

October 1, 2019

**Town of Kiawah Island**

4475 Betsy Kerrison Parkway  
Kiawah Island, SC 29455

Dear Ms. Tillerson and Mayor Weaver,

We are writing to express our concerns over the following proposed changes in the Short-Term Rental (STR) ordinance.

Specifically, the bulleted changes below:

- *Establishment of licensing caps that would potentially limit, in any calendar year, the number of available rental business licenses. The proposed caps would establish a limit of 20% of all homes, island-wide in R-1 and portions of R-2 and no limit in all other residential zoning districts.*

Under the revised ordinance, the Town may limit the number of rental business licenses island-wide in R-1 and portions of R-2 zoning districts to be issued for that year but R3 would have no limit. This appears to unfairly favor owners of R3 zoned properties and theoretically increases their attractiveness for resale while devaluing similar R1 and R2 properties for resale - should the cap proposals be reached. The statement "there appears to be little evidence this affects or would affect property values" is simply untrue. When faced with options, real estate with a larger number of options (i.e. rental potential) for a similar price is always more attractive than those without (wait listing). Having no restriction on the ability to operate a STR property makes the property with that ability more attractive than the one that is restricted.

As you indicated in your email to us dated September 30, 2019, *"The committee that worked on revising the STR ordinance felt that the R-3 areas have traditionally and still operate as a tourist destination that attracts more renters than the single-family detached neighborhoods. So, the committee felt to do anything to discourage STRs in higher tourist areas on the island would be counter-productive."*

While the R3 statement above is partially true, we question the value of evaluating change based on "tradition" if you seek to manage for the future as the Mayor has stated in prior communications.

The proposed revisions are in effect, attempting to proactively discourage STRs in R1 and R2 areas - despite not being anywhere close to the proposed caps: as of 9/24 of the R-1 and R-2 properties subject to Caps approximately 13% had STR business licenses. Moreover, despite nearly three times the number of licenses in R3 areas (927 STR business licenses as of 9/24), you seek to further limit STRs in R1 and R2 areas despite significantly fewer licenses.

We do not understand this bias and ask for clarification and reexamination of the proposed changes.

Additionally, we object with respect to the following clauses:

- *Licenses do not run with the property. If a home with a license is sold, the new owner must apply for their own STR license, subject to Section 15-802, and all other provisions in the STR ordinance.*
- *The annual application fee for the Rental Business License, including lot applicants, is \$1,500 for any property in the R1 or R2 zoning districts subject to caps; \$200 for all other properties.*

Again, R3 zoned owners appear to be receiving preferential treatment and this selectively favors their ability to resell, rent, and operate on a more competitive basis.

We have been coming to the island for more than 20 years, own property in an R1 area, hope to preserve the unique character and amenities it offers, and we have no issue with reasonable changes that are equitably applied. Please reconsider the application of changes to the ordinance so that they are fair to all property owners regardless of location.

We appreciate your consideration of our comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn & Diane Comella". The signature is stylized and somewhat messy, with overlapping loops and lines.

Shawn & Diane Comella  
162 Surfsong Rd.  
Kiawah Island, 29455

**From:** John Stedman <[johnbstedman@gmail.com](mailto:johnbstedman@gmail.com)>

**Sent:** Tuesday, October 1, 2019 12:01 PM

**To:** Maryanne Connelly <[mconnelly@kiawahisland.org](mailto:mconnelly@kiawahisland.org)>; Klaus Said <[ksaid@kiawahisland.org](mailto:ksaid@kiawahisland.org)>; Chris Widuch <[cwiduch@kiawahisland.org](mailto:cwiduch@kiawahisland.org)>; Stephanie Tillerson <[stillerson@kiawahisland.org](mailto:stillerson@kiawahisland.org)>

**Cc:** Craig Weaver <[cweaver@kiawahisland.org](mailto:cweaver@kiawahisland.org)>; Dan Prickett <[dprickett@kiawahisland.org](mailto:dprickett@kiawahisland.org)>

**Subject:** Kiawah Island Rental Houses

Mr. Mayor and Town Council,

I am a nonresident, homeowner and I own a house located at 417 Snowy Egret Lane, Kiawah Island. I rent my house. Please read my attached letter and excuse any typos as I wrote it quickly this morning. It offers a point of view that you may not have considered.

I respectfully request that you move slowly on the rental home issues. Consider simply enforcing the current rules and not taking additional actions. My letter suggests you consider the consequences your actions will have on some of your friends and mine.

