



TOWN OF KIAWAH ISLAND

21 BEACHWALKER DRIVE • KIAWAH ISLAND, SC 29455 • (843) 768-9166 • FAX (843) 768-4764

Public Hearing

July 11, 2017

Written Public Comments

as received by Friday July 7, 2017 2:00PM

July 3, 2017

Mayor Craig Weaver

RE: Zoning Changes to Kiawah Island Golf Resort

Dear Mayor Weaver:

We are writing today to express concerns over the proposed zoning changes and plan amendments for West Beach. It is our understanding that if approved, the property in question would change from Active Recreation & Open Space to Resort Land Use. In viewing the conceptual plans the resort is proposing that will promote development, we have many concerns. The plans as proposed do not take into consideration the effect that the new development will have on West Beach. We are requesting that this letter of objections to be read into, incorporated into and to be attached as part of the public record at the July 11, 2017 meeting.

If the resort proceeds with the plans as proposed West Beach and specifically Ship Watch will incur damages in the way of increased noise, traffic, crime, decreased views and ultimately loss in property values. While we understand, the developers have the right to do what is envisioned for the property, we are appealing to the owners and The Town of Kiawah to take responsibility to do what is right for the island. One of our biggest concerns is the loss of many trees that line the sidewalk leading to the beach. Eliminating so many trees cannot but have a significant impact on the character of the property and wildlife.

Developing these areas could have serious implications for the people that have homes there as well as the health of the island. It appears that the Dunes in front of the proposed hotel will certainly be affected by being eliminated. In keeping with the Kiawah way, the dunes must be preserved for the well-being of the island as well as the wildlife that reside there. It is imperative that the vision that Kiawah was founded on not be lost.

Our love affair with Kiawah began twenty plus years ago. We have been property owners at Ship Watch since 2005. It is a joy for us and our families to step out onto our deck and be surrounded by pines, Southern Magnolia trees, and other natural beauty. It is our belief that there are many residents and guests who like us have embraced the island for the peaceful and untouched quality that is at the heart of Kiawah.

Approval of the change in zoning laws could have detrimental effects to the character of the island. We urge those responsible for maintaining the quality of Kiawah Island to ensure easements, setbacks and any other variations to the existing island requirements are carefully considered before allowing any deviations. These requirements were previously established to protect both the existing property owners

as well as the environmental character of the island. It is our request that the resort work closely with environmentalists to ensure that the percent of property in West Beach to be developed for public use is in line with space reserved for the natural environment.

We appeal to you that in voting and planning for this development that you will respect Ship Watch, surrounding properties and loyal owners. It must not be forgotten that Ship Watch has a long history with the island and helped create the resort into what it is today.

Kiawah Island is correct in stating that our resort is a land of "unspoiled beauty". We strongly urge The Town of Kiawah and those responsible to remember to not lose that vision of beauty going forward. Please vote to ensure the integrity of the island. Kiawah Island's future is in your hands.

Sincerely,

Theresa & Thomas Diasio
Sharon & Paul Van Winkle
2164 Shipwatch

Copy
John Taylor, Charleston County

Christine L. Kotarba & Shawn M. Marlovits

Property Owners:

2169 Shipwatch Road
Kiawah Island, SC 29455

Residence:

113 Weston Avenue
Chatham, NJ 07928

July 6, 2017

RE: Objections to the July 11, 2017 Meeting and Public Hearing for the Town of Kiawah Island

The undersigned owners of 2169 Shipwatch Road, Kiawah Island, stand by and continue the objections previously made to the proposed zoning ordinance and map amendment and to the comprehensive plan amendment.


Those objections are attached to this letter.

Those objections are to be made part of the record.

Objectors to the proposed amendments:

- Christine L. Kotarba
- Shawn M. Marlovits

The property owners of 2169 Shipwatch Road on Kiawah Island:



Christine L. Kotarba



Shawn M. Marlovits

June 19, 2017

RE: Objections to the Meeting and Public Hearing for the Town of Kiawah Island

The undersigned owners of 2169 Shipwatch Road, Kiawah Island, hereby file the following objections to the proposed zoning ordinance and map amendment and to the comprehensive plan amendment.

