

PLANNING COMMISSION  
May 11, 2022

The public may view the public meeting at:  
[www.youtube.com/user/cityofisleofpalms](http://www.youtube.com/user/cityofisleofpalms)

**Public Comment:** Citizens may provide public comment here:  
<https://www.iop.net/public-comment-form>

**AGENDA**

The Isle of Palms Planning Commission will hold its regular meeting on Wednesday, May 11, 2022, at **4:30 p.m.** in Council Chambers of City Hall, 1207 Palm Boulevard.

- A. Call to order and acknowledgment that the press and the public were duly notified in accordance with state law
- B. Approval of minutes                      April 20, 2022
- C. New business                              Discuss and consider short term rental recommendations of implementing cap
- D. Old business                              Discuss alternative uses of front beach commercial parking lot  
  
    Discuss Transportation Element of Comprehensive Plan update
- E. Miscellaneous business
- F. Adjourn



**Planning Commission Meeting  
4:30pm, Wednesday, April 20, 2022  
1207 Palm Boulevard, Isle of Palms, SC and  
broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>**

**MINUTES**

**1. Call to Order**

Present: Steve Corney, Ron Denton, David Cohen, Marty Brown, Sue Nagelski,  
and Douglas Kerr, Director of Planning

Absent: Sandy Stone

**2. Approval of minutes**

Mr. Brown made a motion to approve the minutes of the March 9, 2022 regular meeting. Ms. Nagelski seconded the motion. The motion passed unanimously.

Mr. Corney made a motion to approve the minutes of the April 7, 2022 meeting. Mr. Cohen seconded the motion. The motion passed unanimously.

**3. New Business**

**Discuss task of reviewing special uses of City parking lot at Front Beach**

Director Kerr this request came to the Planning Commission via the Real Property Committee after they were approached by former Council Member Ted Kinghorn about discussing alternative uses of the City parking lot at Front Beach. He shared that the lot was originally purchased from the State following a non-binding referendum. Deed restrictions on the property said it must be use for parking or other passive uses. However, should a change be considered the money can be repaid or the City could request approval of a new use.

Historically, the City has not favored adding a use that would create more traffic in that area since it is already so congested. Commissioners discussed the benefits of added office and retail space there without giving up parking spaces. They also discussed the possibility of buying the property back from the State.

Director Kerr will look into what it may cost or entail to purchase the property back from the State. He will put together a draft RFI after finding out other allowable uses for the property based on the deed restrictions. Commissioners agreed no hotels should be put there, but they are open to ideas around additional food, retail, office or event space.

The Commissioners would like to see the parking revenues for that lot.

**4. Old Business**

**A. Discuss Short-Term Rental Analysis**

Director Kerr said City Council would like a report from the Planning Commission on the status of their short-term rental analysis. Mr. Cohen said he supports the idea of rental caps in certain areas since the short-term rentals have seemed to shift into residential areas. Mr. Brown agrees with caps but would like to see them allow for a small amount of growth.

Mr. Corney pointed out that the data used in their analysis gave a snapshot from one point in time. There needs to be better and more data collected in order to make the data more meaningful. The data should be refreshed and looked at annually to spot trends or changes.

Mr. Cohen suggested caps in occupancy rates in certain areas to which Mr. Cohen added there could be a combination of both types of caps.

Director Kerr said he would report to City Council that “the consensus is a cap of some form and the cap being zoned in some form. Other administrative recommendations about data collection and things to potentially aid in the permitting process about occupancy levels.” The Commissioners will have more complete recommendations for Council at the June meeting.

Director Kerr will bring a draft of recommendations to the May meeting. Mr. Denton suggested a less formal discussion in May to discuss the data using the database to assist in making their recommendations to City Council.

**B. Discuss Comprehensive Plan Update**

Director Kerr said he will have a revised draft of the Transportation Element available for the Commissioners to review at their May meeting.

**5. Miscellaneous Business**

The election of a new Vice Chair (upon the election of former Vice Chair Scott Pierce to City Council) will be held at the next meeting.

