

## SOUTH CAROLINA COASTAL COUNCIL PERMIT

PERMIT NUMBER: CC-88-062  
PUBLIC NOTICE NUMBER: CC-88-062  
NAME OF APPLICANT: Charles McKenzie  
DATE OF ISSUANCE: May 5, 1988  
EXPIRATION DATE: May 5, 1991

**SEE SPECIAL  
CONDITION(S)  
ON PAGE 4**

This permit is issued under the provisions of Act 123 of the 1977 South Carolina General Assembly and the Final Rules and Regulations of the South Carolina Coastal Council. Furthermore, this permit authorizes the above named applicant, hereafter called the Permittee, to perform works shown on the sketch hereof and made a part hereof, more particularly described as follows:

COUNTY: Charleston

LOCATION: at Lot 17, Royal Oak S/D, Johns Island

NEAREST BODY OF WATER: Abbapoola Creek

DESCRIPTION OF PROJECT: Dock and boat ramp; as amended

GENERAL CONDITIONS:

The permittee agrees to the following general conditions:

1. That if the activity authorized herein is not completed on or before the 5th day of May, 1991 (three years from the date of issuance of permit unless otherwise specified) this permit, if not previously revoked or specifically extended, shall automatically expire. A request, in writing, for an extension of time shall be made not less than sixty days prior to the expiration date.
2. That the structure or work authorized herein shall be maintained in good condition and in accordance with the plans and drawings attached hereto. Failure to maintain the structure in this condition shall be grounds for revocation of the permit.
3. That every reasonable effort will be made to conduct the work authorized herein in a manner which minimizes, to the fullest extent possible, any adverse impact on fish, wildlife and water quality.

4. That all activities authorized herein shall, if they involve a discharge or deposit into navigable waters or ocean waters, be at all times consistent with applicable water quality standards, effluent limitations and standards of performance, prohibitions, and pretreatment standards established pursuant to applicable federal, state and local laws.
5. That extreme care shall be exercised to prevent any adverse or undesirable effects from this work on the property of others. This permit authorizes no invasion of private property or rights in property.
6. That this permit is granted subject to the rights of the State of South Carolina in navigable water and shall be subject, further, to the rights for which purposes the waters and submerged land thereunder are held by the State. This permit does not relieve the permittee from the requirements of obtaining a permit from the U. S. Army Corps of Engineers or other applicable federal agency nor from necessity of compliance with all applicable local laws, ordinances, and zoning or other regulations.
7. That this permittee, in accepting this permit, covenants and agrees to comply with and abide by the provisions and conditions herein and assumes all responsibility and liability and agrees to save the South Carolina Coastal Council and the State of South Carolina, its employees or representatives, harmless from all claims of damage arising out of operations conducted pursuant to this permit.
8. That this permit does not convey, expressly or impliedly, any property rights in real estate or material nor any exclusive privileges; nor does it authorize the permittee to alienate, diminish, infringe upon or otherwise restrict the property rights of any other person or the public; nor shall this permit be interpreted as appropriating public properties for private use.
9. That the permittee shall permit the Council or its authorized agents or representatives to make periodic inspections at any time deemed necessary in order to assure that the activity being performed is in accordance with the terms and conditions of this permit.
10. That authorization for activities or structures herein shall constitute a revocable license. The Coastal Council may require the permittee to modify or remove activities or structures authorized herein if it is determined by the Council that such activity or structure is in violation of the public health, safety, and welfare. Modification or removal under this condition shall be ordered only after reasonable notice stating the reasons therefore and providing the permittee with opportunity to respond in writing.
11. That if and when the permittee desires to abandon the activity authorized herein, unless such abandonment is part of a transfer procedure by which the permittee is transferring his interests herein to a third party pursuant to General Condition 12 hereof, he/she must restore the area to a condition satisfactory to the Coastal Council.
12. That this permit may not be transferred to a third party without prior written notice to the Coastal Council, either by the transferee's written agreement to comply with all terms and conditions of this permit or by the transferee subscribing to this permit and thereby agreeing to comply with all terms and conditions of this permit.

