



Town of Hilton Head Island
Regular Planning Commission Meeting
Wednesday, June 6, 2012
9:00 a.m. Benjamin M. Racusin Council Chambers
AGENDA

As a Courtesy to Others Please Turn Off All Cell Phones and Pagers during the Meeting.

1. Call to Order

2. Pledge of Allegiance to the Flag

3. Roll Call

4. Freedom of Information Act Compliance

Public notification of this meeting has been published, posted, and mailed in compliance with the Freedom of Information Act and the Town of Hilton Head Island requirements.

5. Approval of Agenda

6. Approval of Minutes - Planning Commission Meeting May 16th

7. Appearance by Citizens on Items Unrelated to Today's Agenda

8. Unfinished Business

None

9. New Business

ZMA120004: A request from Michael Kronimus with KRA Architecture & Design, on behalf of Stewart Kittredge Collins, to amend the Official Zoning Map by increasing the allowed density and revising the allowed uses on eight properties located at 421, 424, 425 and 427 Squire Pope Road, collectively known as Salty Fare. All of the properties are located in the PD-1 (Planned Unit Development) Zoning District in Hilton Head Plantation, and the request proposes to maintain the PD-1 zoning classification. The properties are further identified on Beaufort County Tax Map 3 as Parcels 121, 126, 127, 128 and 089A.

Review of this application is postponed to the June 20, 2012 meeting.

Public Hearing

STRNM120001: The Town of Hilton Head Island Fire and Rescue has applied to name a new street that will be located off Queens Folly Road in Palmetto Dunes. This new street will provide access to the new fire station. The proposed name is Dalmatian Lane.

Presented by: Randy Lindstrom

Public Hearing

ZMA120005: A request from Ernest Marchetti proposing to amend the Official Zoning Map by changing the zoning designation of three properties located at 120 and 118 Mathews Drive and 7 Shrimp Lane from the IL (Light Industrial) Zoning District to the CC (Commercial Center) Zoning District. The properties are further identified on Beaufort County Tax Map 8, as Parcels 154, 162 and 11I. *Presented by: Nicole Dixon*

- 10. Commission Business**
Report from the Nominating Committee
- 11. Chairman's Report**
- 12. Committee Reports**
- 13. Staff Reports**
- 14. Adjournment**

Please note that a quorum of Town Council may result if four or more of their members attend this meeting.

*** Upcoming Planning Commission Meetings**

- a. Regular Planning Commission Meeting – Wednesday, June 20, 2012 at 3:00p.m.

* Please visit the Town's website for complete and up-to-date information on all meetings.

1 **TOWN OF HILTON HEAD ISLAND**
2 **Regular Planning Commission**
3 **Wednesday, May 16, 2012 Meeting**
4 **3:00p.m – Benjamin M. Racusin Council Chambers**

DRAFT

5
6
7 Commissioners Present: Chairman Loretta Warden, Vice Chairman Tom Lennox, David Bennett,
8 Alex Brown, Jack Docherty, Terry Ennis, Bryan Hughes, Gail Quick and
9 Barry Taylor

10
11 Commissioners Absent: None

12
13 Town Council Present: None

14
15 Town Staff Present: Jayme Lopko, Senior Planner & Planning Commission Coordinator
16 Shea Farrar, Senior Planner
17 Anne Cyran, Senior Planner
18 Kathleen Carlin, Secretary & Administrative Assistant
19

20 **1. Call to Order**

21 **2. Pledge of Allegiance to the Flag**

22 **3. Roll Call**

23 **4. Freedom of Information Act Compliance**

24 Public notification of this meeting has been published, posted, and mailed in compliance
25 with the Freedom of Information Act and Town of Hilton Head Island requirements.

26 **5. Approval of Agenda**

27 The agenda was **approved** as presented by general consent.

28 **6. Approval of Minutes**

29 The Planning Commission **approved** the minutes of the May 2, 2012 meeting as amended
30 by general consent.

31 **7. Appearance by Citizens on Items Unrelated to Today's Agenda**

32 Mr. Joseph Grant presented public comments in opposition to the approval of future
33 conceptual plans for the construction of an elliptical circle in the Chaplin area and William
34 Hilton Parkway. Mr. Grant's concerns are related to public safety and best interests of native
35 islander businesses in this area.

36 **8. Unfinished Business**

37 None
38

39 **9. New Business**

40 **Public Hearing**

41 **ZMA120002:** The Town of Hilton Head Island has applied to amend the Official Zoning
42 Map by amending the Palmetto Dunes Master Plan to change the land uses permitted on
43 three parcels, located near the corner of William Hilton Parkway and Queen's Folly Road. A
44 portion of one property is currently zoned OL, Office/Institutional, and will be incorporated
45 into the PD-1 as part of the Palmetto Dunes Resort Master Plan. The remainder of properties
46 are currently zoned PD-1 within the Palmetto Dunes Resort Master Plan and assigned land

1 uses of “HHI Fire Station”, “PDR Maintenance” and “Outdoor Entertainment Recreation.”
2 These designations will be changed to “Office”, “Office/Maintenance” and “Government
3 Facilities/Maintenance/Parks and Open Areas” with associated density. The properties are
4 identified as parcels 19 and 347A on Beaufort County Tax Map 12 and parcel 2 on Beaufort
5 County Tax Map 15. Chairman Warden introduced the application and opened the public
6 hearing. Chairman Warden then requested that the staff make their presentation.
7

8 Ms. Shea Farrar made the presentation on behalf of staff. Staff recommended that the
9 Planning Commission forward application ZMA120002 to Town Council with a
10 recommendation of *approval*. Ms. Farrar presented an overhead review of the existing and
11 the proposed zoning. Ms. Farrar stated that this application was reviewed by the Planning
12 Commission on March 7, 2012. Since that review, the staff has identified the need to add
13 maintenance to the uses associated with the Town’s property. That is the only change since
14 the Planning Commission’s previous review.
15

16 Fire Station 6 is located near the entrance to Palmetto Dunes Resort on Queen’s Folly Road.
17 This facility was identified for replacement in the Town’s 2012 Capital Improvements
18 Program based on recommendations from the Town’s Fire and Rescue Master Plan. The
19 existing property would not accommodate the design that the Town uses for new fire
20 stations, so alternative scenarios were explored. This resulted in an agreement between the
21 Town, Palmetto Dune’s Property Owner’s Association (PDPOA) and Greenwood
22 Communities and Resorts (GCR) to sell the existing fire station property to PDPOA and
23 acquire the access needed to another Town property, better suited for the fire station. This
24 will benefit both Palmetto Dunes and the Town.
25

26 The Palmetto Dunes community will benefit by having its POA administration and security
27 offices located at the entrance to the community, along with a new pass office. The Town
28 will benefit by being able to relocate Fire Station 6 to a site that has better access and is of
29 adequate size for the new fire station design. In order for the proposed uses to be permitted
30 on the applicable properties, the Town is proposing to rezone all properties to PD-1 as part of
31 the Palmetto Dunes Resort Master Plan and to assign the appropriate land use designations.
32

33 The density associated with the OL Zoning District will also be incorporated into the PD-1
34 Zoning District for use with the development of the new fire station. No other density
35 changes are proposed.
36

37 Following the staff’s presentation, and brief review by the Planning Commission, Chairman
38 Warden requested public comments and none were received. Chairman Warden stated that
39 the public hearing for this application is closed. Following final comments by the Planning
40 Commission, Chairman Warden requested that a motion be made.
41

42 Vice Chairman Lennox made a **motion** that the Planning Commission forward Application
43 for Zoning Map Amendment ZMA120002 to Town Council with a recommendation of
44 **approval**. Commissioner Ennis **seconded** the motion and the motion **passed** with a vote
45 of 9-0-0.
46
47
48
49

1
2 **Public Hearing**

3 **LMO Amendments:** The Town of Hilton Head Island is proposing to revise and amend
4 Chapter 3, Article XVII and Chapter 4, Article XIII of the Land Management Ordinance
5 (LMO). The proposed amendments will categorize a change in the land use designation of
6 any non-single family residential use to allow a telecommunications facility as a minor
7 amendment to a PUD master plan. The proposed amendments will base the size of a
8 telecommunications tower setback on the tower's height. Chairman Warden introduced the
9 application and opened the public hearing. Chairman Warden then requested that the staff
10 make their presentation.

11
12 Ms. Anne Cyran made the presentation on behalf of staff. Staff recommended that the
13 Planning Commission forward the proposed LMO Amendments to Town Council with a
14 recommendation of *approval*.

15
16 The LMO Committee discussed the proposed amendments at their April 10, 2012 meeting.
17 The Committee suggested changes to the proposed language and recommended that the
18 revised amendments be presented to the Planning Commission. The staff has made the
19 committee's recommended changes to the amendments.