**6. Adjournment**

Mr. Cohen made a motion to adjourn, and Mr. Corney seconded the motion. The meeting was adjourned at approximately 5:10pm.

Respectfully submitted,

Nicole DeNeane  
City Clerk

## *ARTICLE 9. SHORT-TERM RENTALS*

### **Sec. 5-4-201. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Short-term rental* means the use of any dwelling, including the lot upon which the dwelling is located, anywhere within the City whereby the dwelling is leased or otherwise made available by the owner to another person for a term of three (3) months or less. Any reference in this article to dwelling, residence or rental shall mean a short-term rental.

*Short-Term Rental Zone* means the area shown on the Short-Term Rental Zone Map.

*CAP* is the maximum number of properties that may be licensed for short-term rental use within each Short-Term Rental Zone as shown in the Table of Short-Term Rental Caps table below.

(Ord. No. 2007-2, § 2(5-4-201), 3-27-2007)

### **Sec. 5-4-201. Short-Term Rental Property Caps**

Short term rental Caps are established in the Table of Short-Term Rental Caps below for each Short-Term Rental Zone as established by the Short-Term Rental Zone Map. The limitations and requirements of this section apply to short term rental properties in the City's SR1 and SR2 zoning districts.

(1) License Caps. Licenses for rental properties shall be distributed on a first-come, first-serve basis. Active licenses expire annually on April 30th of each year. Applications received after April 30th are subject to late fees as defined in Sec. xxxxxxxx.

a. Properties holding a rental business license will have first preference to renew by April 30th to maintain their license, as long as the license is in good standing with the City.

b. Available licenses are subject to the maximum number of short-term rental licenses allowed within the Short-Term Rental Zone as established by the Table of Short Rental Caps below.

c. If a license cap is reached within the Short-Term Rental Zone, the applicant will be placed on a waiting list until a license becomes available.

d. Short term rental licenses are not transferable. In the event of the transfer of property ownership, including the transfer of interests in corporations or partnerships that own a licensed property, the new owner may apply for a new Short term rental license, subject to Section 7-1-5 and all other provisions of this ordinance. Exception: Intra-family transfers of property are excluded from this section and can be transferred.

e. A license may be subject to expiration or may not be renewed should an owner report <\$3,000 of annual rental revenue. In the event of annual revenue below \$3,000, an owner will need to demonstrate the short-term rental property was available and advertised for rental throughout the previous year

<u>Table of Short-Term Rental Caps</u>	
<u>Short Term Rental Zone</u>	<u>Maximum Number of STR's Allowed</u>
<u>1</u>	<u>96</u>
<u>2</u>	<u>No cap</u>
<u>3</u>	<u>198</u>
<u>4</u>	<u>110</u>
<u>5</u>	<u>167</u>
<u>6</u>	<u>84</u>
<u>7</u>	<u>No cap</u>
<u>8</u>	<u>344</u>
<u>9</u>	<u>262</u>

THESE NUMBERS REPRESENT MOST  
RECENT COMPLETE YEAR + 20% (5/6/22)

#### **Sec. 5-4-202. Maximum overnight occupancy.**

- a. The maximum overnight occupancy of an existing residence for which the owner is holding a valid short-term rental license on June 22, 2010, shall be limited to the greater of:
  - (1) Two (2) people per bedroom, plus two (2) people.
  - (2) One person per two hundred fifty (250) square feet of gross heated floor area in the entire house.
  - (3) Six (6) people.
- b. The maximum overnight occupancy of an existing residence for which the owner is not holding a valid short-term rental license on June 22, 2010, shall be limited to the greater of:
  - (1) Two (2) people per bedroom, plus two (2) people.
  - (2) Six (6) people.
- c. The maximum overnight occupancy of a residence permitted for new construction after June 22, 2010 shall be the same as prescribed in section 5-4-202(b) or twelve (12) people, whichever is fewer.