- 1) We request that this letter be read into, incorporated into and be attached as part of public record with respect to matter of zoning ordinance and map amendment and comprehensive plan amendment applications:
Case: ZLDR-05-17-0014; ACP-05-17-00107; ZLDR-05-17-00105; ZREZ-05-17-00056; ZLDR-05-17-00106; ACP-05-17-00108; ZREZ-05-17-00057; ACP-05-17-109; and ZREZ-05-17-0058

- 2) Your NOTICE dated May 22, 2017 is materially and substantially defective. The NOTICE states hearings are to be held on Tuesday, June 7, 2017 and Tuesday, June 22, 2017. The NOTICE date of Tuesday, June 22, 2017 is an INCORRECT DATE. It is either Tuesday, June 20, 2017 or Thursday, June 22, 2017. The meeting NOTICE for "Tuesday, June 22, 2017" is therefore materially and substantially defective, and any action or, for that matter, any discussion of substance at such meeting will be invalid, null, and void.

Furthermore, upon calling the town clerk, Petra, we also understood that there was another meeting held June 14, 2017, for which there was NO NOTICE. As we are not full-time residents of Kiawah Island, we received the notice late and were unable to make our objections known.

- 3) Construction of any structures on the dunes, construction of any structures east of Boardwalk 5, constructions of any structures near the Shipwatch property lines, substantial reduction in existing set-back lines, obstruction of views, and the overburdening of traffic on Shipwatch Road – all are such deviations from and violations of long-standing, foundational, and firmly established principles and documents on the development of Kiawah that the Town Council of Kiawah Island lacks the power and authority to take any such actions.
- 4) We reserve all rights under applicable laws, including without limitation all rights to claim that any such actions purported to be taken by the Town Council of Kiawah Island constitute a taking or partial taking under applicable eminent domain law.
- 5) **OBJECT --- NOTICE I. ZONING ORDINANCE TEXT AMENDMENT REQUEST (ZLDR-05-17-00104 - Request text amendment to allow church, synagogue, temple or religious assembly as a principal use within the RST-1 RESORT Zoning District):**
 - a) Since 1985 (at 18 years old), undersign Kotarba has been coming to Kiawah. We have lived peacefully with attending church off-Island for over 30 years. With the recent trend to move everything off-Island (shops to Freshfields), why we would bring all that traffic on-Island for ANY and ALL RELIGIOUS organizations is inconceivable to us.

- b) Off-Island, we used to attend the Church on Main Road near Maybank Highway (where Habitat for Humanity is today), which was rebuilt on Betsy Kerrison Parkway (BKP). Also on BKP, there is an Anglican Church. On Main Road, there exists a Baptist Church, Jehovah's Witness Kingdom Hall, and others. On Bohicket Road, there exists Presbyterian Church, United Methodist (also on River Road), and others. On Maybank Hwy, Lutheran Church, another Baptist Church, and others. What is the NEED to have ANY or ALL on Kiawah? Why? And given today's political climate, why would anyone think this amendment should be approved?
- c) These organizations may draw from all over Charleston and bring a flood of people to the Island. Have you studied what potential impacts this may have if ALL the religious groups decided to assemble on Island?
- d) Once you allow for this, there will be NO WAY to change without appearing discriminatory in today's escalated political climate. No turning back the clocks on this. We will have to allow ALL religious and/or atheist groups to build or assemble. These organizations may draw undue, unnecessary and unwanted attention from the public and bring scrutiny, disruption and possibly criticism to the Town of Kiawah and ALL of its full-time/part-time residents. This sets an ill-considered, irreparable and irreversible standard for the Island.
- 6) **OBJECT TO THE FOLLOWING NOTICES:**
- NOTICE V. ZONING ORDINANCE TEXT AMENDMENT REQUEST (ZLDR-05-17-00106)** - Request to amend lot standards for the RST-2 Resort Zoning District and to allow conference center as a principal use within the RST-2 Resort Zoning District.
- NOTICE VI. COMPREHENSIVE PLAN AMENDMENT REQUEST (ACP-05-17-00108)** - Request a map amendment to change the Future Land Use Designation for the properties at Sparrow Rd and Shipwatch Rd (TMS 207-06-00-407; and -402) from Active Recreation and Open Space to Resort.
- NOTICE VII. ZONING MAP AMENDMENT REQUEST (ZREZ-05-17-00057)** - Request to rezone the properties at Sparrow Rd and Shipwatch Rd (TMS207-04-00-407 and -402 from the Parks and Recreation (PR) Zoning District to the RST-2, Resort Zoning District (Total size: 10.90 acres).
- NOTICE VIII. COMPREHENSIVE PLAN AMENDMENT REQUEST (ACP-05-17-00109)** - Request a map amendment to change the Future Land Use Designation for the properties located a Kiawah Beach Drive (TMS 207-06-00-404; -405; -013) from Resort to Active Recreation and Open Space.
- NOTICE IX. ZONING MAP AMENDMENT REQUEST (ZREZ-05-17-00058)** - Request to rezone the properties located at Kiawah Beach Drive (TMS: 2-7-06-00-404; -402; -013) from the RST-2 Resort Zoning District to the Parks and Recreation (PR) Zoning District. (Total size: 5.10 acres)
- a) **Environment**
- As New Jersey residents, we have lived through recent hurricanes Irene and Sandy. As a result of the irreparable damage caused by Superstorm Sandy in 2012, New Jersey (along with FEMA) has taken drastic measures to reclaim previously developed resident property and PRESERVE the dunes and allow for the dunes to