20
21 Ms. Cyran presented an overhead review of the types of telecommunication towers. Cell
22 towers come in a variety of styles. For the purposes of the LMO, however, they are all the
23 same. Ms. Cyran discussed the height of towers and fall zones of towers. Modern towers are
24 designed to collapse within themselves (and still remain attached to the tower). The fall zone
25 for modern cell towers is much smaller than older cell towers. Tower height refers to the
26 actual height of the tower. The fall zone is the safety area around the tower. Ms. Cyran
27 presented a visual review of several existing towers on the island.

28
29 Ms. Cyran stated that the first amendment would allow Planned Unit Development (PUD)
30 master plans to be amended via minor amendments – instead of via Zoning Map
31 Amendments (ZMA) – to allow telecommunications facilities as permitted uses on non-
32 single-family properties. The LMO categorizes master plan amendments as one of two types
33 – minor or major. Minor amendments may be approved by the Administrator. All other
34 amendments to PUD master plans are considered major amendments and must be reviewed
35 and approved as a Zoning Map Amendment.

36
37 The second amendment would reduce the size of telecommunications tower setbacks from
38 the Ocean & Coastal Resource Management (OCRM) Critical Line, the OCRM Base Line
39 and all publicly-owned rights-of-way. The proposed setback would be equal to the tower's
40 height plus twenty feet.

41
42 The third amendment would reduce the size of telecommunications tower setbacks from
43 residential structures. The proposed setback would be equal to the tower's height plus twenty
44 feet. The Planning Commission thanked the staff for today's visual presentation. The
45 presentation is very helpful in understanding cell tower technology.

1 Ms. Cyran presented a detailed explanation of each of the proposed amendments. The staff
2 also provided the history of the amendments. The proposed amendments are supported by
3 Town Council's Policy Agenda for 2011 which has *Technology Infrastructure: Evaluation*
4 *and Direction of Town's Role* listed as a Top Priority. To address this Priority, the
5 Telecommunications Taskforce was formed in March 2011 by the Greater Island Council at
6 the request of Mayor Laughlin. The Taskforce was asked to examine the island's
7 telecommunications problems and provide recommendations for how the Town can improve
8 telecommunications service.

9
10 A memo outlining the Taskforce's recommendations was presented to Town Council on
11 December 6, 2011, and Town Council voted 7-0-0 to accept the recommendations. One of
12 the Taskforce's findings was that wireless carriers are deferring investments in new
13 infrastructure because of the lengthy process to approve new facilities and because of the
14 restrictions on the location of those facilities, namely setback requirements. The lack of
15 infrastructure investment is particularly acute in the PUDs because the PUD master plans
16 must typically be amended via a zoning map amendment to permit a telecommunications
17 facility as an allowed use on a potential site.

18
19 To resolve these problems, the Taskforce recommended amending the LMO to expedite the
20 review process for new telecommunications facilities and to reduce the restrictions on their
21 locations. The Taskforce also recommended decoupling these amendments from the ongoing
22 LMO rewrite process to expedite the changes.

23
24 Ms. Shea Farrar also made a presentation on behalf of the staff. Ms. Farrar presented an
25 overhead review of an island map. Ms. Farrar discussed the challenges of placing
26 telecommunication towers in single and multi-family locations in the Palmetto Dunes area.
27 This completed the staff's presentation.

28
29 Commissioner Quick stated that the staff's presentation is very important because it sets the
30 stage for why we are here today - to expedite the process. The LMO Rewrite Committee will
31 address many more of the issues concerning telecommunication facilities, processes and
32 procedures in the coming months. Today's action is important because it is a stop-gap
33 measure that will allow the process to begin. Chairman Warden then requested public
34 comments and the following were received:

35
36 Mr. Jim Collett, Chairman of the Telecommunications Task Force, presented statements in
37 support of the need for improved telecommunications on the island. Mr. Collett stated that
38 telecommunications providers have underinvested on the island in terms of facilities. We
39 have made it a long, difficult process for them. The permitting process needs to be improved
40 so that carriers will be interested in investing in Hilton Head Island.

41
42 Mr. Joe Baker, also a member of the Telecommunications Task Force, presented additional
43 comments in support of improved telecommunications service. Ms. Judy Shade, President of
44 Port Royal Plantation Homeowners Association, presented comments regarding the need for
45 improved cell phone coverage in Port Royal. Mr. Dick Sell, member of the
46 telecommunications community, presented additional statements in support of the need for
47 increased telecommunications service. The Town needs to have a procedure that will
48 expedite the permitting process. Ms. Margaret Clay also presented statements in support of
49 the need for better telecommunications service in Palmetto Dunes.

1
2 Mr. Jack Mitchell, Regional Director AT&T, presented statements echoing the need for
3 improved telecommunications on Hilton Head Island. We need to make the process much
4 easier. Chester C. Williams, Esq., presented statements in support of the Town's efforts to
5 improve cell coverage. Mr. Williams also presented a legal opinion on permitted uses and
6 buffer requirements. Gary Pennington, Esq., presented statements regarding the issue of
7 zoning. Verizon supports the staff's proposed amendments. Mr. Jonathon Yates and Mr.
8 Jason Gross, with American Tower, also presented statements in support of the need for
9 improved telecommunications service. Mr. Gross stated his concern with the staff's most
10 recent change to proposed amendments. The change in regulations will cause difficulties
11 with the location of cell towers. Following all public comments, Chairman Warden stated
12 that the public hearing for this item is closed. The Planning Commission discussed the
13 proposed amendments.

14
15 Commissioner Quick presented statements with regard to the LMO Committee's review of
16 the proposed amendments. The committee's recommendations regarding issues of aesthetics
17 and safety reflected the concerns that were presented that evening by the public in attendance
18 at the meeting. Commissioner Quick stated that the staff's visual presentation is very helpful
19 in gaining a better understanding of cell towers.

20
21 Chairman Warden stated that, at this point, we are focusing on the language in Article 17
22 Telecommunications Approval Process in PUDs. Chairman Warden stated that we need to
23 be aware of Commissioner Quick's comments with regard to the LMO Rewrite Committee.
24 The committee will address some of the language with respect to Telecommunications at
25 some point in the future.

26
27 Commissioner Ennis presented statements regarding the far reaching effects of
28 telecommunications. The issue goes far, far beyond cell phone usage. Telecommunications
29 is a business tool that continues to grow very rapidly. Wireless devices have tremendous
30 capabilities that have enabled the business world to become hyper-connected. The Hilton
31 Head Island Community needs to gain a much better understanding of this issue. One of our
32 goals is to attract new businesses – we will not be able to join the business community
33 without it. Mr. Ennis stated that we need to accelerate the process in a way that is safe and
34 that fits within our core values. We need to make cell towers as aesthetically pleasing as
35 possible. At the completion of the discussion, Chairman Warden requested that a motion be
36 made.

37
38 Commissioner Ennis made a **motion to approve** the proposed LMO amendments as
39 recommended by staff but with the modification that we change the setback language in both
40 sections so that the setback would be the fall zone plus 20-feet. Commissioner Quick
41 **seconded** the motion. The motion **passed** with a vote of 9-0-0.

42 43 **10. Commission Business**

44 Appointment of Nominating Committee for the Election of New Officers 2012-2013

45 Chairman Warden stated that the Rules of Procedure require that a Nominating Committee
46 be appointed by the Chairman for the election of officers (July 1, 2012 – June 30, 2013). The
47 Nominating Committee needs to be confirmed by the Planning Commission. The Chairman
48 may be a voting member of the Nominating Committee. Chairman Warden requested that
49 the Planning Commission confirm her appointment to the Nominating Committee along with

1 the appointment of Commissioner Docherty and Commissioner Hughes. A motion to
2 confirm the appointments was requested. Vice Chairman Lennox made a **motion** that the
3 Planning Commission should **confirm** the members of the Nominating Committee as stated
4 by the Chairman. Commissioner Ennis **seconded** the motion and the motion **passed** with a
5 vote of 9-0-0.
6

7 **11. Chairman's Report**

8 None

9 **12. Committee Reports**

10
11 **13. Staff Reports**

12 **14. Adjournment**

13 The meeting was adjourned at 4:55p.m.

14
15 Submitted By:

Approved By:

16
17
18 _____
19 Kathleen Carlin
20 Administrative Assistant

21 _____
22 Loretta Warden
Chairman



**TOWN OF HILTON HEAD ISLAND
COMMUNITY DEVELOPMENT
DEPARTMENT**

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

**STAFF REPORT
NEW STREET NAME APPLICATION**

Case #:	Name of Project or Development:	Public Hearing Date:
STRNM120001	Station 6 Street Naming	June 6, 2012

Parcel Data or Location:	Applicant/Agent
R520 012 000 0019 00000	Town of Hilton Head Island Julian Walls 1 Town Center Court Hilton Head Island, SC 29926

Application Summary:

STRNM12001– Fire and Rescue has proposed to name a new street off of Queens Folly Road to access the new fire station. Properties affected by this application are parcels 2 and 19 on Beaufort County Tax Map 15. The proposed street name is Dalmatian Lane.

Staff Recommendation:

Staff recommends the Planning Commission approve the Dalmatian Lane Street Name Application based on the review criterion outlined in the Land Management Ordinance and enclosed herein.