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- d. The maximum overnight occupancy of an existing residence that is altered or reconstructed after June 22, 2010, shall be prescribed as follows:
- (1) If the maximum overnight occupancy of the residence prior to alteration or reconstruction was less than twelve (12) people, then the maximum overnight occupancy of the altered or reconstructed residence may be increased to the number of people prescribed in:
    - (a) Section 5-4-202(a) or twelve (12) people, whichever is fewer, if the owner was holding a valid short-term rental license on June 22, 2010.
    - (b) Section 5-4-202(b) or twelve (12) people, whichever is fewer, if the owner was not holding a valid short-term rental license on June 22, 2010.
  - (2) If the maximum overnight occupancy of the residence prior to alteration or reconstruction was twelve (12) people or more, then the maximum overnight occupancy of the altered or reconstructed residence shall not be increased.
  - (3) If the alteration or reconstruction results in a decrease in number of bedrooms or floor area of the residence, then the maximum overnight occupancy shall be reduced as prescribed in:
    - (a) Section 5-4-202(a), if the owner was holding a valid short-term rental license on June 22, 2010.
    - (b) Section 5-4-202(b), if the owner was not holding a valid short-term rental license on June 22, 2010.
- e. Children under two (2) years of age shall not be included in determining the maximum overnight occupancy.  
(Ord. No. 2007-2, § 2(5-4-202), 3-27-2007; Ord. No. 2010-08, § 1, 6-22-2010)

#### **Sec. 5-4-203. Maximum occupancy at any time.**

Notwithstanding any other provision of this article to the contrary, at no time shall the total number of persons at a residence exceed forty (40) persons, including children, or twice the maximum overnight occupancy as determined by section 5-4-202, whichever is less.

(Ord. No. 2007-2, § 2(5-4-203), 3-27-2007; Ord. No. 2020-04, § 1, 8-25-2020)

#### **Sec. 5-4-204. Maximum number of vehicles.**

The maximum number of vehicles that may be located at a residence between the hours of 11:00 p.m. to 9:00 a.m. shall be limited to one (1) vehicle per approved bedroom or one (1) vehicle for every two and one-half (2½) people allowed under the maximum overnight occupancy. In no instance shall the number of vehicles allowed be less than two (2).

(Ord. No. 2007-2, § 2(5-4-204), 3-27-2007)

#### **Sec. 5-4-205. Written notices to be conspicuously posted inside and outside residence; Penalties for removing notices.**

A written notice provided by the city which contains information about certain ordinances generally impacting tenants of Short-term Rentals shall be affixed to a conspicuous location inside the residence located within fifteen (15) feet from the main entrance to the residence and maintained at such location by the owner and displayed at all times. A written notice provided by the city which contains information about the city's noise ordinance shall be weatherproofed and affixed to a conspicuous location on any exterior deck, porch, patio, pool

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or other gathering area of the residence and maintained at such location by the owner and displayed at all times. It shall be unlawful for any person to destroy, hide, obstruct, conceal or remove the notices required by this section.

(Ord. No. 2007-2, § 2(5-4-205), 3-27-2007; Ord. No. 2009-14, § 1, 10-27-2009; Ord. No. 2015-07, § 1, 7-28-2015)

Editor's note(s)—Ord. No. 2015-07, § 1, adopted July 28, 2015, changed the title of § 5-4-205 from "Written notice to be conspicuously posted in residence; Penalties for removing notice" to read as set out herein.

**Sec. 5-4-206. Provisions are cumulative.**

All provisions contained in this article shall be cumulative to all other Federal, State and City laws, ordinances and regulations to which an owner or tenant may be subject regarding the ownership, use, rental or occupancy of a residence.

