

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
Charleston, SC 29403-5107
and
THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
Water Quality Certification and Wetlands Section
2600 Bull Street
Columbia, South Carolina 29201

REGULATORY DIVISION
Refer to: SAC-2021-00456

March 14, 2024

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1344) and the South Carolina Coastal Zone Management Act (48-39-10 et.seq.), an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

Mr. Philip Hayes
Land Investment Resources, LLC
3440 Toringdon Way Suite 205
Charlotte, North Carolina 28277

c/o Mr. Ryan Clarey
Newkirk Environmental, Inc.
PO Box 746
Mt. Pleasant, SC 29456

for a permit to construct public and private marinas in

Lake Marion

located at Orangeburg County TMS # 373-00-00-003, as well as portions of 328-00-03-012, 327-00-00-005 in Eutawville, Orangeburg County, South Carolina (Latitude: 33.4508 °, Longitude: -80.4109 °), Vance Quad.

In order to give all interested parties an opportunity to express their views

N O T I C E

is hereby given that written statements regarding the proposed work will be received by the **Corps** until

15 Days from the Date of this Notice,

and **SCDHEC** will receive written statements regarding the proposed work until

30 Days from the Date of this Notice

from those interested in the activity and whose interests may be affected by the proposed work.

NOTE: This public notice and associated plans are available on the Corps' website at: <http://www.sac.usace.army.mil/Missions/Regulatory/PublicNotices> .

Applicant's Stated Purpose

According to the applicant, the purpose of the proposed project is to serve as a commercial marina that will provide boating access and amenities to the general public, a private residential marina, a public boat ramp and a private boat ramp. The operation of the proposed marina and its component facilities will serve both private and public interest by enhancing access to Lake Marion, encouraging economic development, and encouraging private investment on Lake Marion.

Project Description

The proposed work consists of the construction of private and public marina facilities.

PRIVATE WATER-BASED STRUCTURES:

Dock Facilities: There will be two private marina facilities – one central and one west. The central marina will include the construction of 10' wide by +/-1,100' long concrete breakwater floating dock running parallel with the shoreline. It will be accessed by a 4' wide by 80' long ADA gangway leading to a 10' by 40' long concrete breakwater floating dock. A 10' by 40' concrete breakwater floating dock will be angled toward the shoreline at each end. There will be (28) 4' wide by 30' long timber finger piers located on the landward side of the concrete breakwater float. The floating docks will provide for 60 wet slips, intended to be occupied by vessels belonging to the residents of the community.

The western marina will include the construction of 10' wide by 510' long concrete breakwater floating dock running parallel with the shoreline. It will be accessed by a 4' wide by 55' long ADA gangway leading to a 10' by 40' long concrete breakwater floating dock. A 10' by 40' concrete breakwater floating dock will be angled toward the

shoreline at the North end. There will be (14) 4' wide by 30' long timber finger piers located on the landward side of the concrete breakwater floats. The floating docks will provide for 30 wet slips, intended to be occupied by vessels belonging to the residents of the community.

Boardwalks: The central marina includes the construction of approximately 10' wide by 80' long timber pile supported boardwalk perpendicular to shoreline, leading to a fixed, covered, timber pierhead. The pierhead will be 20' by 20' in size. The total approx. footprint for the boardwalk and pierhead is 1200 square feet. The boardwalk provides access to the floating docks of the marina. The pierhead will be used as a staging / waiting and fishing area and will have benches. The gangway leading to the floating docks will be attached to the pierhead.

The western marina includes the construction of approximately 10' wide by 30' long timber pile supported boardwalk perpendicular to shoreline, leading to a fixed, covered, timber pierhead. The pierhead will be 20' by 20' in size. The total approx. footprint for the boardwalk and pierhead is 800 square feet. The boardwalk provides access to the floating docks of the marina. The pierhead will be used as a staging / waiting and fishing area and will have benches. The gangway leading to the floating docks will be attached to the pierhead.

Boat Ramp: Construction of a one-lane concrete boat ramp with associated staging docks on one side of the ramp. The staging docks will be 8' by 60' long. The staging docks will be accessed by an ADA gangway, approximately 4' wide by 80' long and anchored to the shore by an 8' wide by 16' concrete walk/footing. The boat ramp will be 17' wide (there will be curbs on the edges) by 112' long. The overall approx. footprint for the boat ramp (minus the staging docks) is 1905 square feet. The boat ramp will require excavating approx. 0.02 acre and filling approx. 0.05 acre if open water.