Most sincerely,

John Stedman  
417 Snowy Egret Lane  
Kiawah Island

October 1, 2019

John Stedman  
417 Snowy Egret Lane  
Kiawah Island, SC 29455

Re: Rental Market

To whom it may concern:

I am a nonresident owner and I rent my house.

There is an old saying that some sailors use, "Go slow and get into trouble slow." To me, this means that a boat captain needs to be careful of the consequences when taking an action. Is the current too strong in a certain area? Is the boat approaching the dock too fast. This short saying applies to many of life's decisions and obstructing the rental market on Kiawah Island is a time for you to slow down and consider the consequences.

First, what is the real issue with renters on Kiawah Island? They are generally good people with good intentions. However, there are always a few bad apples. They may park too many cars in a driveway. Their children may squeal with excitement at an alligator or when catching a fish. Children play outside and are sometimes loud. However, we do not have the issues like Sullivan's Island or Isle of Palms with cars everywhere, litter on the streets, or beaches packed with people. We have rules, strict rules. My suggestion is to enforce the rules and make the consequences of breaking the rules the burden of the home owner. But, do not restrict the rental market.

Will reducing the number of rental houses solve everyone's concerns? Will it cause fewer children to squeal when they see an alligator or catch a fish? What happens when relatives visit a resident for Thanksgiving, Christmas and summer breaks, will their grandchildren squeal when they see an alligator or catch a fish?

What are the consequences of the actions taken today? Here are some points to consider.

1. Do you want to take income from **Melissa, Doug, and Chad**? They buy food for their family from **Rose Bank Farms** with money I pay them. They pay taxes too.

We have a 6 bedroom house that we rent. It rents about 14 weeks a year. About 200 people related to renting our house stay there each year. By taking our house off the rental market, we will not have the wear and tear on the house and it will reduce our expenses significantly.

- a. We will not pay **Melissa** \$300 per week or about \$3,600/year to clean our house. Her income from just our house will drop by at least \$3,600/year.
- b. We will not need to pay **Chad** \$1600/year to clean the carpet.
- c. We pay **Doug**, our maintenance man, over \$3,000/ year to fix issues caused by renters. If we stop renting, we will reduce his income significantly.

If I no longer rent, I will save several thousand dollars per year. But, **Melissa, Chad and Doug, and others** whom we pay will no longer receive income from me.

I am actually ok with paying each of them. I like these people. I have known them for years. They are my friends. I do not want them to suffer. I do not want **Melissa, Chad and Doug and their families** to move away to find more work. Take my expenses and multiply them by the number of rental houses that will come off the market. Do you want my friends and your friends to suffer? Do you want to lose the tax revenue that **Melissa, Doug and Chad** pay the local government? Will you increase taxes or reduce services to make up for the loss of their revenue? How many people other than **Melissa, Doug and Chad** will be impacted? By the way, since **Rose Bank Farms** is losing income from **Melissa, Doug and Chad**, will they go out of business? Think about the consequences.

2. On average, we have about 200 people per year that occupy our home through the rental market. We refer them to **Island Bikes on Johns Island**. Our renters rent nearly 200 bikes from **Island Bikes** at \$40/week/bike. Without my renters, **Island Bike's** revenues will drop by \$8000/year. I refer my renters to my favorite fishing guide, **Captain John**. His revenue will drop. We refer our renters to the **Fat Hen Restaurant**. The number of people eating there will drop significantly. Some restaurants may close, some bike companies will close, some fishing guides will go elsewhere. Your tax revenue from these worthy businesses will drop. Will you increase taxes or reduce services to make up for the loss of revenues from **Island Bikes, Captain John** and the **Fat Hen**? You get the idea. By the way, do you know if **the Fat Hen** purchases any farm to table goods from **Rose Bank Farms**? Think about the consequences.
3. Timing: Do you really want to make this decision now? Over the next 5 years, are we at risk of turning into Sullivan's Island or Isle of Palms? Doubtful. Be careful, thoughtful, go slow and get into trouble slow. Think about the consequences.
4. Other homeowners have made the case to you that home values on Kiawah Island will drop. I do not see how you can argue with this issue. Have you thought about the economic impact of residents who do not live on the island? If **Melissa, Chad, Doug, employees at Island Bikes, Captain John, and employees at the Fat Hen** move away, home values outside of Kiawah will be impacted too. What is the consequence?

What is the **solution**? First, **do not panic**. Start by **enforcing the existing rules**.

Consider my points noted above as an example of the consequences that may impact many of our friends outside of Kiawah Island. But, increase the numbers exponentially because of the number of rental houses that will be removed from the market.