(Ord. No. 2007-2, § 2(5-4-206), 3-27-2007)

# SHORT TERM RENTAL ZONE MAP



DRAFT  
For Discussion Only  
5/6/2022



**IOP Planning Commission Short Term Livability Project**  
**Draft Summary of Initial Property Records and Rental Licenses For All IOP Parcels**  
**DRAFT FOR DISCUSSION ONLY - as of March 27, 2022**

**BY AREA - PRIMARY RESIDENCE (PR), SECOND HOME (SH), SHORT TERM RENTAL (STR) & LT RENTAL/OTHER**

BEDROOMS										
Area	PR	% of Area	SH	% of Area	STR	% of Area	LTR/OTHER	% of Area	Total	% of Total
1	296	30.5%	185	19.1%	467	48.2%	21	2.17%	969	6.1%
2	31	7.2%	121	27.9%	268	61.9%	13	3.00%	433	2.7%
3	748	47.1%	324	20.4%	360	22.7%	157	9.88%	1,589	10.0%
4	216	20.4%	351	33.2%	456	43.1%	35	3.31%	1,058	6.6%
5	2,197	57.7%	794	20.9%	543	14.3%	271	7.12%	3,805	23.9%
6	458	41.3%	311	28.1%	310	28.0%	29	2.62%	1,108	7.0%
7	74	7.2%	236	22.8%	716	69.3%	7	0.68%	1,033	6.5%
8	109	7.4%	694	47.4%	656	44.8%	5	0.34%	1,464	9.2%
9	1,860	41.6%	1,747	39.1%	749	16.8%	113	2.53%	4,469	28.1%
<b>Total</b>	<b>5,989</b>		<b>4,763</b>		<b>4,525</b>		<b>651</b>		<b>15,928</b>	<b>100.00%</b>

UNITS										
Area	PR	% of Area	SH	% of Area	STR	% of Area	LTR/OTHER	% of Area	Total	% of Total
1	64	33.9%	40	21.2%	80	42.3%	5	2.65%	189	4.06%
2	13	5.2%	69	27.4%	165	65.5%	5	1.98%	252	5.42%
3	200	49.9%	82	20.4%	83	20.7%	36	8.98%	401	8.62%
4	53	22.6%	82	34.9%	92	39.1%	8	3.40%	235	5.05%
5	626	58.2%	229	21.3%	139	12.9%	81	7.53%	1,075	23.12%
6	118	43.2%	77	28.2%	70	25.6%	8	2.93%	273	5.87%
7	27	7.1%	79	20.9%	269	71.2%	3	0.79%	378	8.13%
8	41	7.1%	251	43.2%	287	49.4%	2	0.34%	581	12.49%
9	512	40.4%	504	39.8%	218	17.2%	32	2.53%	1,266	27.23%
<b>TOTAL</b>	<b>1,654</b>		<b>1,413</b>		<b>1,403</b>		<b>180</b>		<b>4,650</b>	<b>100.00%</b>

**BY WILD DUNES/NOT WILD DUNES - PRIMARY RESIDENCE (PR), SECOND HOME (SH), SHORT TERM RENTAL (STR) & LT RENTAL/OTHER**

BEDROOMS										
Category	PR	% of Area	SH	% of Area	STR	% of Area	LTR/OTHER	% of Area	Total	% of Total
Wild Dunes	2,043	29.3%	2,677	38.4%	2,121	30.4%	125	1.8%	6,966	43.7%
Not Wild Dunes	3,946	44.0%	2,086	23.3%	2,404	26.8%	526	5.9%	8,962	56.3%
<b>TOTAL</b>	<b>5,989</b>		<b>4,763</b>		<b>4,525</b>		<b>651</b>		<b>15,928</b>	<b>100.0%</b>

UNITS										
Category	PR	% of Area	SH	% of Area	STR	% of Area	LTR/OTHER	% of Area	Total	% of Total
Wild Dunes	580	26.1%	834	37.5%	774	34.8%	37	1.7%	2,225	47.8%
Not Wild Dunes	1,074	44.3%	579	23.9%	629	25.9%	143	5.9%	2,425	52.2%
<b>TOTAL</b>	<b>1,654</b>		<b>1,413</b>		<b>1,403</b>		<b>180</b>		<b>4,650</b>	<b>100.0%</b>