PUBLIC WATER-BASED STRUCTURES

Dock Facilities: Construction of three (3) floating dock trees, oriented approximately Parallel to the shoreline. The trees will provide a maximum of 150 wet slips for temporary and permanent mooring of vessels with an additional 25 slips for temporary mooring only. The trees will be accessed by an ADA gangway, approximately 4' wide by 62' long leading to the primary access concrete floating dock, which will be 10' wide by 240' long. The three (3) trees will be accessible off of the primary access floating dock. Each of the three (3) trees will be 10' wide by 510' long. The outermost tree will be a concrete breakwater floating dock and will have 15 finger piers, 4' wide by 30' long, that provide 30 wet slips located on the landward side of the breakwater float. The inner two (2) trees will be timber floating docks with 30 finger piers, 4' wide by 30' long, that provide 60 wet slips each. The dock structures will include power and water pedestals and sewage pump out facilities.

Boardwalks: Construction of approximately 10' wide by 70' long timber pile supported boardwalk perpendicular to shoreline, leading to a fixed, covered, timber pierhead.

Pierhead will be 20' by 20' in size. The total approx. footprint for the boardwalk and pierhead is 1,100 square feet. The boardwalk provides access to the floating docks of the marina. The pierhead will be used as a staging / waiting area and will have benches. The gangway leading to the floating docks will be attached to the pierhead.

Boat Ramp: Construction of a two-lane concrete boat ramp with associated staging docks on each side of the ramp. The staging docks will be 8' by 240' long. The staging docks will be accessed by an ADA gangway, approximately 4' wide by 80' long and anchored to the shore by an 8' wide by 16' concrete walk/footing. Each lane of the boat ramp will be 15' wide and there will be curbs on the edges for a total width of 33' by 240' long. The overall approx. footprint for the boat ramp (minus the staging docks) is 7,260 square feet. The boat ramp will require excavating approx. 0.03 acres and filling approx. 0.17 acres of open water?

Boat Lift Pier: Construction of a concrete pier to provide access for the boat lift servicing a future dry stack operation. The concrete pier will be approx. 14' wide by 220' long and will be pile supported.

Avoidance and Minimization

The applicant has stated that the proposed project will avoid and/or minimize impacts to the aquatic environment by performing numerous studies and planning exercises that have minimized environmental impacts to the maximum extent feasible and foreseeable. During construction, impacts to the scenic value of Lake Marion will be minimized through the implementation of BMPs employed by all contractors retained for the completion of the project.

Proposed Compensatory Mitigation

The applicant has proposed to mitigate for impacts to wetlands and/or waters of the United States by purchasing 1.7 credits from an approved mitigation bank.

South Carolina Department of Health and Environmental Control

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the certifying authority, South Carolina Department of Health and Environmental Control, in accordance with provisions of Section 401 of the Clean Water Act (CWA). The CWA Section 401 Certification Rule (Certification Rule, 40 CFR 121), effective September 11, 2020, requires certification, or waiver, for any license or permit that authorizes an activity that may result in a discharge. The scope of a CWA Section 401 Certification is limited to assuring that a discharge from a Federally licensed or permitted activity will comply with water quality requirements. The applicant is responsible for requesting certification and providing required information to the certifying authority. In accordance with Certification Rule part 121.12, the Corps will notify the U.S. Environmental Protection Agency Administrator when it has received a Department of the Army (DA) permit application and the related certification. The

Administrator is responsible for determining if the discharge may affect water quality in a neighboring jurisdiction. The DA permit may not be issued pending the conclusion of the Administrator's determination of effects on neighboring jurisdictions.

The work shown on this application must also be certified as consistent with applicable provisions of the Coastal Zone Management Program (15 CFR 930). This activity may also require evaluation for compliance with the S. C. Construction in Navigable Waters Permit Program. State review, permitting and certification is conducted by the S. C. Department of Health and Environmental Control. The District Engineer will not process this application to a conclusion until such certifications are received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review.

Essential Fish Habitat

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed marina facilities would impact 1.65 acres of waters located upstream of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the shrimp, and snapper-grouper management complexes. The District Engineer's initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). The District Engineer's final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

Endangered Species

Pursuant to the Section 7 of the Endangered Species Act of 1973 (as amended), the Corps has reviewed the project and based on the location of the project and available information, the following species may be present in the County(s) where the work will occur: red-cockaded woodpecker, tri-colored bat, Atlantic sturgeon, shortnose sturgeon, and Canby's dropwort.

Based on all information provided by the applicant and the most recently available information, the District Engineer has determined the following:

The project will have no effect on the red-cockaded woodpecker, tri-colored bat, and Canby's dropwort and will not result in the destruction or adverse modification of designated or proposed critical habitat.

The project is not likely to adversely affect the Atlantic sturgeon and shortnose sturgeon or result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request for written concurrence from the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service on this determination.

This public notice serves as a request to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service for any additional information they may have on whether any listed or proposed endangered or threatened species or designated or proposed critical habitat may be present in the area which would be affected by the activity.

Cultural Resources

Pursuant to Section 106 of the National Historic Preservation Act (NHPA), this public notice also constitutes a request to Indian Tribes to notify the District Engineer of any historic properties of religious and cultural significance to them that may be affected by the proposed undertaking.