Background:

Dalmatian Lane is the proposed street name for the road leading to the new fire station in Palmetto Dunes. The name was selected by a poll from the fire department. All fire staff was asked to submit names they would like to see for the new street. A list was created and staff voted. The name is unique and does not conflict with other road names in the county.

Summary of Facts and Conclusions of Law:

Findings of Facts:

- Notice of the New Street Name Application was published in the Island Packet on May 6, 2012 as set forth in LMO Section 16-3-110 & 111.
- Notice of the New Street Name application was posted and mailed as set forth in LMO Section 16-3-110 & 111.
- A public hearing will be held on June 6, 2012 as set forth in LMO Section 16-3-1104A.
- The Commission has authority to render their decision reached here in LMO Section 16-3-1101B.

Conclusions of Law:

The New Street Name Application, notice requirements, and public hearing comply with the legal requirements as set forth in LMO Section 16-3-110 & 111 and 16-3-1104A.

As set forth in LMO Section 16-3-1105, Criteria for New or Modified Street and Vehicular Access Easement Names, requires that the Planning Commission, for final action, review proposed street names. This section also sets forth the criteria for this review as indicated below.

Summary of Facts and Conclusions of Law:

Criteria A: No new street, vehicular access easement or development project name, or proposed modified name of an existing street, vehicular access easement or development, except phases of the same development project, shall duplicate, be phonetically similar to, or in any way be likely to be confused with an existing street, vehicular access easement or development name, in spite of the use of prefixes or suffixes.

Town Staff, Fire & Rescue Dispatch and Beaufort County Dispatch have reviewed the proposed Dalmatian Lane and have found that it does not duplicate street, vehicular access easement or development names.

Criteria B: It is desirable to use names which are simple, logical, easy to read and pronounce and which are clear and brief. Use of frivolous or complicated words or unconventional spellings in names shall not be approved.

Town Staff, Fire & Rescue Dispatch, and Beaufort County Dispatch have determined that the proposed Dalmatian Lane meets the requirements of this criterion.

Criteria C: It is desirable to use names which have some association with Hilton Head Island and specifically with the immediate location of the road or place, such as reference to local history or physiographic features.

Dalmatian Lane will be the access to the location of the new fire station.

Criteria D: Use of a common theme is recommended for names of streets which are associated with one another, such as those within a residential development.

Town Staff, Fire & Rescue Dispatch, and Beaufort County Dispatch have determined that this does not apply to this application.

Criteria E: Intersecting streets or vehicular access easements shall not have the same or similar name.

Staff, Fire & Rescue Dispatch, and Beaufort County dispatch have determined that Dalmatian Lane meets the requirements of this criterion.

Criteria F: Streets or vehicular access easements which continue through an intersection should generally bear the same name, except where the road crosses a major arterial or where existing address points on a street require that the roadway be given a different name.

Town Staff, Fire & Rescue Dispatch, and Beaufort County Dispatch have determined that this does not apply to this application.

Criteria G: A street or vehicular access easement making an approximate right-angle turn where there is no possibility of extending the street or vehicular access easement in either direction shall be considered to be continuous and be so named. Where there is a choice of direction or a possibility of extending either section in the future, such configuration shall be considered to be an intersection and different names assigned.

Town Staff, Fire & Rescue Dispatch, and Beaufort County Dispatch have determined that this does not apply to this application.

Criteria H: The proposed name of the development should in all respects emphasize the project's distinctive name rather than the name of the company or corporation that owns the development. This will reduce confusion on the location of separate developments owned by the same company or corporation.

Town Staff, Fire & Rescue Dispatch, and Beaufort County Dispatch have

determined that this does not apply to this application.

I. New or modified street names should generally use Drive, Lane, Place, Road, Street or Way as suffixes. The following street designations should only be used if the street design meets one of the following descriptions:

- 1. Alley--A street providing access to the rear of lots or buildings, usually as a secondary means of access to a property.*
- 2. Avenue--A street that is continuous.*
- 3. Boulevard--A street with a landscaped median dividing the roadway.*
- 4. Circle--A street with a complete loop on the end or a side street that intersects another street at two adjacent intersections.*
- 5. Court--A street terminating in a cul-de-sac, not longer than 1,000 feet in length.*
- 6. Extension--A section of street forming an additional length.*
- 7. Parkway--A street designated as a collector or arterial road, with a landscaped median reflecting the parkway character implied in the name.*

This list is not intended to limit the use of other appropriate suffixes.

Staff, Fire & Rescue Dispatch, and Beaufort County Dispatch have determined that Dalmatian Lane meets the requirements of this criterion.

J. The suffixes Manor, Trace and Common shall typically be used to name vehicular access easements.

Staff, Fire & Rescue Dispatch, and Beaufort County Dispatch have determined that this does not apply to this application.

K. Existing roads that become broken by natural barriers, intervening land uses, or development that cause the existing road to become two separate roads, and are not likely to be reconnected in the future, shall be named in a manner that considers the potential economic impact of the number of address points and type of addresses impacted.

Staff, Fire & Rescue Dispatch, and Beaufort County Dispatch have determined that this does not apply to this application.

PREPARED BY:

SB

Suzanne Brown
Addressing Technician

May 14, 2012

DATE

REVIEWED BY:

RL

Randy Lindstrom
Administrative Battalion Chief

May 14, 2012

DATE

REVIEWED BY:

JL

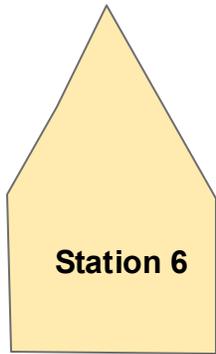
Jayne Lopko, *Planning Commission*
Coordinator
Senior Planner

May 14, 2012

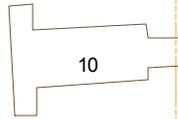
DATE

Attachments:

- A) Vicinity Map
- B) Aerial Map



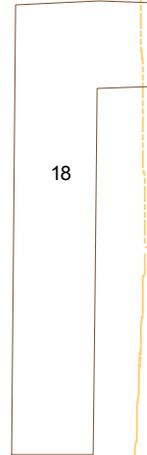
Station 6



10

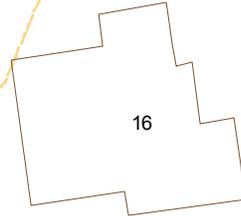


18



18

14
1
14



16

**Proposed New Street:
Dalmatian Lane**



19





Station 6

Proposed New Street:
Dalmatian Lane

QUEENS FOLLY ROAD

QUEENS FOLLY ROAD



**TOWN OF HILTON HEAD ISLAND
COMMUNITY DEVELOPMENT DEPARTMENT**

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

**STAFF REPORT
ZONING MAP AMENDMENT**

Case #:	Name of Project:	Public Hearing Date:
ZMA120005	Mathews Drive & Shrimp Lane	June 6, 2012

Parcel Data or Location:	Property Owners	Applicant/Agent
<u>Existing Zoning District:</u> IL (Light Industrial) <u>Proposed Zoning District:</u> CC (Commercial Center) <u>Applicable Overlay District(s):</u> Corridor Overlay <u>Parcels Affected:</u> Beaufort County Tax Map 8: Parcel 154 – .50 acres Parcel 11I – .25 acres Parcel 162 - .55 acres	Frances Marscher 23 Big Oak Street Hilton Head Island, SC 29926 (Parcels 154 & 11I) Mary Janet Hennesy 628 W. Branch Road Ridgeland, SC 29926 (Parcel 162)	Ernest Marchetti 1555 Fording Island Road Hilton Head Island, SC 29926

Application Summary:

Ernest Marchetti, on behalf of Frances Marscher and Mary Janet Hennesy, is proposing to amend the Official Zoning Map by changing the zoning designation of three properties located at 7 Shrimp Lane and 120 and 118 Mathews Drive from the IL (Light Industrial) Zoning District to the CC (Commercial Center) Zoning District.

For a complete list of changes in use that will result from the proposed rezoning, see Attachment C, Use Table. The impervious coverage requirements are the same for both IL and CC zoning, being 65% maximum impervious coverage.

Staff Recommendation:

Staff recommends that the Planning Commission find this application to be inconsistent with the Town’s Comprehensive Plan and does not serve to carry out the purposes of the LMO, based on those Findings of Facts and Conclusions of Law as determined by the LMO Official and enclosed herein.

Background:

Staff received a zoning verification request for two adjoining properties located at 120 Mathews Drive and 7 Shrimp Lane. In the request, it was mentioned that there was someone interested in purchasing the properties to open an Auto Parts sales business. In the response letter back to the applicant, town staff informed them that an auto parts sales use, which is classified as retail sales, is not a permitted use in the IL zoning district. Mr. Marchetti, representing the interested buyer, came in to meet with town staff regarding their options. He was made aware that the use was in fact not permitted in the IL district. He decided to apply for a rezoning of the two properties, in addition to the property across Shrimp Lane at 118 Mathews Drive.

The applicant is proposing to change the zoning designation of the subject properties from IL to the CC zoning district.