13. That if the display of lights and signals on any structure or work authorized herein is not otherwise provided for by law, such lights and special signals as may be prescribed by the United States Coast Guard shall be installed and maintained by and at the expense of the permittee.
14. That the permit placard or a copy of the placard shall be posted in a conspicuous place at the project site during the entire period of work. Display of a placard is not necessary if a permit for the work has been issued by the U. S. Army Corps of Engineers and a Corps placard is posted in a conspicuous place at the site.
15. That before revocation, suspension, or modification of this permit, the Coastal Council shall provide written notification to the permittee of intention to revoke, suspend, or modify the permit, and the permittee shall be given an opportunity to present a written explanation to the Coastal Council.
16. That the permittee, upon receipt from the Coastal Council of written notification of intent to revoke, suspend or modify the permit, shall cease all work under this permit. Furthermore, work shall not be resumed under this permit until final disposition of the proceeding has occurred.
17. That the permittee, upon receipt of a notice of revocation of this permit upon its expiration before completion of the authorized structure or work, shall without expense to the Coastal Council and in such time and manner as the Coastal Council or its authorized representative may direct, restore the area to its former condition. If the permittee fails to comply with the direction of the Coastal Council or its authorized representative, the Coastal Council or its designee may restore the affected area to its former condition, by contract or otherwise, and recover the cost thereof from the permittee.
18. That in issuing this permit, the Coastal Council has relied on the information and data which the permittee has provided in connection with his permit application. If subsequent to the issuance of this permit, such information and data prove to be false, incomplete, or inaccurate, this permit may be modified, suspended or revoked, in whole or in part, and the Coastal Council, may, in addition, institute appropriate legal proceedings.
19. That any modification, suspension or revocation of this permit shall not be the basis for any claim for damages against the Coastal Council or the State of South Carolina or any employee, agent, or representative of the Coastal Council or the State of South Carolina.

PERMITTEE'S ATTENTION IS DIRECTED TO GENERAL CONDITIONS NUMBERS SIX (6) AND EIGHT (8). BY ACCEPTANCE OF THIS PERMIT, PERMITTEE IS PLACED ON NOTICE THAT THE STATE OF SOUTH CAROLINA, BY ISSUING THIS PERMIT, DOES NOT WAIVE ITS RIGHTS TO REQUIRE PAYMENT OF A REASONABLE FEE FOR USE OF STATE LANDS AT A FUTURE DATE IF SO DIRECTED BY STATUTE.

THE PERMITTEE, BY ACCEPTANCE OF THIS PERMIT AGREES TO ABIDE BY THE TERMS AND CONDITIONS CONTAINED HEREIN (ATTACHMENT 1) AND TO PERFORM THE WORK IN STRICT ACCORDANCE WITH THE PLANS AND SPECIFICATIONS ATTACHED HERETO AND MADE A PART HEREOF. ANY DEVIATION FROM THESE CONDITIONS, TERMS, PLANS, AND SPECIFICATIONS SHALL BE GROUNDS FOR REVOCATION, SUSPENSION OR MODIFICATION OF THIS PERMIT AND THE INSTITUTION OF SUCH LEGAL PROCEEDINGS AT THE COASTAL COUNCIL MAY CONSIDER APPROPRIATE.

CAUTION: Section 15(D) of Act 123 of 1977 allows any person adversely affected by the issuance of a Coastal Council permit to appeal the decision to the full Council by filing a written Notice of Intent to Appeal within 15 days after notification of the permit's issuance. In the event of an appeal of the decision to issue this permit, the Coastal Council reserves the right to order a stay of any use or activity authorized herein pending a final decision by the full Council when, in its judgment, the interests of the public would be best served.

Accepted this 6<sup>th</sup> day of

MA, 1988

Permittee [Signature]

Issued this 5th day of May, 1988.

State of South Carolina Coastal Council

John C. Hayes, III, Chairman

By: [Signature]  
Steve Moore  
Permit Administrator

ATTACHMENT 1:

The plans submitted by you, attached hereto, show the completed work consists of constructing a dock and boat ramp. The dock will have a 4' by 45' walkway leading to a 10' by 16' fixed pierhead. The pierhead will be covered with a gabled roof. Downstream of the pierhead, a ramp will lead to a 10' by 20' floating dock. The boat ramp will be 12' by 36' and will be built of concrete. Approximately 25 cubic yards of material will be excavated for the ramp construction. The purpose of the activity is for the applicant's private, recreational use. These plans are approved as submitted, subject to the following special conditions.