In accordance with Section 106 of the NHPA, the District Engineer has consulted South Carolina ArchSite (GIS), for the presence or absence of historic properties (as defined in 36 C.F.R. 800.16)(1)(1)), and has initially determined that no historic properties are present; therefore, there will be no effect on historic properties. To ensure that other historic properties that the District Engineer is not aware of are not overlooked, this public notice also serves as a request to the State Historic Preservation Office and any other interested parties to provide any information they may have with regard to historic properties. This public notice serves as a request for concurrence within 30 days from the SHPO (and/or Tribal Historic Preservation Officer).

The District Engineer's final eligibility and effect determination will be based upon coordination with the SHPO and/or THPO, as appropriate and required and with full consideration given to the proposed undertaking's potential direct and indirect effects on historic properties within the Corps-identified permit area.

Corps' Evaluation

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act and, as appropriate, the criteria established under authority of Section 102 of the Marine Protection, Research and Sanctuaries Act of 1972, as amended. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps cannot

undertake to adjudicate rival claims.

Solicitation of Public Comment

The Corps is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity. Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

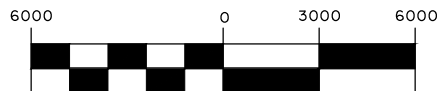
Please submit comments in writing, identifying the project of interest by public notice/file number (SAC-2021-00456), to Matthew.J.Murphy@usace.army.mil or the following address:

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
69A Hagood Avenue
Charleston, SC 29403-5107**

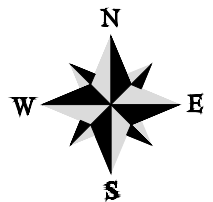
If there are any questions concerning this public notice, please contact Matthew Murphy, Project Manager, at 843-329-8055, or by email at Matthew.J.Murphy@usace.army.mil.



GRAPHIC SCALE



(IN FEET)
1 inch = 6000ft.



SERENITY WATERFRONT AMENITIES

SHEET NAME:

VICINITY MAP

APPLICANT:

LAND INVESTMENT RESOURCES

LOCATION: VANCE, SC

DATE: 7/10/2023

JOB NUMBER: J - 29017.0000

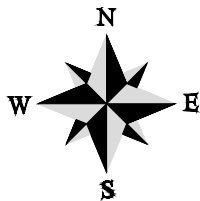
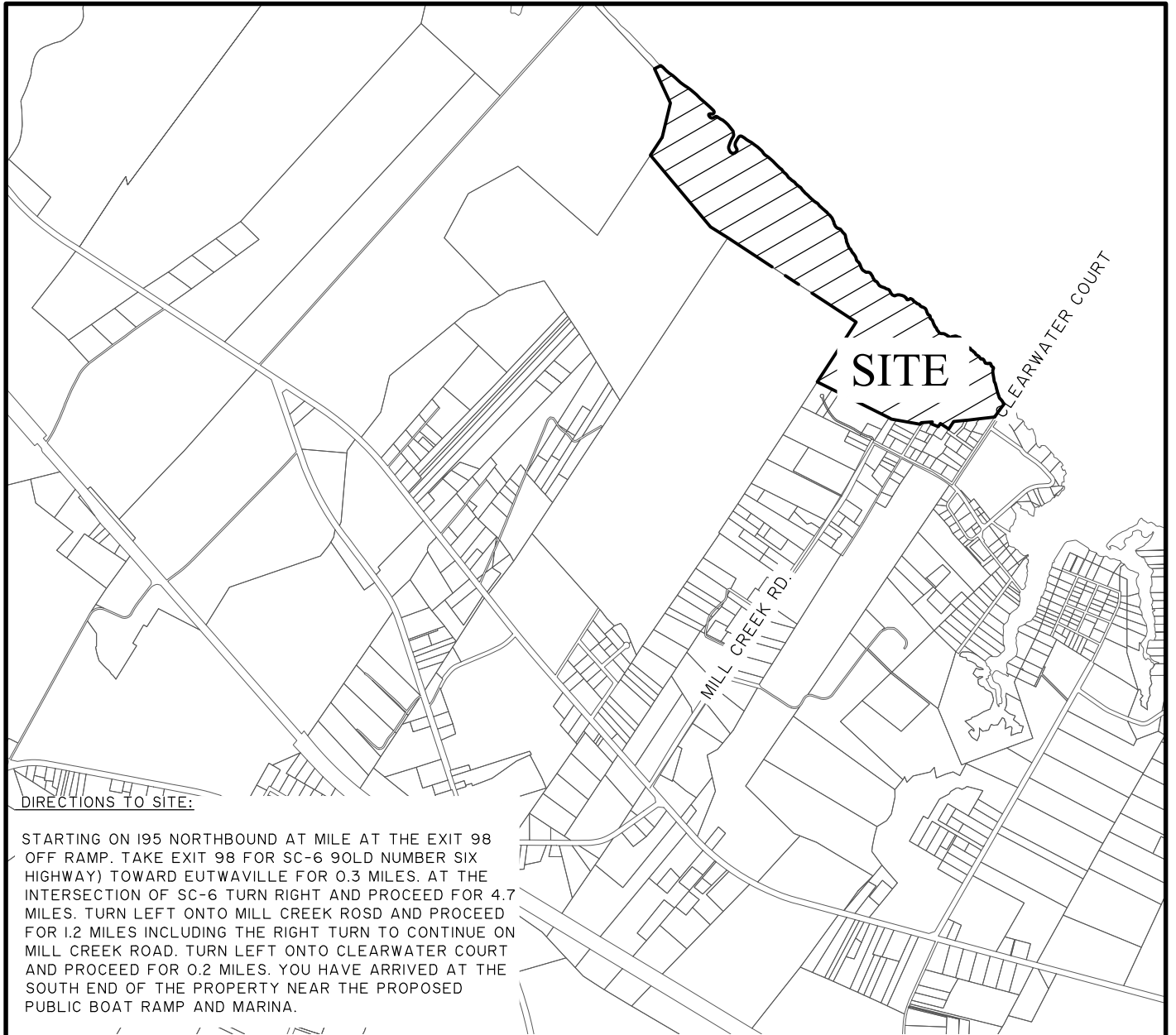
SHEET: 1 OF 19