There are currently two vacant buildings at 120 Mathews Drive and 7 Shrimp Lane, which used to be a furniture store. The applicant wishes to tear down the building at 7 Shrimp Lane to use for parking and open an auto parts store at 120 Mathews Drive. There is currently a furniture store in operation at 118 Mathews Drive. One property is conforming and the other two are vacant but were previously conforming to the existing IL zoning district.

The area surrounding the properties subject to the rezoning contains a mix of uses: a vacant property to the south, warehouse type buildings to the west, shopping center and Palmetto Electric building across Mathews Drive to the east, and multi-family residential to the north.

When reviewing a rezoning request, one of the things staff looks at is why the applicant is making the request. There have been several rezoning requests within the last year where an applicant wishes to rezone, not because the zoning district isn't functioning properly in that area, but because they have a particular use they want for a particular property, even though it isn't currently zoned for that use. The only option they pursue is to request to rezone to a district that allows their proposed use. For example, the Verizon business and the adjacent vacant property were rezoned OL to CC in June 2011 because the applicant stated they had someone interested in purchasing the property for auto parts sales and a drive through restaurant. The vacant property is still vacant a year later.

Another example is the South Island Square rezoning from OL to CC that was approved in November 2011. The applicant stated they needed to rezone to allow a mattress store to occupy the vacant building in South Island Square, which was previously occupied by a doctor's office. The property was rezoned to CC, but the vacant building is now occupied by a doctors' office, a use which was permitted in Office/Institutional Low Intensity zoning district.

Town Council recently denied a rezoning request for someone wishing to occupy the old Hargray building with a mattress store; that is one more example of a business owner wishing to change the zoning of a property to fit a very specific use and tenant rather than trying to find available commercially zoned property.

Another problem staff foresees is that just because an applicant states they have someone interested in purchasing a property should it be rezoned, it doesn't mean it is necessarily going to happen, as we can see from the examples stated above. It is important to keep in mind that once rezoned from IL to CC, any use allowed in the CC zoning district is now available to those particular properties. Should the vacant furniture store not be occupied by an auto parts store, it is now open to any use in the CC district; some of these uses may not be appropriate in that area.

It needs to be stressed to these applicants that instead of trying to rezone properties to suit particular uses, they need to look for available properties within zoning districts where the requested use is permitted so that the Town doesn't establish a surplus of CC zoned property, or any other district for that matter, and too little IL zoned property.

While staff finds the application meets most of the criteria required for a rezoning, staff is recommending denial of this rezoning request for the reasons mentioned above. The Town should not continue to rezone properties for one particular business or use when there are other CC zoned properties available.

Applicant's Grounds for ZMA:

The applicant states in the narrative that the proposed application to rezone the subject properties from IL to the CC zoning district is more in character with the existing commercial uses on Mathews Drive. The applicant feels that the requested CC zoning is in conformance with the objectives of the Comprehensive Plan, to have commercial property situated where it serves the Island residents and guests in a safe and efficient manner and to focus future development on infill development. The applicant also states that the Land Use Element of the Comprehensive Plan provides that infill development of the commercial context should be the focus of future development, and that this rezoning request allows that to happen.

Summary of Facts and Conclusions of Law:

Findings of Facts:

- Notice of the Application was published in the Island Packet on May 6, 2012 as set forth in LMO (Land Management Ordinance) Sections 16-3-110 and 16-3-111.
- Notice of the Application was posted and mailed as set forth in LMO Sections 16-3-110 and 16-3-111.
- A public hearing will be held on June 6, 2012 as set forth in LMO 16-3-1504A.
- The Commission has authority to render their decision reached here in LMO Section 16-3-1504.

Conclusion of Law:

- The application, notice requirements, and public hearing comply with the legal requirements as set forth in LMO 16-3-110, 16-3-111 and 16-3-1504.

As set forth in Section 16-3-1505, Zoning Map Amendment Review Criteria, Planning Staff has based its recommendation on analysis of the following criteria:

Summary of Facts and Conclusions of Law:

Criteria 1: Consistency (or lack thereof) with the Comprehensive Plan (LMO Section 16-3-1505.A):

Findings of Facts:

The Comprehensive Plan addresses this application in the following areas:

Land Use Element:

An Implication for Zoning Changes

Future land use decisions and requests for zoning changes will be determined using the background information contained in this plan as well as the future land use map, currently represented by the Town's Official Zoning Map.

An Implication for Building Permit Trends

Redevelopment of our existing built environment and infill development should be a focus for the future development of our community, while the Town has entered a more mature level of development.

Goal 8.1 – Existing Land Use

A. The goal is to have an appropriate mix of land uses to meet the needs of existing and future populations.

Goal 8.4 – Existing Zoning Allocation

A. An appropriate mix of land uses to accommodate permanent and seasonal populations and existing market demands is important to sustain the Town's high quality of life and should be considered when amending the Town's Official Zoning Map.

Goal 8.5 – Land Use Per Capita

A. The goal is to have an appropriate mix and availability of land uses to meet the needs of the existing and future populations.

Goal 8.9 – Age of Structures

B. The goal is to encourage redevelopment of properties with aging structures or that no longer meet current market demands.

Goal 8.10 – Zoning Changes

A. The goal is to provide appropriate modifications to the zoning designations to meet market demands while maintaining the character of the Island.

Conclusions of Law:

- Staff concludes that this application is not consistent with the Comprehensive Plan, as described in the Land Use Element as set forth in LMO Section 16-3-1505A.
- Although the proposed rezoning could increase the economic development potential of the property, there is no guarantee that just by rezoning the property that the vacant buildings will be occupied.
- While redevelopment is a focus of the Comprehensive Plan, rezoning the property does not mean the buildings or property will be redeveloped.
- The proposed rezoning would reduce the amount of IL zoned property and increase the amount of CC zoned property, which does not in effect maintain an appropriate balance of land uses as called for in the Comprehensive Plan. The Town could potentially end up with a surplus of CC zoned property and perhaps not enough IL zoned property to meet the needs of those uses.

Summary of Facts and Conclusions of Law:

Criteria 2: Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood (LMO Section 16-3-1505B):

Findings of Facts:

- LMO Section 16-4-218 describes the purpose of the existing IL zoning district as being: *“established to provide for light industrial and service-related land uses with large buildings or outdoor storage requirements. This district also provides for certain instructional and theatrical uses with similar space requirements.”*
- There are three properties subject to the proposed rezoning; two of which contain vacant buildings and one that is a furniture store, which is permitted in the IL zoning district.
- The conforming uses of nearby property are the warehouse buildings to the west, which are conforming to the IL zoning district, the commercial uses to the east, which are conforming to their CC zoning district, and the residential use to the north which is conforming to its RM-4 zoning district.

Conclusions of Law:

- Staff concludes that the properties subject to the rezoning application are compatible with the present zoning, some conforming uses of nearby property and the character of the neighborhood as set forth in LMO Section 16-3-1505B because the developed property contains a use that is currently permitted in the IL district and the vacant buildings were and can be developed with a use that is permitted in the IL district.
- The furniture store and the vacant buildings are compatible with the surrounding conforming nearby uses such as the shopping center and warehouses.
- The current zoning of light industrial is not necessarily compatible with the adjacent residentially zoned property to the north because light industrial uses could create negative impacts to neighboring properties; however any use adjacent to a residential use may not be considered ideal.

Summary of Facts and Conclusions of Law:

Criteria 3: Suitability of the property affected by the amendment for uses permitted by the district that would be made applicable by the proposed amendment (LMO Section 16-3-1505C):

Findings of Facts:

- LMO Section 16-4-217 describes the purpose of the CC zoning district as: *“to provide for moderate to high intensity commercial development, especially office and general retail development. Residential development as a component of a PUD is allowed, and traffic and pedestrian interconnections throughout this district are strongly encouraged.”*
- There are three properties subject to the proposed rezoning; two of which contain vacant buildings and one that is a furniture store, which is also permitted in the CC zoning district.
- There are areas on the Island that have been designated as high intensity commercial development and redevelopment areas, and the Mathews Drive area is one of them because the infrastructure was put in place to support such impacts.
- The properties across Mathews Drive and several other areas along Mathews Drive are currently zoned CC.

Conclusions of Law:

- Staff concludes that the affected properties are suitable for some of the uses that would be permitted by the proposed rezoning as set forth in LMO Section 16-3-1505C because the subject properties are and have been developed as furniture stores, which is also a permitted use in the CC zoning district.
- The CC zoning already exists across Mathews Drive and in the vicinity because that part of the Island was intended to be a commercial district according to the Zoning Map.

Summary of Facts and Conclusions of Law:

Criteria 4: Suitability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment (LMO Section 16-3-1505D):

Findings of Facts:

- LMO Section 16-4-218 describes the purpose of the existing IL zoning district as being: *“established to provide for light industrial and service-related land uses with large buildings or outdoor storage requirements. This district also provides for certain instructional and theatrical uses with similar space requirements.”*
- There are three properties subject to the proposed rezoning; two of which contain vacant buildings and one that is a furniture store, which is permitted in the IL zoning district.
- Light industrial uses typically require larger pieces of land to support the larger buildings, outdoor storage areas, etc needed for such uses.