**BY COMMERCIAL/RESIDENTIAL - PRIMARY RESIDENCE (PR), SECOND HOME (SH), SHORT TERM RENTAL (STR) & LT RENTAL/OTHER**

BEDROOMS										
Category	PR	% of Area	SH	% of Area	STR	% of Area	LTR/OTHER	% of Area	Total	% of Total
Commercial	105	7.2%	357	24.4%	984	67.1%	20	1.4%	1,466	9.2%
Residential	5,884	40.7%	4,406	30.5%	3,541	24.5%	631	4.4%	14,462	90.8%
<b>TOTAL</b>	<b>5,989</b>		<b>4,763</b>		<b>4,525</b>		<b>651</b>		<b>15,928</b>	<b>100.0%</b>

UNITS										
Category	PR	% of Area	SH	% of Area	STR	% of Area	LTR/OTHER	% of Area	Total	% of Total
Commercial	40	6.3%	148	23.5%	434	68.9%	8	1.3%	630	13.5%
Residential	1,614	40.1%	1,265	31.5%	969	24.1%	172	4.3%	4,020	86.5%
<b>TOTAL</b>	<b>1,654</b>		<b>1,413</b>		<b>1,403</b>		<b>180</b>		<b>4,650</b>	<b>100.0%</b>

**Notes: Source - County and IOP Licensing Records - Continuing to Review - Work In Process**  
**Commercial = Areas 2 & 7, but is being reviewed - for illustration only**  
**Data/Counts Currently excludes Sweetgrass and Boardwalk 246 Hotel Rooms - records will be added**  
**Bedroom counts reflect County Records. Advertised Bedrooms for Licensed Properties are also available.**

## Douglas Kerr

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**From:** Justin Hancock <jhancock@scprt.com>  
**Sent:** Wednesday, May 4, 2022 1:35 PM  
**To:** Douglas Kerr  
**Subject:** [EXTERNAL] RE: Isle of Palms parking facility  
**Attachments:** IOP Parking Acquisition - RELT 8912L.pdf

[EXTERNAL]

Hi Douglas,

My apologies for the delay in getting the RELT file contents to you. I had a couple of unexpected project issues pop up that monopolized a good bit of my time. Pulled the file this morning – not much there, but I’ve scanned all the contents and attached those to this email. Basically all we have is the award letter, the deed with recorded restrictions, and a copy of payment made to IOP.

Your understanding of the requirements for PRT to release the restrictions are accurate.

As far as change of use – I think a case could be made for the construction of a public parking garage with leased office/retail/event space. Of course, the City would have to maintain ownership of the property itself. The City would need to establish a connection between the leased space and the recreational utility of the property (i.e., public parking for beach access) and explain how the leased spaces enhance or support the recreational utility. If the project were to result in more parking spaces than are currently provided on the site, that would strengthen the City’s case.

I hope this helps. If I can be of any further service, please let me know.

Thanks!

Justin

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**From:** Douglas Kerr <dkerr@iop.net>  
**Sent:** Thursday, April 21, 2022 12:15 PM  
**To:** Justin Hancock <jhancock@scprt.com>  
**Subject:** Isle of Palms parking facility

Justin- thanks for talking with me this morning. As I mentioned, the City would be interested in knowing what it would take to remove the deed restrictions on the property to allow the City the freedom to use the property in whatever way it deems appropriate.

I understand from our conversation this morning that such requests are responded to on a case-by-case basis, but generally a release of restrictions can only happen when the City can show the PRT that an offsetting asset is being acquired with an equal recreational utility. Please correct me if this is not a correct understanding.

If the City determines that this cannot be achieved and therefore the restrictions stays, is there any guidance you can provide on how the PRT would view a change of use of the property? For example, a parking garage providing equal parking spaces allocated to beach visitors is built on half of the lot and the other half is developed as office/ retail/ event space all with its own dedicated parking.

Thanks again for your time and anything you can provide the City to give us clarity as we analyze the situation is greatly appreciated. I have attached the deed that includes the restriction of concern.