SCALE: 1" = 6000'

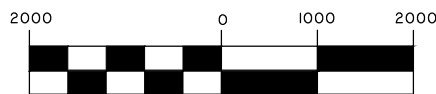
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GRAPHIC SCALE



(IN FEET)
1 inch = 2000ft.



SERENITY WATERFRONT AMENITIES

SHEET NAME:
LOCATION MAP

APPLICANT:
LAND INVESTMENT RESOURCES

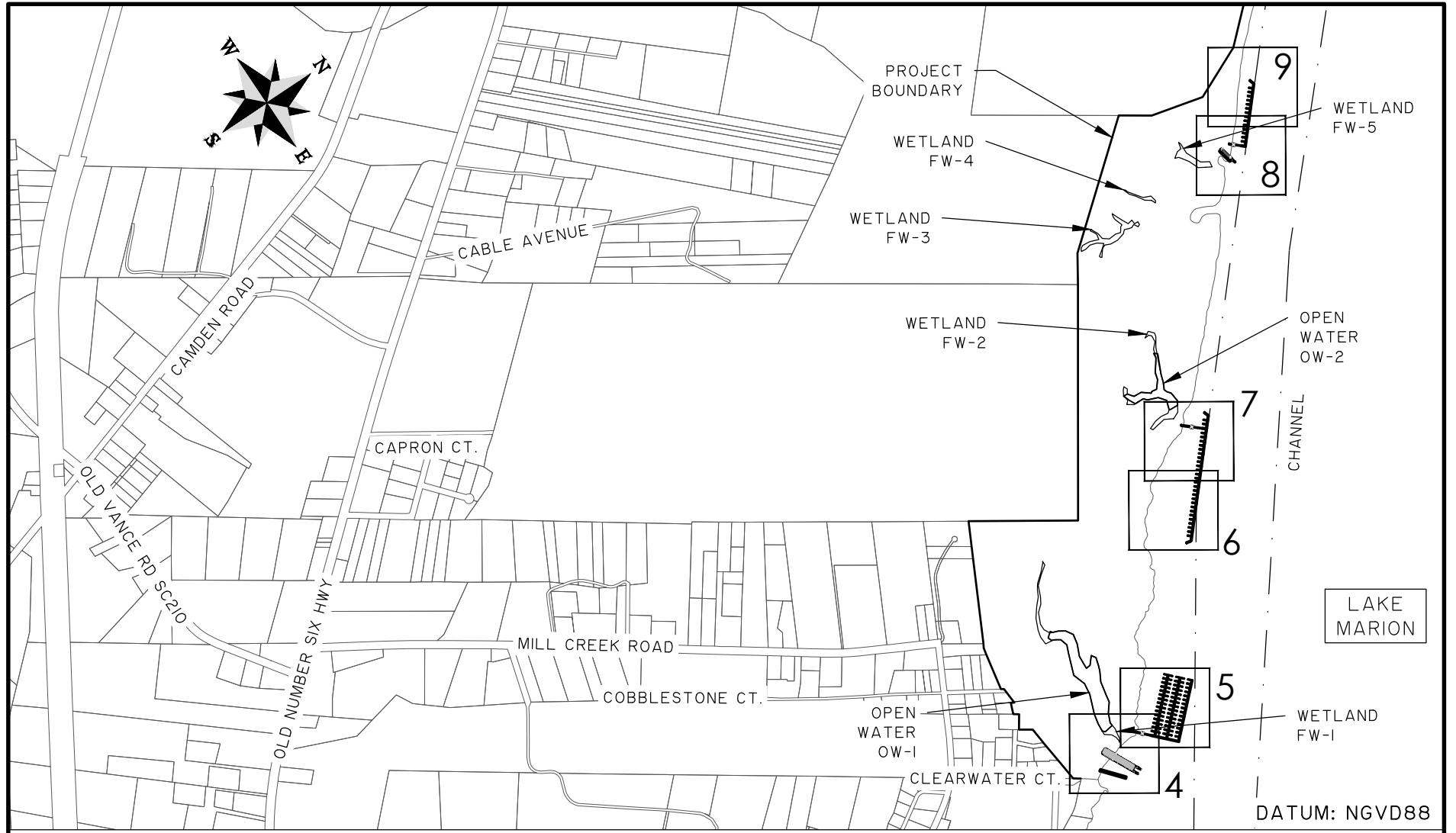
LOCATION: VANCE, SC
DATE: 7/10/2023
JOB NUMBER: J - 29017.0000

