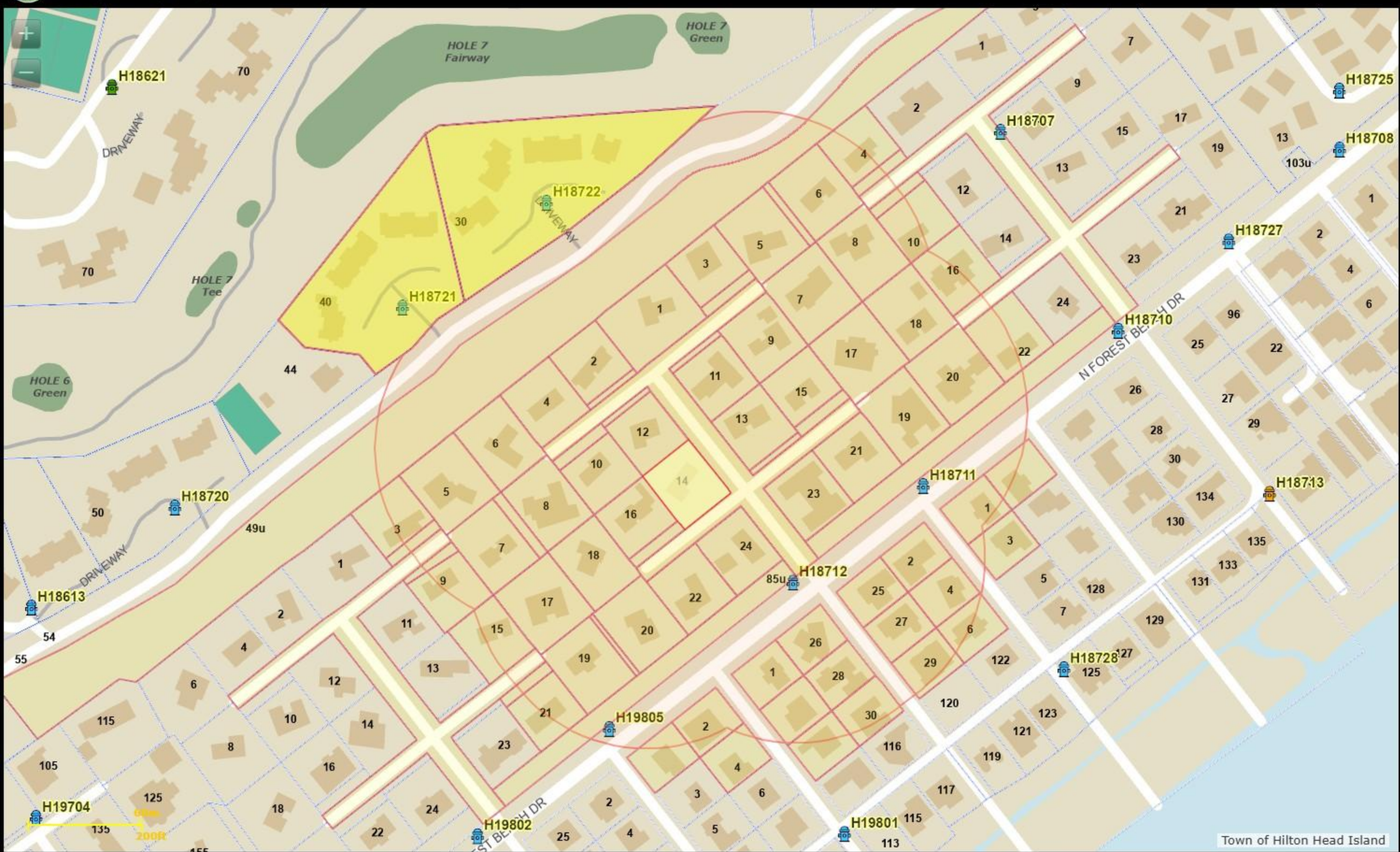
**MAIN DRAIN DETAIL**

**POOL EQUIPMENT**  
SCALE : 3/8" = 1'-0"

Revision Schedule	Description	Date
No.		

Project Number 164 PS  
Date 10-24-25  
Drawn By Author  
Checked By Checker

**A2**  
Scale As indicated



Choose a method to select parcels then choose type of mailing labels to create

On map, to draw polygon, click the corners and double click to end

105 parcels selected

Buffer distance  ft

Exhibit F - 350 Mailing Map  
VAR - 000251-2026