With 200 renters per year over the last 5 years, we have had over 1000 people occupy our home. We have had an issue with one renter out of 1000 people. One renter was too loud. His kids were screaming when they were playing ping pong in our garage. I was called and, together with my property manager, **Pam Harrington Exclusives**, we fixed the issues. We have had one bad apple out of 1000 or less than .1 percent.

Do not make **Chad, Melissa, Doug, Island Bikes, Captain John and the Fat Hen and the hundreds of others** suffer because I had one bad apple in 5 years. What will **Sidi Limehouse, owner of Rose Bank Farms** (a staple of John's Island), say when you start impacting his income? Think about the consequences.

What are the consequences for me? I will be ok. But, I will probably sell my house quickly to beat the rush of houses coming on the market. My wife, Julie, who is from Charleston, will be sad. Her ties go back several generations when relatives owned the island. She and I had a wedding party in a rental house on the island. Yes, we are loyal and have a very soft spot in our hearts to make the island a wonderful place for many generations to come.

Go Slow and get into trouble slow.

Most sincerely and respectfully,

John Stedman

From: [tclec@aol.com](mailto:tclec@aol.com) <[tclec@aol.com](mailto:tclec@aol.com)>  
Sent: Tuesday, October 1, 2019 12:03 PM  
To: Stephanie Tillerson <[stillerson@kiawahisland.org](mailto:stillerson@kiawahisland.org)>  
Subject: STR ordinance modifications

To whom it may concern:

We are opposed to the limits on short term rentals proposed as overly restricting owners' property rights. We do favor better enforcement of the current rental regulations to better protect everyone's interests and property values.

Respectfully,  
Tom and Connie Cole, 31 Ocean Course Drive Sent from my iPhone

**From:** Will Gates <[wgates01@icloud.com](mailto:wgates01@icloud.com)>

**Date:** October 1, 2019 at 11:58:18 AM EDT

**To:** [preynolds@kiawahisland.or](mailto:preynolds@kiawahisland.or)

**Subject:** STR

I would like to register my displeasure at the STR a ordinance being considered today. Thanks.

Will

**From:** [arec1@aol.com](mailto:arec1@aol.com) <[arec1@aol.com](mailto:arec1@aol.com)>

**Sent:** Tuesday, October 01, 2019 10:02 AM

**To:** Craig Weaver <[cweaver@kiawahisland.org](mailto:cweaver@kiawahisland.org)>; Maryanne Connelly <[mconnelly@kiawahisland.org](mailto:mconnelly@kiawahisland.org)>; Dan Prickett <[dprickett@kiawahisland.org](mailto:dprickett@kiawahisland.org)>; Klaus Said <[ksaid@kiawahisland.org](mailto:ksaid@kiawahisland.org)>; Chris Widuch <[cwiduch@kiawahisland.org](mailto:cwiduch@kiawahisland.org)>; Stephanie Tillerson <[stillerson@kiawahisland.org](mailto:stillerson@kiawahisland.org)>

**Subject:** Short Term Rentals - please make part of the record

Dear Mayor and Town Administrators:

As a homeowner on Kiawah Island I am writing to express to you my STRONG opposition to the imposition of limitations on short-term rentals.

I want to know how many complaints were filed, what were the violations, when did they take place, and where, over the past 5 years?? Where/what crisis or trends is this ordinance originating from?

Secondly did anybody notice that even if you could get a license with this change they are now going to impose a new \$1500 fee per license?! If you do the math just on existing business licenses on Kiawah you're talking about another town of Kiawah money grab of \$2 million!!

Thirdly, if you look at the most recent financials the town doesn't know what to do with all the money it collects now off renters and has a 2 million Dollar surplus!! The town gets all this money including from renters taxes and fees and other higher renter charges and business licenses and has no responsibilities or services they provide other than permits and enforcement and overseeing garbage service (which renters pay and subsidized for while residents pay nothing) and of course about just 1 mile of road for heaven sake! Are they going to add another palace extension to the Town Hall to spend all that money or maybe give more money away to Kiawah Developers for their free marketing ? It's just unbelievable as many have said.

Many younger potential buyers have come here and wanted to buy and rent seasonally at least until they are able to reside here to help with the very high costs of owning a second home here, but over past 5 years, they have heard about these horror stories of extremely high permit fees, lack of contractors who want to do work here anymore , high non-resident taxes, KICA issues, Development ownership issues and conflicting interests with owners along with their amenity monopoly, etc. and have decided that it is way too uncertain and financially risky to invest here. So now they want to lessen the pool of younger buyers even more? We cannot afford another reason not to buy here and no, values HAVE NOT come back from 2007 just higher carrying costs and second homes are not popular anywhere now with new tax laws that hurt deductibility of owning non-renting property.