SHEET: 2 OF 19
SCALE: 1"=2000'

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SERENITY WATERFRONT AMENITIES

SHEET NAME:

INDEX SHEET

APPLICANT:

LAND INVESTMENT RESOURCES

LOCATION: VANCE, SC

DATE: 7/10/2023

JOB NUMBER: J - 29017.0000

SHEET: 3 OF 19

SCALE: 1" = 1200'



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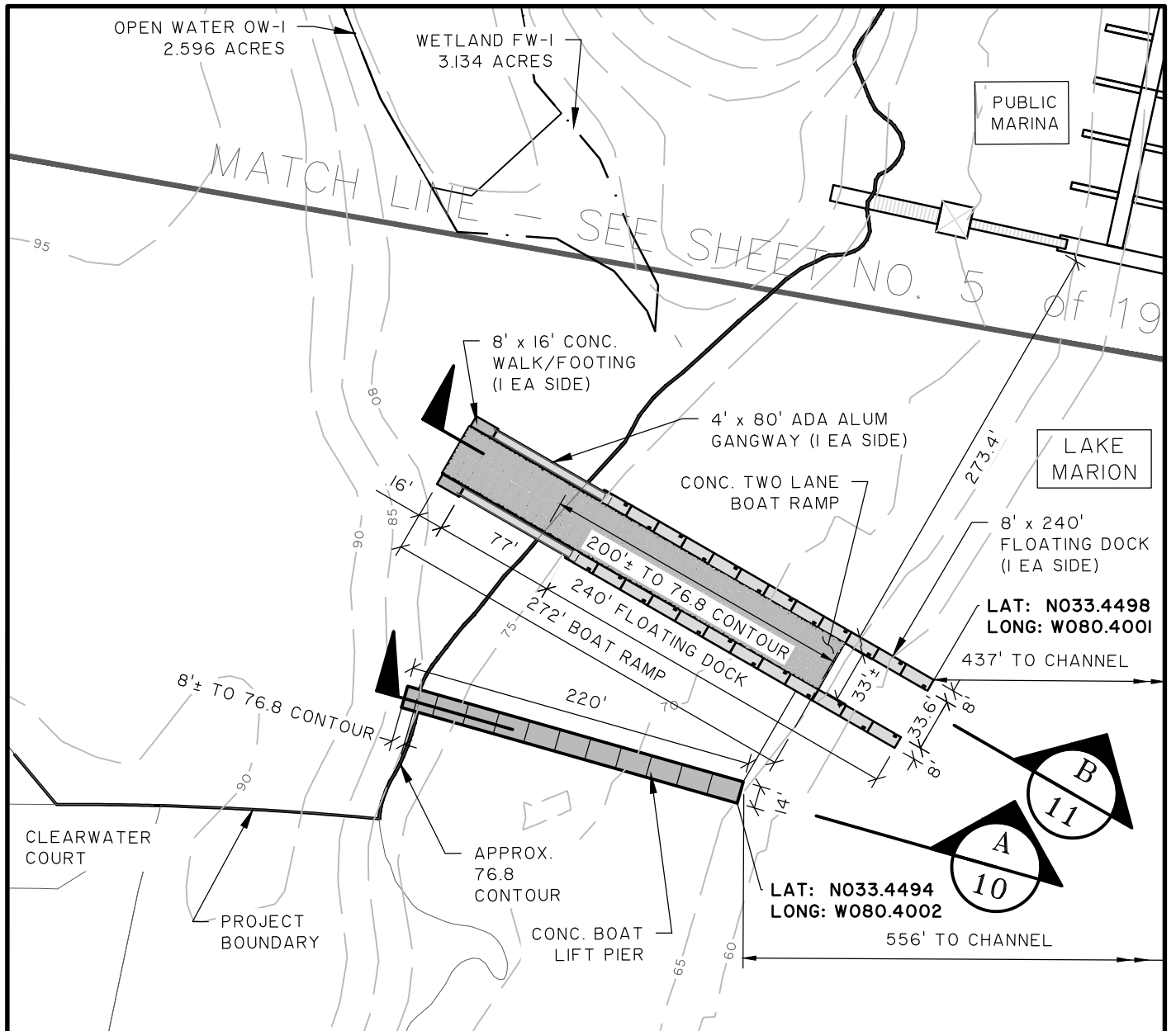
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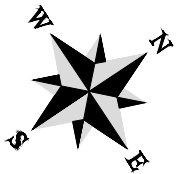
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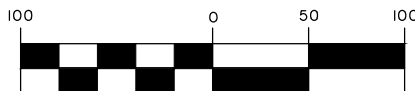