Thanks, Douglas

Douglas Kerr  
Deputy City Administrator  
Director of Building, Planning and Licensing  
City of Isle of Palms  
P.O. Drawer 508  
Isle of Palms, SC 29451  
(p) 843-886-9912  
(f) 843-886-8005

\*\*\* WARNING \*\*\* All e-mail correspondence to and from this address may be subject to public disclosure under the South Carolina Freedom of Information Act (FOIA).



Fred P. Brinkman, Executive Director

Division of Recreation  
Ronald R. Carter, Director  
(803) 734-0141

8/9/2 L

April 25, 1989

Mr. Mark Williams  
City of Isle of Palms  
P.O. Drawer Q  
Isle of Palms, S.C. 29451

Dear Mr. Williams:

On behalf of the South Carolina Parks, Recreation and Tourism Commission it is my pleasure to inform you that your Beach Access/Parking Acquisition project has been approved. Assistance in the amount of \$25,000.00 will come from the South Carolina Recreation Land Trust Fund.

Please do not confuse this letter as being a notice to proceed with closing on the property. Closing may be accomplished only after property appraisals have been approved. However, if there is some urgency in closing, please contact me immediately.

You may proceed with the appraisal process at this time and you are asked to forward a copy of the appraisal report once it is completed.

If you have any questions relative to this please do not hesitate to contact us at 734-0141.

Sincerely,

Ronald Carter  
Director,  
Recreation Division

Enclosure



Fred P. Brinkman, Executive Director

File

Division of Recreation  
Ronald R. Carter, Director  
(803) 734-0141

July 24, 1989

Mr. Mark Williams  
City of Isle of Palms  
PO Drawer Q  
Isle of Palms, SC 29451

RE: RELT project number 8912L - Beach Access Parking

Dear Mr. Williams:

On April 25, 1989 my office sent you a letter informing you that your grant for the above referenced project had been approved. You were to proceed with the appraisal if you had not already done so. I trust that you have begun this process.

The purpose of this letter is to inform you of the additional information which you are responsible for forwarding to this office, in order to receive your grant reimbursement.

My records indicate that the following is needed to complete your grant:

☒ PIAT  
☒ LOCATION MAP  
☒ RECORDED DEED (containing the attached limitation of use statement)  
☒ APPRAISAL  
☒ TITLE OPINION  
☒ COUNTY -  
☒ C.O.G. -  
☒ CONGRESSIONAL DISTRICT -  
☒ PHONE NUMBER -  
☒ FEDERAL I.D # -

Please forward the above items, as you complete them, to my office.

If you ever intend to apply for federal development grant monies, the following will also be required at a later date. However, you would be advised to procure the following before or at the time of closing.

91-646 (see attached certification certificate)

If you should have any questions please give me a call at 734-0141.

Sincerely:

Robert C. Brooks



# CITY OF ISLE OF PALMS

South Carolina

*File - P, LTF - Isle of Palms Acc.*

Mayor:

Carmen R. Bunch

**City Council**

Barry Holden

Melinda NesSmith-Picard

Heath Orvin

Jeffrey Simon

Mike Sottile

Margery Swanson

Jimmy Ward

Dan Watson

June 21, 1991

Mr. Ronald A. Carter  
Charleston County Commission on  
Parks, Recreation and Tourism  
861 Riverland Drive  
Charleston, SC 29412

Dear Ron:

Enclosed is a copy of the recorded Nullification and Substitution of Restrictions for the Isle of Palms parking lot. This document was recorded in the Charleston County RMC Office in Deed Book 203, page 316.

Thank you for your assistance in this matter.

Sincerely,

*Mark*

Mark M. Williams  
City Administrator

MMW:jmg  
Enclosure

RECEIVED

JUN 25 1991

RECREATION DIV.

STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF CHARLESTON )

NULLIFICATION AND SUBSTITUTION  
 OF  
 RESTRICTIONS

WHEREAS, The City of Isle of Palms by Carmen R. Bunch, its Mayor, executed a TITLE TO REAL ESTATE dated November 10, 1988 and recorded November 14, 1988 in Book N-179, page 105, RMC Office for Charleston County, South Carolina, for the express and required purpose of restricting and limiting the use of real property described therein to public, outdoor recreation as required by agreement with the the South Carolina Department of Parks, Recreation and Tourism Commission (SCPRT Commission); said real property being known and designated as PARCEL 1, BLOCK 33, SECTION "A", containing 2.024 acres, Isle of Palms, Charleston County, South Carolina; and

WHEREAS, said TITLE TO REAL ESTATE provides for conversion of said property to other than public, outdoor recreation uses with the express written approval of the SCPRT Commission provided the SCPRT Commission "finds such conversion to be in accord with the then existing comprehensive statewide outdoor recreation plan and only upon such conditions as it deems necessary to assure the substitution of other recreation properties of at least equal fair market value and of reasonably equivalent usefulness and location"; and

WHEREAS, the City of Isle of Palms has requested and received approval from the South Carolina Department of Parks, Recreation and Tourism for nullification of the restrictions placed of record on said real property as designated and referenced above, and substitution of another parcel of real property (described below) of at least equal fair market value and of reasonably equivalent usefulness

and location to be restricted and limited as required and as described herein.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, THAT The City of Isle of Palms, a municipal corporation organized under the laws of the State of South Carolina, and the South Carolina Parks, Recreation and Tourism Commission, for and in consideration of the recitals hereinabove, hereby agree as follows:

1) That the restrictions placed of record in the Charleston County RMC Office on November 14, 1988 in Book N-179, Page 105, and applicable to the above referenced real property, specifically, PARCEL 1, BLOCK 33, SECTION "A", Isle of Palms, South Carolina, containing 2.024 acres, are hereby declared null and void and of no legal effect as to the future use of the said real property described therein.

2) That the said covenants, conditions, restrictions and limitations nullified and made void as to the above referenced real property, will now apply and attach to real property more particularly described as follows:

ALL that lot, piece, parcel or tract of land shown and designated as "LOT A, BLOCK 36, SECTION A, 2.024 ACRES, CITY OF ISLE OF PALMS," on a plat dated March 21, 1991 by David Eugene Huff, RLS, and duly recorded on May 14, 1991, in the RMC Office for Charleston County, S. C. in Plat Book "CC", at Page 199 ; said plat being incorporated herein and made a part and parcel hereof by reference thereto.  
TMS NO.: 568-12-00-008.

3) It is expressly agreed and understood by and between the parties herein, that the said real property substituted herein, specifically, LOT A, BLOCK 36, SECTION A, 2.024 ACRES, CITY OF ISLE OF PALMS, SOUTH CAROLINA, may not be converted to other than public outdoor recreation uses (whether by transfer, sale, or in any other



manner) without the express, written approval of the South Carolina Department of Parks, Recreation and Tourism Commission. The said SCPRT Commission shall approve such conversion only if it finds such conversion to be in accord with then existing comprehensive statewide outdoor recreation plan and only upon such conditions as its deems necessary to assure the substitution of other recreation properties of at least fair market value and of reasonably equivalent usefulness and location.

IN WITNESS WHEREOF, the South Carolina Department of Parks, Recreation and Tourism Commission by John W. Lawrence, its Deputy Executive Director; and the City of Isle of Palms by Carmen R. Bunch, its Mayor, have caused these presents to be executed in their respective names this 21 day of May, 1991.

SIGNED, SEALED AND DELIVERED

IN THE PRESENCE OF:

SOUTH CAROLINA DEPARTMENT OF PARKS,  
RECREATION AND TOURISM (SEAL)

Dorothy R. Fisher  
Julie L. Lybrand

By: John W. Lawrence  
its Deputy Executive Director

STATE OF SOUTH CAROLINA )  
COUNTY OF CHARLESTON )

PERSONALLY appeared before me the undersigned witness and made oath that (s)he saw the within named SOUTH CAROLINA DEPARTMENT OF PARKS, RECREATION AND TOURISM by John W. Lawrence, its Deputy Executive Director, sign, seal and as its act and deed, deliver the within writtn Nullification and Substitution of

Restrictions, and that (s)he with the other witness above signed, witnessed the execution thereof.