Conclusion of Law:

- Staff concludes that the affected properties are not suitable for all of the uses permitted by the IL zoning district as set forth in LMO Section 16-3-1505D because the properties are located adjacent to residential property and are fairly small in size.

Summary of Facts and Conclusions of Law:

Criteria 5: Marketability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment (LMO Section 16-3-1505E):

Finding of Fact:

- There will be additional uses and development opportunities available to the property owner to develop should the property be rezoned to the CC district.

Conclusion of Law:

- Staff concludes that the marketability of the properties may change as set forth in LMO Section 16-3-1505E.

Summary of Facts and Conclusions of Law:

Criteria 6: Availability of sewer, water and stormwater facilities generally suitable and adequate for the proposed use (LMO Section 16-3-1505F):

Findings of Facts:

- The affected properties already have water, sewer and stormwater services available to them.
- Any changes to the site that would require changes to the utilities for the site will be addressed during review of a Development Plan Review (DPR) application.

Conclusion of Law:

- Staff concludes that these properties have available water, sewer and stormwater services suitable for the proposed uses as set forth in LMO Section 16-3-1505F.

LMO Official Determination

Determination: Staff determines that this application is inconsistent with the Comprehensive Plan and does not serve to carry out the purposes of the LMO as based on the Findings of Fact and Conclusions of Law detailed in this report.

Note: If the proposed amendment is approved by Town Council, such action shall be by ordinance to amend the Official Zoning Map. If it is denied by Town Council, such action shall be by resolution.

PREPARED BY:

ND

Nicole Dixon, CFM
Senior Planner

May 16, 2012

DATE

REVIEWED BY:

TBL

Teri B. Lewis, AICP
LMO Official

May 16, 2012

DATE

REVIEWED BY:

JL

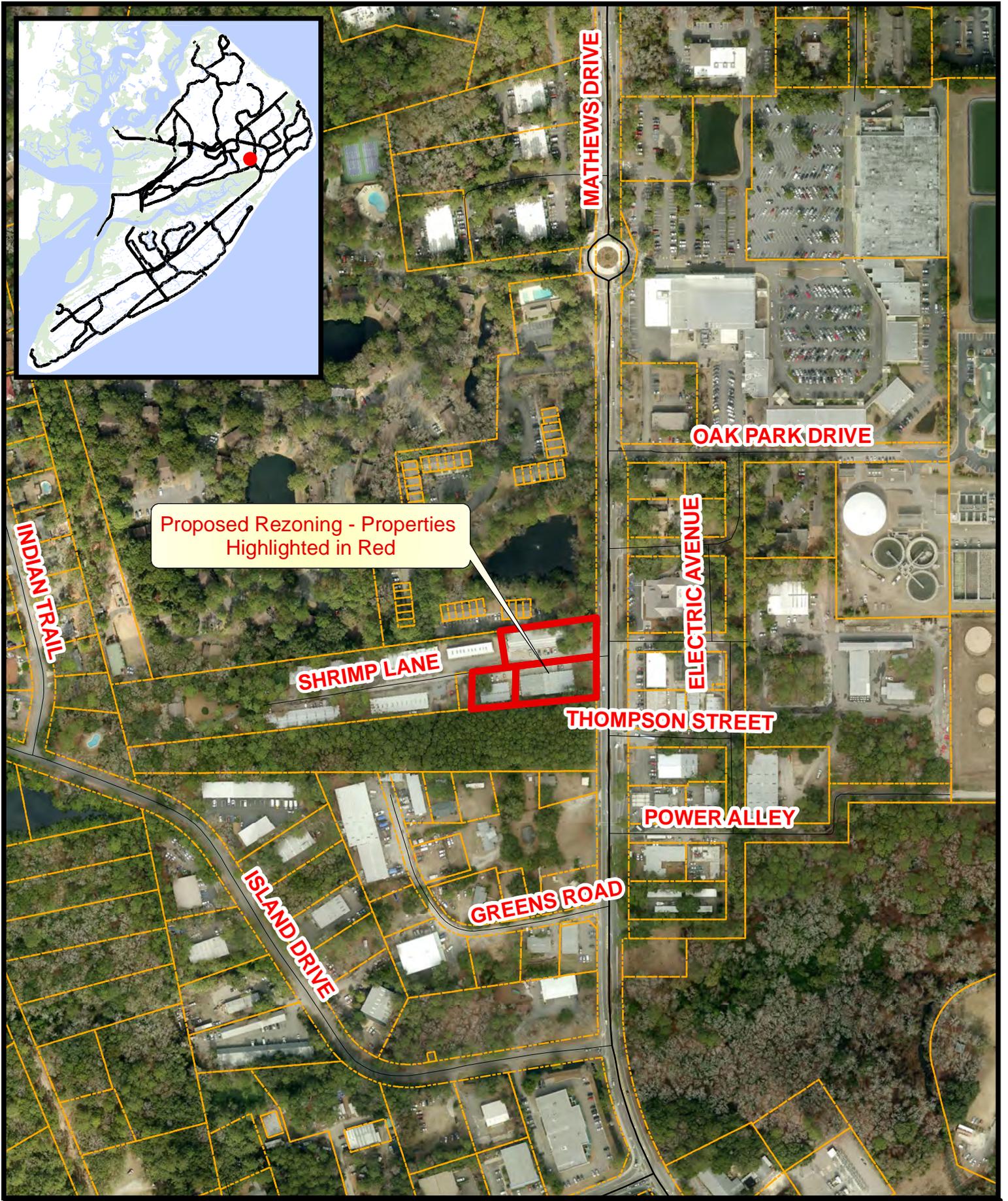
Jayne Lopko, AICP
*Senior Planner & Planning Commission Board
Coordinator*

May 16, 2012

DATE

ATTACHMENTS:

- A) Vicinity Map
- B) Vicinity Map with Zoning
- C) Use Table
- D) Applicant's Narrative
- E) Boundary Survey