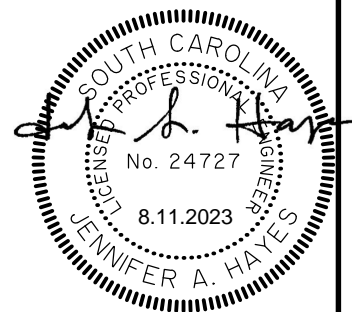
DATUM: NGVD88



GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.



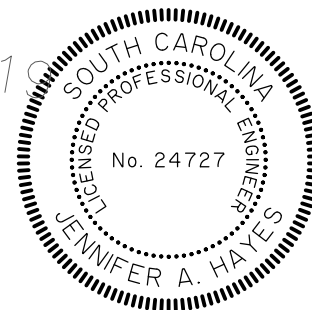
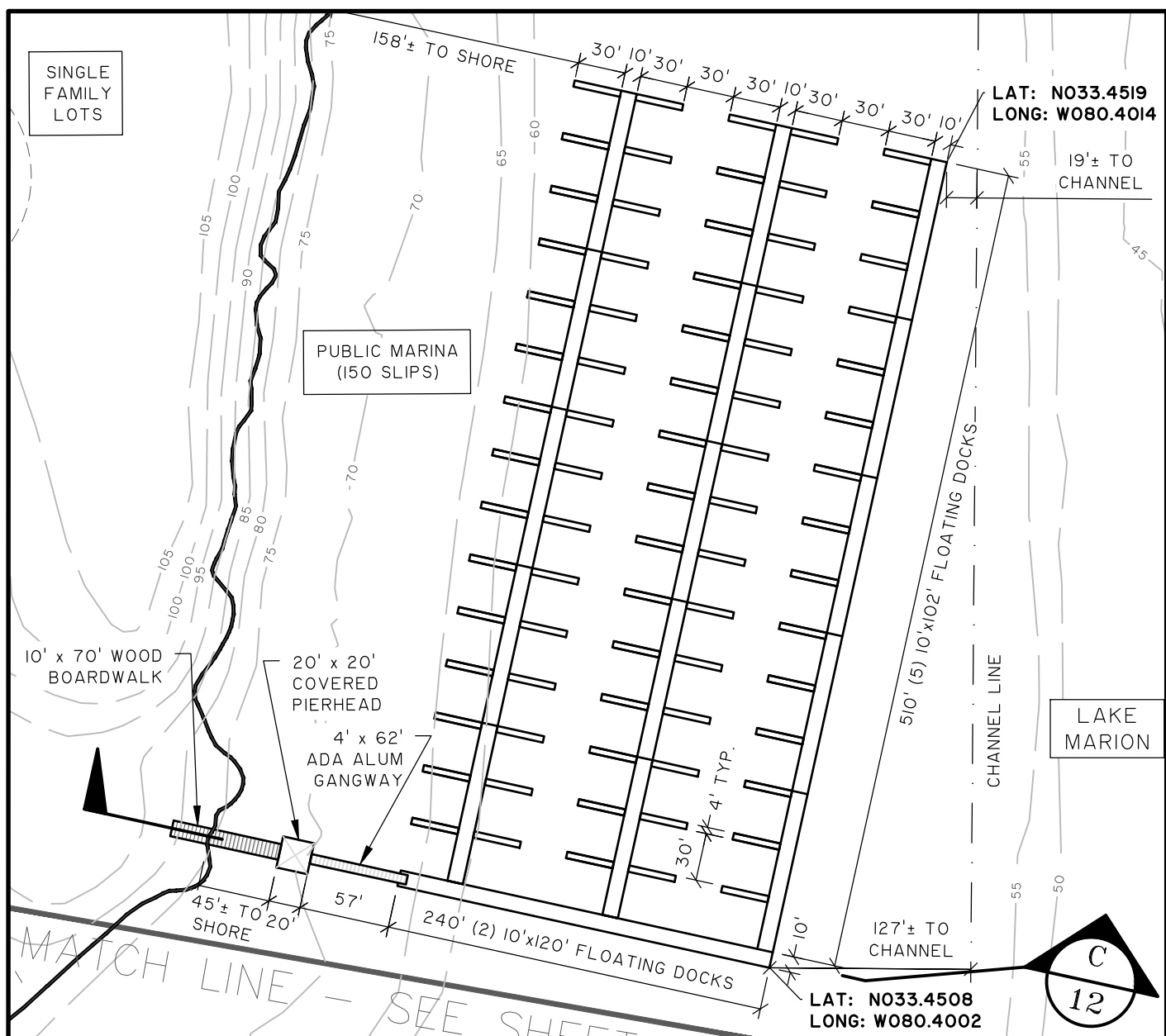
SERENITY WATERFRONT AMENITIES