SWORN to before me this 21  
day of May, 1991..

Julius F. Lybrand

Michael M. Hunt  
NOTARY PUBLIC FOR SOUTH CAROLINA

My commission expires: 10/25/94

~~STATE OF SOUTH CAROLINA )  
)  
COUNTY OF CHARLESTON )~~

~~PERSONALLY appeared before me the undersigned witness and made oath that (s)he saw the within named City of Isle of Palms by Carmen R. Bunch, its Mayor, sign, seal and as its act and deed, deliver the within written Nullification and Substitution of Restrictions, and that (s)he with the other witness above signed, witnessed the execution thereof.~~

~~SWORN to before me this 14th  
day of May, 1991.~~

~~Carmen R. Bunch~~

~~Janet M. Geary  
NOTARY PUBLIC FOR SOUTH CAROLINA~~

~~My commission expires: 11-14-2000~~

THE CITY OF ISLE OF PALMS,  
SOUTH CAROLINA (SEAL)

Nellie G. McDuffie

By: Carmen R. Bunch  
Carmen R. Bunch, Mayor

Janet M. Beany

STATE OF SOUTH CAROLINA )  
COUNTY OF CHARLESTON )

PERSONALLY appeared before me the undersigned witness and made oath that (s)he saw the within named City of Isle of Palms by Carmen R. Bunch, its Mayor, sign, seal and as its act and deed, deliver the within written Nullification and Substitution of Restrictions, and that (s)he with the other witness above signed, witnessed the execution thereof.

SWORN to before me this 14<sup>th</sup>  
day of May, 1991.

Nellie G. McDuffie

Janet M. Beany  
NOTARY PUBLIC FOR SOUTH CAROLINA

My commission expires: 11-14-2000

RECEIPT

RECREATION LAND TRUST FUND

S.C. DEPARTMENT OF PARKS, RECREATION AND TOURISM

AMOUNT: \$ 25,000.00

SPONSOR: City of Isle of Palms

PROJECT: 89012L - Beach Access Parking

SIGNATURE:

*Handwritten signature*

DATE:

*8/14/89*





Fred P. Brinkman, Executive Director

Division of Recreation  
Ronald R. Carter, Director  
(803) 734-0141

August 11, 1989

Mr. Mark Williams  
City of Isle of Palms  
PO Drawer Q  
Isle of Palms, SC 29451

RE: RLTF Project No. 89012L - Beach Access Parking

Dear Mr. Williams:

Enclosed is a check for \$25,000.00 from the Recreation Land Trust Fund to be used for the acquisition of Beach Access Parking. Please sign the attached receipt, keep a copy for your files and return the original to our office.

In addition, if federal funds are to be applied for in the future to accomplish the development portion of this project, the Public Law 91-646 requirements listed below will have had to have been complied with.

- A) Statement as to whether or not relocation costs were involved.
- B) Assurance that landowner had an opportunity to accompany the appraiser.
- C) Statement of Just Compensation.
- D) Written offer to buy at appraised fair market value.
- E) Waiver of Just Compensation by landowner, if applicable.

If I can answer any questions regarding this or be of assistance in any way, please contact me.

PURSUANT TO WARRANT OF EARLE E. MORRIS, JR. COMPTROLLER GENERAL		STATE OF SOUTH CAROLINA		67-22 539	
Office Of State Treasurer		GRADY L. PATTERSON, JR. COLUMBIA, S. C.		109968386	
PARKS RECREATION & TOURISM		VOUCHER NUMBER		DATE	
ORGANIZATION NO.		WARR # P288907266007042 00560		AMOUNT	
P28		CITY OF ISLE OF PALMS		080889	
PAY TO		P O BOX 8		*****25,000.00	
ISLE OF PALMS, SC		29451		PAY - *****25,000.00	
CONTINGENCIES ACCOUNT		THE SOUTH CAROLINA NATIONAL BANK		Grady L. Patterson	
COLUMBIA, S. C.		STATE TREASURER			

Sou

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