Proposed Rezoning - Properties Highlighted in Red

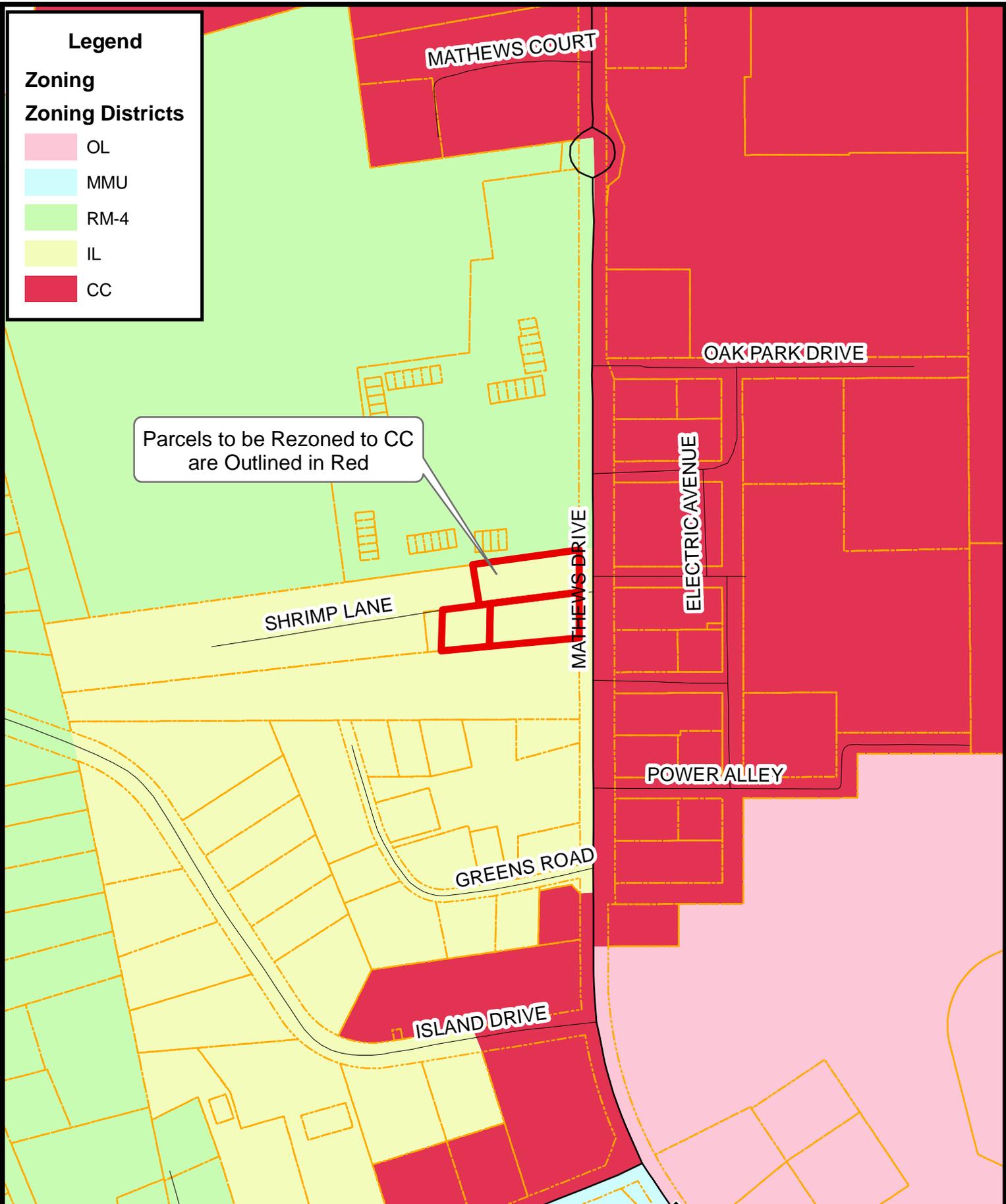


Legend

Zoning

Zoning Districts

- OL
- MMU
- RM-4
- IL
- CC



ATTACHMENT C

P = Permitted By Right PC = Permitted With Conditions SE = Special Exception

Specific Use	IL	CC
Group Living		
Single Family		P
Multifamily Residential		PC
Mixed Use		PC
Manufactured Housing Park		
Aviation/Surface Passenger Terminal	SE	
Community Service		P
Day Care		PC
Colleges		P
Schools, Public or Private		P
Government Facilities	P	P
Hospitals		
Religious Institutions	PC	P
Other Institutions		SE
Cemetery		
Park, Community		SE
Park, Linear		
Park, Mini		P
Park, Neighborhood		
Park, Regional		
Park, Special Use		P
Major Utility	P	SE
Minor Utility	P	P
Telecommunications Facility	PC	PC
Waste Treatment Plant	SE	SE
Restaurant With Drive-thru		SE
Restaurant With Seating, High Turnover	PC	P
Restaurant With Seating, Low Turnover		P
Restaurant Without Seating	P	P
Indoor Recreation		SE
Indoor Entertainment		SE
Outdoor Recreation		

ATTACHMENT C

P = Permitted By Right PC = Permitted With Conditions SE = Special Exception

Outdoor Entertainment		
Water Parks		
Health Services Except Hospitals		P
Real Estate Sales/Rental		P
Other Offices		P
Parking, Commercial		SE
Bed and Breakfast Inn		
Central Reception or Check-in Facility		
Divisible Dwelling Unit		
Hotel or Motel		
Inn		
Interval Occupancy		
RV Park		SE
Adult Entertainment		SE
Bank or Financial Institution		P
Bicycle Shop (with outdoor storage)		PC
Community Theater	PC	PC
Dance Studio	PC	PC
Convenience Store		PC
Department or Discount Store		PC
Funeral Home	P	P
Furniture Store	P	P
Hardware, Paint, Glass, Wallpaper or Flooring Store	P	P
Health Club or Spa		P
Kennel, Boarding	P	SE
Landscape Nursery	P	
Liquor Store		SE
Nightclub or Bar		PC
Open Air Sales		
Pet Store		
Shopping Center		PC
Souvenir or T-Shirt Store		PC
Supermarket		PC

ATTACHMENT C

P = Permitted By Right PC = Permitted With Conditions SE = Special Exception

Tattoo Facility		PC
Veterinary Hospital	P	PC
Watercraft Sales, Rental or Service	P	
Other Retail Sales or Service		P
Auto Rental	P	PC
Auto Repair	P	SE
Auto Sales	PC	PC
Car Wash	P	P
Gas Sales		SE
Taxicab Service	P	SE
Towing Service	P	SE
Truck or Trailer Rental	PC	
Aviation Services	PC	
Contractor's Office	P	PC
Other Light Industrial Service	P	SE
Seafood Processing		
Other Manufacturing and Production	P	
Limited Manufacturing		
Moving and Storage	P	
Self-Service Storage	P	SE
Warehousing	P	
Waste Related Service	P	
Contractor's Materials	P	
Wholesale Business	P	SE
Wholesale Business with Accessory Retail Outlet	PC	SE
Agriculture		
Docking Facility and Boat Ramp		
Marina		
Other Water Oriented Uses		

ATTACHMENT D

April 20, 2012

Community Development Department
One Town Center Court
Hilton Head Island SC29928

This is a request for rezoning three lots with improvements located at 118 and 120 Mathews Drive and 7 Shrimp lane Hilton Head Island SC, shown on the plat attached. The current zoning is IL Light Industrial Commercial Distribution. The request is to change to CC (Commercial Center)

A. Consistency with the Comprehensive Plan. This request for a zoning change to CC is consistent with the Comprehensive Plan and is more in keeping with the commercial uses on Matthews Drive. The CC use fits the Comprehensive Plan's objective of having commercial property situated where it serves the Island residence and guest in a safe and efficient manner. The zoning change would allow 118 and 120 Mathews Drive and 7 Shrimp Lane as a retail store. The building on 7 Shrimp lane would be taken down for additional parking. The past use for 120 Mathews was a furniture store which is somewhat retail but not excluded in the IL zoning. The current use for 118 Mathews is a furniture store. At present we have a contract on 120 Mathews, with Advanced Auto for a parts store which needs a CC zoning to conform to the LMO.

The Land Use component of the Comprehensive Plan states that infill development in the commercial context should be the focus of future development. This rezoning request would allow that to happen. The Comprehensive plan further indicates current zoning classifications should be reviewed and revisions made where necessary.

B. Compatibility with the present zoning and conforming uses of nearby property and to the character of the neighborhood. Surrounding properties include a furniture store, The Palmetto Electric Office a retail strip center, a gas convenience store, an apartment complex, self storage units and vacant land. Rezoning the subject parcel to CC would be in total compliance with the neighborhood.

C. Suitability of the property affected by the amendment for uses permitted by the district that would be made applicable by the proposed amendment.

The property has recently been a furniture store which is an allowable use under CC and would be suitable and consistent with the adjacent furniture store.

D. Suitability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment.

ATTACHMENT D

The property at 120 Mathews Drive is a 6,000 + square foot building that was a furniture store.

The property on 7 Shrimp Lane is a 3000 Square foot building that will be taken down to make room for parking. And reduce congestion on Shrimp Lane.

The property on 118 Mathews Drive is a 6,000 + square foot furniture store.

E. Marketability of the property affected by the amendment for uses permitted by the district applicable to the property at the time of the proposed amendment.

There is currently a contract with a major auto parts store which would keep this from becoming another dark building on Hilton Head. In addition to being a benefit to the population on the Island it would improve property values and employ some 16 new employees.

F. Availability of sewer, water and storm water facilities generally suitable and adequate for the proposed use.

Documentation attached from Hilton Head Public Service District. The area has been developed for a number of years and storm water drainage is in and adequate. Water and sewer are available to the site

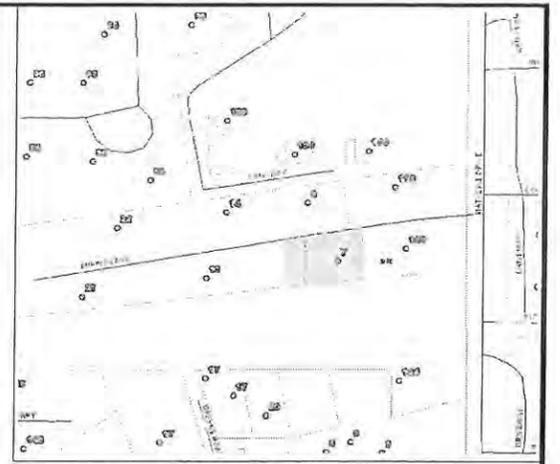
See attached.

ATTACHMENT E

First American Title Insurance Company
 SCHEDULE B - SECTION II
 EXCLUSIONS
 Issuing Office File No. 12-042-29
 Any policy we issue will have the following exceptions unless they are taken care of to our satisfaction.