SHEET NAME:
BOAT LIFT PIER PUBLIC BOAT RAMP & BOARDWALK PLAN
APPLICANT:
LAND INVESTMENT RESOURCES
LOCATION: VANCE, SC
DATE: 7/10/2023 REV. 8/11/2023
JOB NUMBER: J - 29017.0000
SHEET: 4 OF 19
SCALE: 1" = 100'

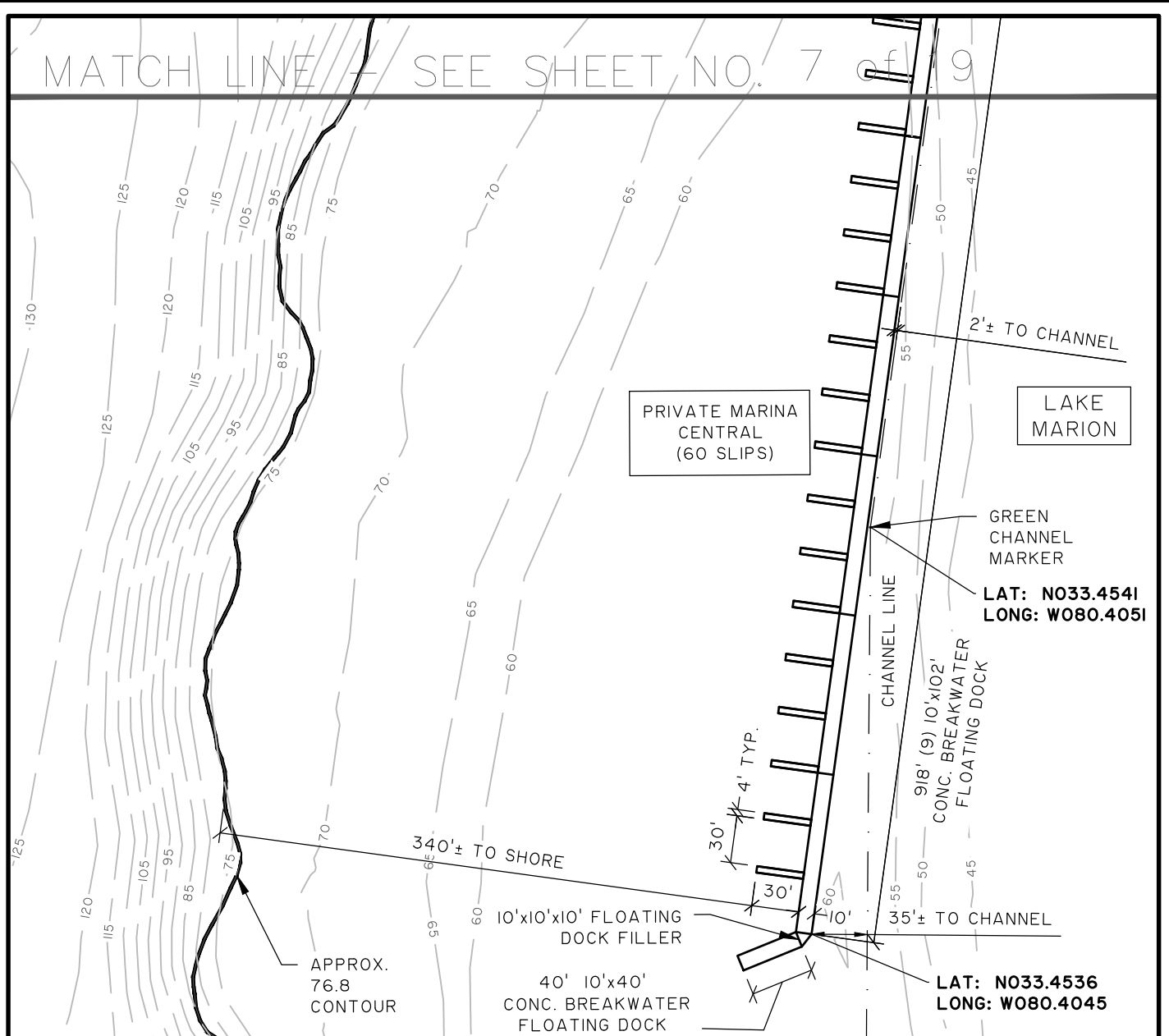


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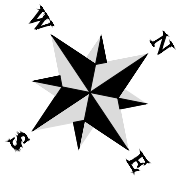
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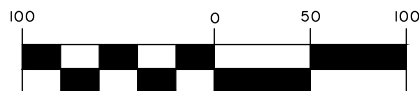
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DATUM: NGVD88



GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.