return to its NATURAL STATE, which serve as a PROTECTION for ALL in the nearby area. The restoration has been VERY COSTLY.

We have already seen some of the beach erosion at The Sanctuary, which is due to this very point — not honoring, maintaining, retaining the natural dunes.

Further, we have already seen the damage that hurricane Matthew has done to our dunes at Shipwatch.

b) Parking

Since 1985, we understand and have experienced what the traffic and parking situation was in the past with the old Kiawah Island Inn. When we would come to the Inn for meals, there was never enough parking. As such, we would park “briefly” in the Shipwatch Villas lots (obviously, against the rules, but there were no other parking options).

There must be more than ample parking for not only all the guests, but also for anyone who could come on the premises (e.g., to check-in, eat and drink, go to the beach/pool, golf) – even if their intent is temporary - so that there is no impact to the resident parking. What mechanism will be put in place for those individuals to be restricted from coming onto Shipwatch Road to the private villas and to the property owners only facility, Sandcastle?

c) Traffic flow coming down Kiawah Beach Drive to Shipwatch Road

Given the proposed resort, undue and excessive traffic pattern will be developed, causing disruption and preventing ease of access to nearby property owners. Additionally, this will create high-use times with check-in windows being highly limited to 1-day during summer schedule with a limited timeframe to check-in. This will be highly disruptive to residents and property owners. What structures will be created to allow impacting overflow during these excessive times? What capabilities will exist should emergency, quick evacuations be required?

d) Impact to Shipwatch Villas


There should be NO IMPACT to the Shipwatch Villas residents or parking lots. What will the Resort be required to install or implement with the intent to protect privacy and prevent people at the proposed Resort, activities and recreation facilities, etc. from encroaching or trespassing onto the Shipwatch Villas and other surrounding properties?

- 7) The specific objections noted in paragraphs 5 and 6 of this letter are not intended to limit the objections and rights set forth in paragraphs 2, 3 and 4 of this letter, but are in addition to such paragraphs.

We request that you carefully consider all of the above objections, in order to preserve our beloved Kiawah.

Sincerely,

The property owners of 2169 Shipwatch Road on Kiawah Island:

A handwritten signature in cursive script, appearing to read "Christine L. Kotarba".

Christine L. Kotarba

A handwritten signature in cursive script, appearing to read "Shawn M. Marlovits".

Shawn M. Marlovits

John W. Taylor Jr.

From: Bill Moeckel <bmoeckel@gmail.com>
Sent: Thursday, July 06, 2017 8:41 AM
To: cweaver@kiawahisland.org; Mark Permar; John W. Taylor Jr.;
fred.m.peterson@gmail.com
Subject: Fwd: Parcel 2D - Kiawah West Beach Rezoning

Gentlemen,

Here is a photo of one current resident of Parcel 2D in West Beach. There are many more Deer who reside permanently with Bobcats, Turtles, shore birds and other wildlife on this narrow and environmentally sensitive stretch of dunes.

Other than for the sole purpose of density transfer to neighboring parcels, I do not feel that this narrow stretch of dunes is an appropriate candidate for rezoning to RS-2 or for the use of pools, changing rooms, rest rooms, decks and boardwalks which were stipulated in Exhibit 13.5 of the 2010 Amended Development Agreement.

The Coastal Science and Engineering and Engineering post-hurricane survey of the Kiawah beach confirms significant loss of these dunes from Hurricane Mathew and I encourage each of you to personally visit the parcel to observe how narrow it has become.

Please consider working together in your Development Agreement renegotiation to facilitate the natural preservation of this parcel in exchange for achieving the density, height and setback changes requested for other portions of the proposed development. Thank you for your consideration. Best, Bill



Bill Moeckel
3 Sand Alley
Kiawah Island, SC 29455

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