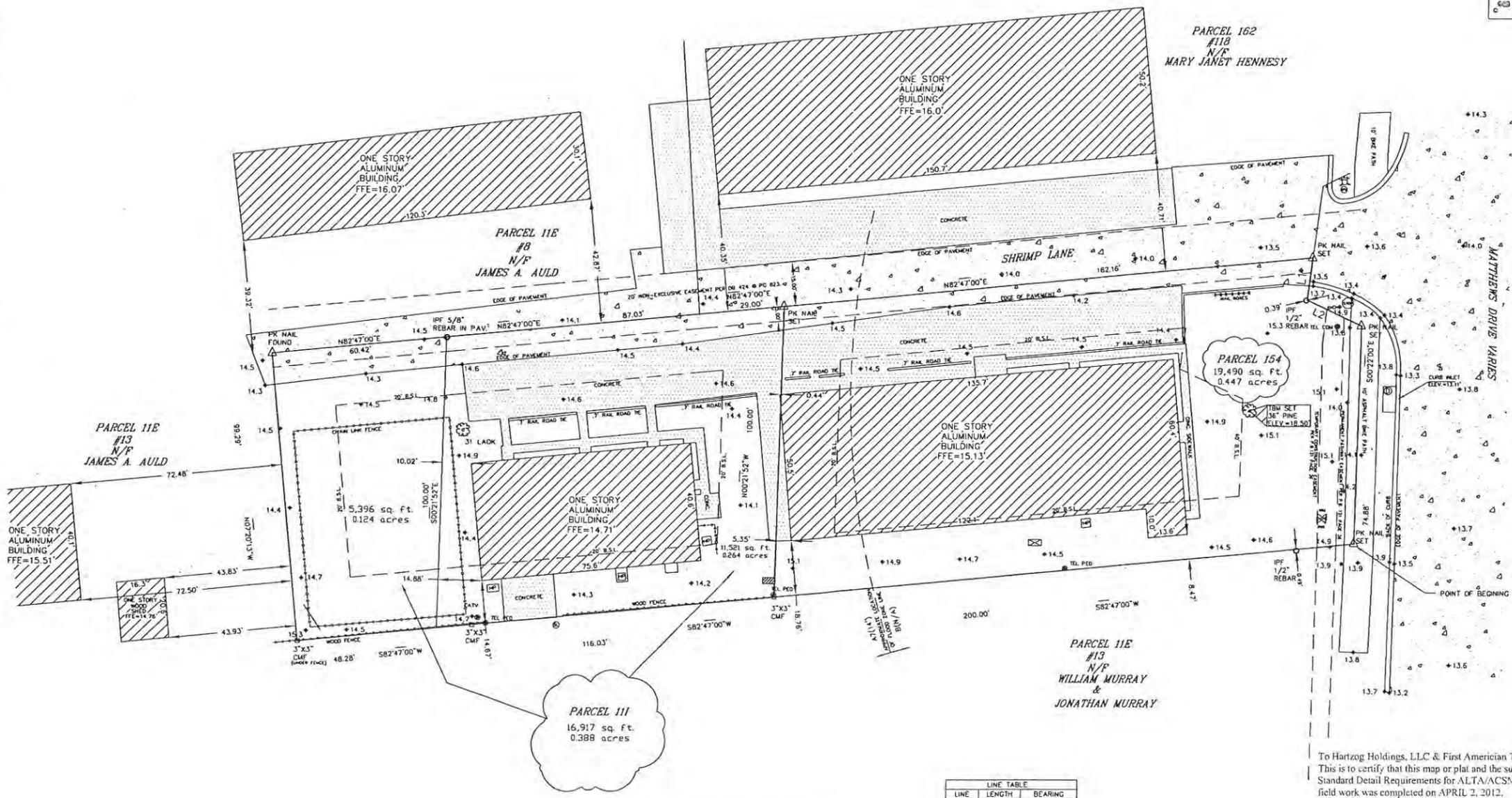
7. Terms and conditions of any existing unexpired policies and all rights of lessors and any parties claiming thereon in the United States and its territories.
8. Subsequent to and between Adrienne K. and William F. Marcher, John L. Allen and James A. Auld, as recorded in Book 424 at Page 823 (PLATTED) and in Book 424 at Page 824 (PLATTED) and in Book 424 at Page 825 (PLATTED) and in Book 424 at Page 826 (PLATTED) and in Book 424 at Page 827 (PLATTED) and in Book 424 at Page 828 (PLATTED) and in Book 424 at Page 829 (PLATTED) and in Book 424 at Page 830 (PLATTED) and in Book 424 at Page 831 (PLATTED) and in Book 424 at Page 832 (PLATTED) and in Book 424 at Page 833 (PLATTED) and in Book 424 at Page 834 (PLATTED) and in Book 424 at Page 835 (PLATTED) and in Book 424 at Page 836 (PLATTED) and in Book 424 at Page 837 (PLATTED) and in Book 424 at Page 838 (PLATTED) and in Book 424 at Page 839 (PLATTED) and in Book 424 at Page 840 (PLATTED) and in Book 424 at Page 841 (PLATTED) and in Book 424 at Page 842 (PLATTED) and in Book 424 at Page 843 (PLATTED) and in Book 424 at Page 844 (PLATTED) and in Book 424 at Page 845 (PLATTED) and in Book 424 at Page 846 (PLATTED) and in Book 424 at Page 847 (PLATTED) and in Book 424 at Page 848 (PLATTED) and in Book 424 at Page 849 (PLATTED) and in Book 424 at Page 850 (PLATTED) and in Book 424 at Page 851 (PLATTED) and in Book 424 at Page 852 (PLATTED) and in Book 424 at Page 853 (PLATTED) and in Book 424 at Page 854 (PLATTED) and in Book 424 at Page 855 (PLATTED) and in Book 424 at Page 856 (PLATTED) and in Book 424 at Page 857 (PLATTED) and in Book 424 at Page 858 (PLATTED) and in Book 424 at Page 859 (PLATTED) and in Book 424 at Page 860 (PLATTED) and in Book 424 at Page 861 (PLATTED) and in Book 424 at Page 862 (PLATTED) and in Book 424 at Page 863 (PLATTED) and in Book 424 at Page 864 (PLATTED) and in Book 424 at Page 865 (PLATTED) and in Book 424 at Page 866 (PLATTED) and in Book 424 at Page 867 (PLATTED) and in Book 424 at Page 868 (PLATTED) and in Book 424 at Page 869 (PLATTED) and in Book 424 at Page 870 (PLATTED) and in Book 424 at Page 871 (PLATTED) and in Book 424 at Page 872 (PLATTED) and in Book 424 at Page 873 (PLATTED) and in Book 424 at Page 874 (PLATTED) and in Book 424 at Page 875 (PLATTED) and in Book 424 at Page 876 (PLATTED) and in Book 424 at Page 877 (PLATTED) and in Book 424 at Page 878 (PLATTED) and in Book 424 at Page 879 (PLATTED) and in Book 424 at Page 880 (PLATTED) and in Book 424 at Page 881 (PLATTED) and in Book 424 at Page 882 (PLATTED) and in Book 424 at Page 883 (PLATTED) and in Book 424 at Page 884 (PLATTED) and in Book 424 at Page 885 (PLATTED) and in Book 424 at Page 886 (PLATTED) and in Book 424 at Page 887 (PLATTED) and in Book 424 at Page 888 (PLATTED) and in Book 424 at Page 889 (PLATTED) and in Book 424 at Page 890 (PLATTED) and in Book 424 at Page 891 (PLATTED) and in Book 424 at Page 892 (PLATTED) and in Book 424 at Page 893 (PLATTED) and in Book 424 at Page 894 (PLATTED) and in Book 424 at Page 895 (PLATTED) and in Book 424 at Page 896 (PLATTED) and in Book 424 at Page 897 (PLATTED) and in Book 424 at Page 898 (PLATTED) and in Book 424 at Page 899 (PLATTED) and in Book 424 at Page 900 (PLATTED) and in Book 424 at Page 901 (PLATTED) and in Book 424 at Page 902 (PLATTED) and in Book 424 at Page 903 (PLATTED) and in Book 424 at Page 904 (PLATTED) and in Book 424 at Page 905 (PLATTED) and in Book 424 at Page 906 (PLATTED) and in Book 424 at Page 907 (PLATTED) and in Book 424 at Page 908 (PLATTED) and in Book 424 at Page 909 (PLATTED) and in Book 424 at Page 910 (PLATTED) and in Book 424 at Page 911 (PLATTED) and in Book 424 at Page 912 (PLATTED) and in Book 424 at Page 913 (PLATTED) and in Book 424 at Page 914 (PLATTED) and in Book 424 at Page 915 (PLATTED) and in Book 424 at Page 916 (PLATTED) and in Book 424 at Page 917 (PLATTED) and in Book 424 at Page 918 (PLATTED) and in Book 424 at Page 919 (PLATTED) and in Book 424 at Page 920 (PLATTED) and in Book 424 at Page 921 (PLATTED) and in Book 424 at Page 922 (PLATTED) and in Book 424 at Page 923 (PLATTED) and in Book 424 at Page 924 (PLATTED) and in Book 424 at Page 925 (PLATTED) and in Book 424 at Page 926 (PLATTED) and in Book 424 at Page 927 (PLATTED) and in Book 424 at Page 928 (PLATTED) and in Book 424 at Page 929 (PLATTED) and in Book 424 at Page 930 (PLATTED) and in Book 424 at Page 931 (PLATTED) and in Book 424 at Page 932 (PLATTED) and in Book 424 at Page 933 (PLATTED) and in Book 424 at Page 934 (PLATTED) and in Book 424 at Page 935 (PLATTED) and in Book 424 at Page 936 (PLATTED) and in Book 424 at Page 937 (PLATTED) and in Book 424 at Page 938 (PLATTED) and in Book 424 at Page 939 (PLATTED) and in Book 424 at Page 940 (PLATTED) and in Book 424 at Page 941 (PLATTED) and in Book 424 at Page 942 (PLATTED) and in Book 424 at Page 943 (PLATTED) and in Book 424 at Page 944 (PLATTED) and in Book 424 at Page 945 (PLATTED) and in Book 424 at Page 946 (PLATTED) and in Book 424 at Page 947 (PLATTED) and in Book 424 at Page 948 (PLATTED) and in Book 424 at Page 949 (PLATTED) and in Book 424 at Page 950 (PLATTED) and in Book 424 at Page 951 (PLATTED) and in Book 424 at Page 952 (PLATTED) and in Book 424 at Page 953 (PLATTED) and in Book 424 at Page 954 (PLATTED) and in Book 424 at Page 955 (PLATTED) and in Book 424 at Page 956 (PLATTED) and in Book 424 at Page 957 (PLATTED) and in Book 424 at Page 958 (PLATTED) and in Book 424 at Page 959 (PLATTED) and in Book 424 at Page 960 (PLATTED) and in Book 424 at Page 961 (PLATTED) and in Book 424 at Page 962 (PLATTED) and in Book 424 at Page 963 (PLATTED) and in Book 424 at Page 964 (PLATTED) and in Book 424 at Page 965 (PLATTED) and in Book 424 at Page 966 (PLATTED) and in Book 424 at Page 967 (PLATTED) and in Book 424 at Page 968 (PLATTED) and in Book 424 at Page 969 (PLATTED) and in Book 424 at Page 970 (PLATTED) and in Book 424 at Page 971 (PLATTED) and in Book 424 at Page 972 (PLATTED) and in Book 424 at Page 973 (PLATTED) and in Book 424 at Page 974 (PLATTED) and in Book 424 at Page 975 (PLATTED) and in Book 424 at Page 976 (PLATTED) and in Book 424 at Page 977 (PLATTED) and in Book 424 at Page 978 (PLATTED) and in Book 424 at Page 979 (PLATTED) and in Book 424 at Page 980 (PLATTED) and in Book 424 at Page 981 (PLATTED) and in Book 424 at Page 982 (PLATTED) and in Book 424 at Page 983 (PLATTED) and in Book 424 at Page 984 (PLATTED) and in Book 424 at Page 985 (PLATTED) and in Book 424 at Page 986 (PLATTED) and in Book 424 at Page 987 (PLATTED) and in Book 424 at Page 988 (PLATTED) and in Book 424 at Page 989 (PLATTED) and in Book 424 at Page 990 (PLATTED) and in Book 424 at Page 991 (PLATTED) and in Book 424 at Page 992 (PLATTED) and in Book 424 at Page 993 (PLATTED) and in Book 424 at Page 994 (PLATTED) and in Book 424 at Page 995 (PLATTED) and in Book 424 at Page 996 (PLATTED) and in Book 424 at Page 997 (PLATTED) and in Book 424 at Page 998 (PLATTED) and in Book 424 at Page 999 (PLATTED) and in Book 424 at Page 1000 (PLATTED).