In summary Non-residents who make up 2/3 of the island seem to have no voting rights, but need to be heard as they actually financially support the lifestyle residents enjoy on this island more than anyone! To me it's simple.... What are the real facts not the emotional ones, communicate and enforce the current ordinances which will in fact deter violators, and if facts show we need extra security help certain times of year then hire seasonal part time help from the existing plentiful revenue stream the Town gets and not by raising more fees and more bad faith.

Simply put, it is clear that the need for proper code enforcement will not be obviated EVEN IF the STR CAPs are met so why would one want to impose a confiscatory Zoning change before better code enforcement is attempted — the nuisance caused by negligent landlords and non-compliant renters will not magically disappear once STR Caps are met. Again, solve the problem through effective implementation and enforcement of reasonable controls, not by imposing harsh CAPs on future levels of STRs. Many communities deal with the nuisance that results from irresponsible absentee landlords and their tenants by beefing up code enforcement of rental properties using funds that are collected through (i) rental permit fees and (ii) fines imposed on non-compliant landlord's and their management agents, not by imposing CAPs on rentals.

I would encourage caution in "reacting" to a problem simply by imposing a burdensome and confiscatory STR CAP that will in and of itself create a new set of problems and unintended consequences.

Adele Hoffmeyer  
8 Avocet Lane

**From:** Williams Sabrina <[saywilli@gmail.com](mailto:saywilli@gmail.com)>  
**Sent:** Tuesday, October 01, 2019 1:14 PM  
**To:** Craig Weaver <[cweaver@kiawahisland.org](mailto:cweaver@kiawahisland.org)>  
**Subject:** ordinance proposal

Dear Mr. Weaver,

This should stand as my official letter of record, I am opposed to any changes in the STR ordinance. This seems to be a solution in search of a problem. We should have a protocol in place for complaints that is effective and efficient. Let the compliance officers have a "bat phone" that is with them at all times during business hours and if issues arrive after hours, have KICA contact both owner of property and property manager firm. Force the rental firm to be on site to handle complaints. I think the real problem is the lack of enforcement of existing rules. Create a forum for rental management companies that lay out the rules and if they can't manage their properties, then they should not be operating a business on Kiawah.

Sincerely,

Sabrina Young Williams  
[saywilli@gmail.com](mailto:saywilli@gmail.com)  
707 Glossy Ibis Lane

**From:** cheryl seager <[ctseager@gmail.com](mailto:ctseager@gmail.com)>

**Sent:** Tuesday, October 01, 2019 10:48 AM

**To:** Craig Weaver <[cweaver@kiawahisland.org](mailto:cweaver@kiawahisland.org)>; Stephanie Tillerson <[stillerson@kiawahisland.org](mailto:stillerson@kiawahisland.org)>

**Subject:** Proposed STR Ordinance - please make this email part of the official record.

Dear Mayor Weaver,

My husband and I are Kiawah Island property owners, and are very concerned by the proposed STR ordinance, and believe it will have a very large negative impact on Kiawah property values.

What is the rationale behind the proposed ordinance? We would like to know how many complaints were filed, what were the violations, when did they take place, and where, over the past 5 years? If there have been violations, why aren't existing laws being enforced? Wouldn't that be a more effective solution than impacting the property rights of vested owners?

If the ordinance is passed, what will the new \$1500 fee per license be used for? This has the potential to raise over \$1,000,000 per year - where will this money be used? Why is there such a disparity for licensing fees between R-1 and R-2? Property owners in the R-1 and R-2 areas pay the same taxes as other property owners - why should they pay a licensing fee that is 7 times the amount other property owners pay?

Many younger potential buyers want to buy and rent seasonally to offset the high costs of owning a second home - the proposed ordinance will have an impact on those wanting to invest in the island, particularly with new tax laws that impact the deductions on non-rental property.

All owners become sellers one day - this ordinance impacts the rights of all of us. Owning a home on Kiawah is a big investment and when the time comes to sell, each owner hopes to maximize his investment. Shrinking our pool of buyers will shrink demand for Kiawah homes which can only result in lower values. It will also impact the local economy - if rental properties aren't available for vacations, there will be less visitors, and less money being spent locally.

We are very discouraged by the ordinance. It unreasonably restricts the property rights of current owners, and will have far reaching impacts on the overall economic health of the island.

Sincerely,

Alan and Cheryl Seager

4169 Summer Duck Way