SPECIAL CONDITIONS:

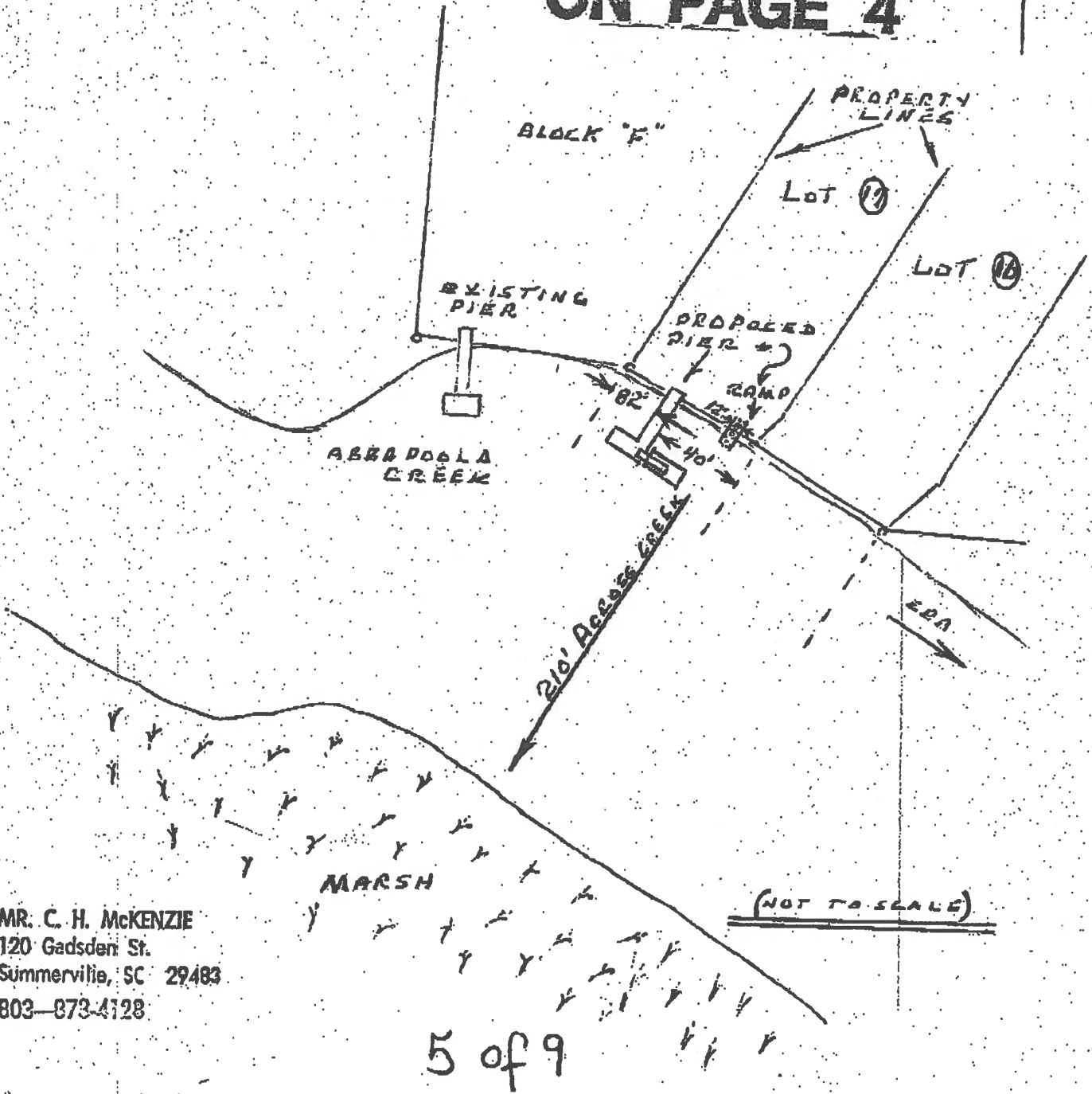
- 1. Provided that all excavated material is placed on highland.

THE PERMITTEE HAS READ THE SPECIAL CONDITIONS AND AGREES TO PERFORM THE WORK IN STRICT ACCORDANCE WITH THESE SPECIAL CONDITIONS.