PROPERTY DESCRIPTION
 ALL THAT CERTAIN PIECE, PARCEL OR LOT OF LAND LYING AND BEING IN THE TOWN OF HILTON HEAD ISLAND, BEAUFORT COUNTY, STATE OF SOUTH CAROLINA, BEING LOCATED ON THE WESTERN RIGHT OF WAY OF MATTHEWS DRIVE, KNOWN AS PARCELS 134 AND 111 AND HAVING THE FOLLOWING METES AND BOUNDS TO WIT:
 BEGINNING AT A PK NAIL SET ON THE WESTERN RIGHT OF WAY OF MATTHEWS DRIVE, AND NOTED AS POINT OF BEGINNING, BEING THE COMMON CORNER OF PARCELS 154 AND 111; THENCE, RUNNING IN A WESTERLY DIRECTION S82°47'33"W FOR A DISTANCE OF 200' TO A 3" X 3" CONCRETE MONUMENT; THENCE, S83°47'00"W FOR A DISTANCE OF 116.03' TO A POINT; THENCE, S82°47'00"W FOR A DISTANCE OF 48.28' TO A 3" X 3" CONCRETE MONUMENT; THENCE, N07°20'15"W FOR A DISTANCE OF 99.29' TO A PK NAIL FOUND; THENCE, N02°47'00"E FOR A DISTANCE OF 60.42' TO A 5/8" REBAR FOUND; THENCE, N02°47'00"E FOR A DISTANCE OF 57.03' TO A POINT; THENCE, N82°47'00"E FOR A DISTANCE OF 24.00' TO A PK NAIL SET; THENCE, N82°47'00"E FOR A DISTANCE OF 182.16' TO A PK NAIL SET; THENCE, S05°17'19"W FOR A DISTANCE OF 14.65' TO A 1/2" REBAR; THENCE, S66°30'43"E FOR A DISTANCE OF 20.92' TO A PK NAIL SET; THENCE, S00°22'00"E FOR A DISTANCE OF 74.8' TO A PK NAIL SET BEING THE POINT AND PLACE OF BEGINNING AND CONTAINING 0.785 ACRES. THE PROPERTY DESCRIBED IS SUBJECT TO A 20' NON-EXCLUSIVE EASEMENT ON THE NORTHERN MOST PROPERTY LINE, AND A PERMANENT PATHWAY EASEMENT ON THE EASTERN MOST PROPERTY LINE.



- LEGEND
- CONCRETE MONUMENT SET
 - CONCRETE MONUMENT FOUND
 - PK NAIL SET
 - PK NAIL FOUND
 - MONUMENT STREET ADDRESS
 - TEMPORARY BEACH MARK
 - BUILDING SETBACK LINE
 - TELEPHONE PEDESTAL/COMMERCIAL/UTILITY
 - SEWER LATERAL
 - SANITARY SEWER MANHOLE
 - ELECTRIC BOX
 - SPOT ELEVATION SHOTS
 - HYDRA - TRANSFORMER
 - WATER VALVE
 - WATER METER
 - HEAT PUMP
 - FIRE HYDRANT
 - DRAIN ALLEY
 - POWER POLE
 - OVER HEAD POWER LINE
 - DUTY LINE
 - LIGHT POLE
 - STORM DRAIN MANHOLE
 - FIBEROPTICS MANHOLE
 - STREET SIGN
 - STOP SIGN

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



LINE	LENGTH	BEARING
L1	14.65	S05°17'19"W
L2	20.92	S66°30'43"E

NOTE: PARCELS 111 & 154 ARE ZONED IL - LIGHT INDUSTRIAL PER THE TOWN OF HILTON HEAD PLANNING DEPARTMENT & THE SETBACKS SHOWN ARE PER THE TOWN OF HILTON HEAD PLANNING DEPARTMENT.

To Hartzog Holdings, LLC & First American Title Insurance Company:
 This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS. The field work was completed on APRIL 2, 2012.
 Date of plat: APRIL 4, 2012

WILLIAM J. SMITH, PLS # 26960



T-SQUARE GROUP, INC.
 PROFESSIONAL LAND SURVEYORS
 P.O. Drawer 330
 139 Burnt Church Road
 Bluffton, S.C. 29910
 tsquare@earthlink.net
 Phone 843-757-2650 Fax 843-757-5758
 JOB No. 12-042ALTA

I HEREBY STATE TO THE BEST OF MY KNOWLEDGE, INFORMATION & BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARD MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS A SURVEY AS SPECIFIED THEREIN. ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS AFFECTING THE PROPERTY OTHER THAN THOSE INDICATED.

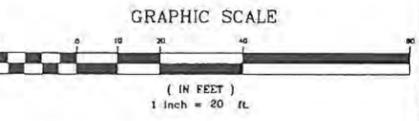
WILLIAM J. SMITH, PLS # 26960



THE ABOVE PLAT PREPARED BY ME AT THE REQUEST OF
HARTZOG HOLDINGS, LLC
 AN ALTA/ACSM LAND TITLE SURVEY OF PARCELS 111 & 154 MATTHEWS DRIVE, TOWN OF HILTON HEAD ISLAND, BEAUFORT COUNTY, SOUTH CAROLINA.

DIST 511, MAP 008, PARCEL 111
 DIST 511, MAP 008, PARCEL 154

NOTES:
 1. According to FEMA Flood Insurance Rate Map # 450025 0000 This Lot Appears To Lie In A Federal Flood Plain Zone A7 & B, Minimum Required Elevation 14.0' & 14.0' NGVD89
 2. This Survey Was Performed Without The Benefit Of A Vetland Delimitation
 3. All Building Setback Requirements Should Be Verified With The Proper Authorities Prior To Design And Construction
 Reference Plat(s)
 1. PLAT BOOK 33 AT PAGE 57
 2. PLAT BOOK 121 AT PAGE 36
 3. PLAT BOOK 23 AT PAGE 25
 4. A PLAT BY SEA ISLAND ENGINEERING, PREPARED FOR WILLIAM F. & ADRIENNE K. MARCHER.



DRAWN BY: W.J.S.
 APPROVED BY: F.F.B.
 PARTY CHIEF: B.S.
 DATE: APRIL 4, 2012