Permittee [Signature]  
5/6/88

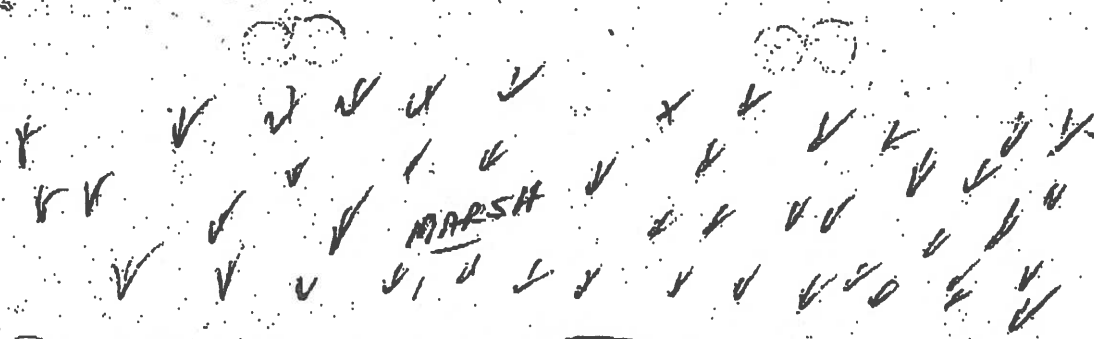
ROYAL DAK SUBDIVISION

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CONDITION(S)  
ON PAGE 4



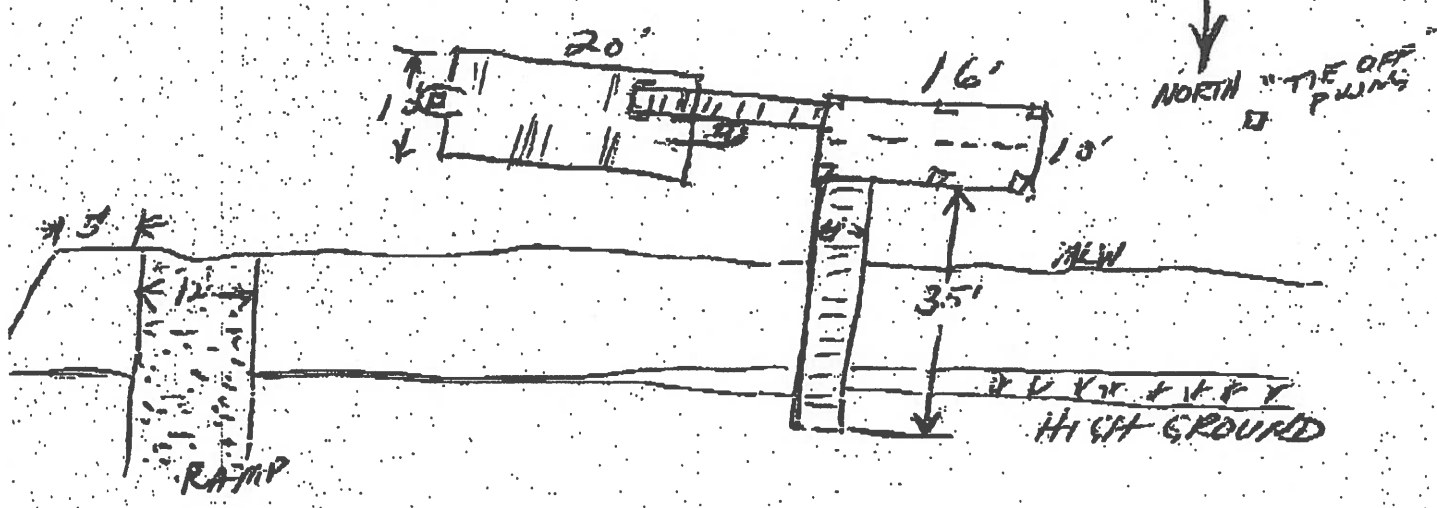
MR. C. H. MCKENZIE  
120 Gadsden St.  
Summerville, SC 29483  
803-873-4128

5 of 9



SEE SPECIAL SOUTH  
CONDITION(S)  
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6 of 9