SERENITY WATERFRONT AMENITIES

SHEET NAME:

PARTIAL PRIVATE MARINA - CENTRAL PLAN

APPLICANT:

LAND INVESTMENT RESOURCES

LOCATION: VANCE, SC

DATE: 7/10/2023

JOB NUMBER: J - 29017.0000

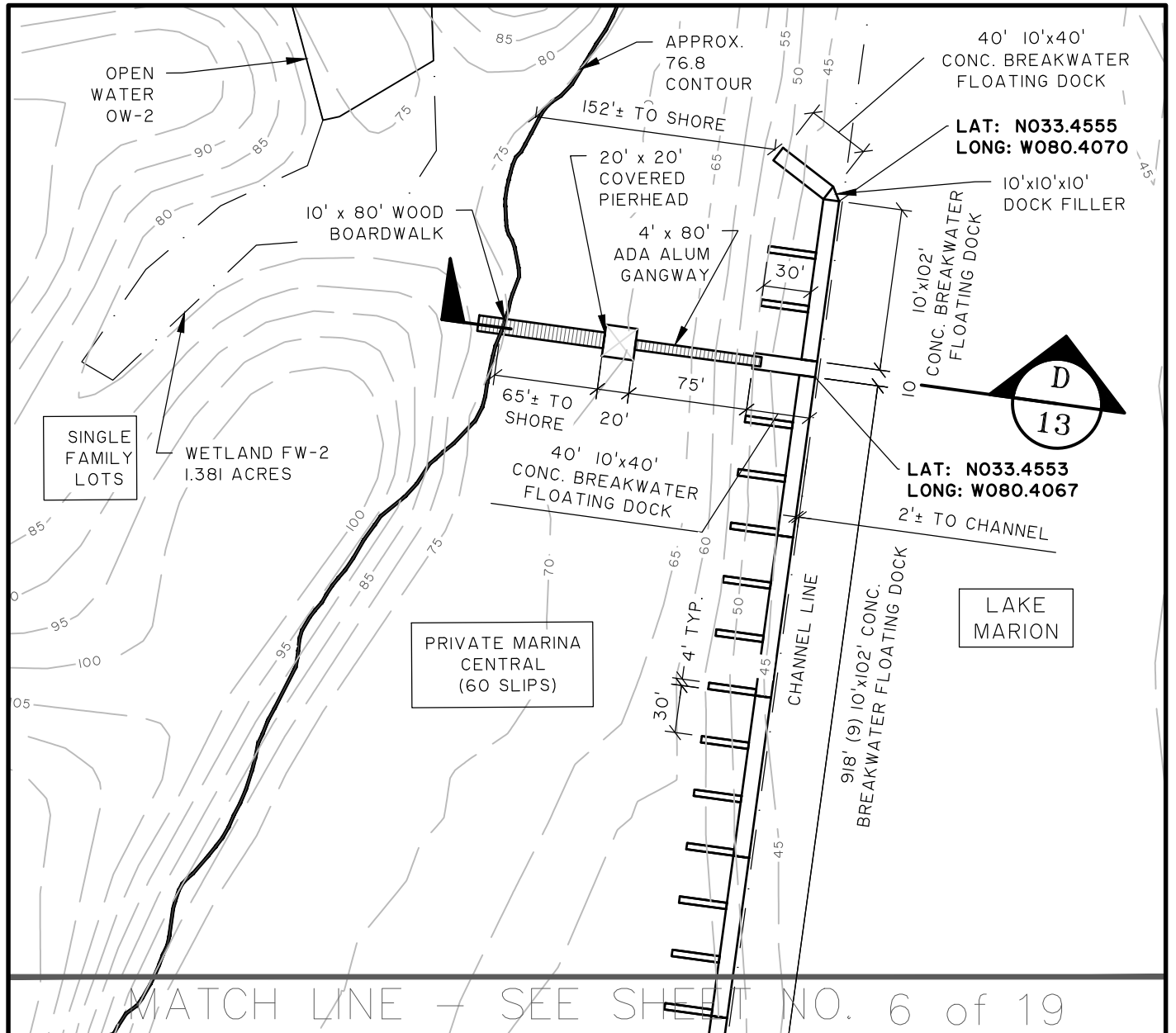
SHEET: 6 OF 19

SCALE: 1" = 100'

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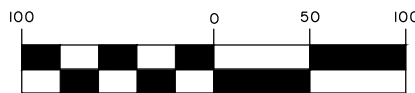
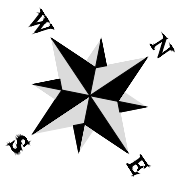
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DATUM: NGVD88

GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.



SERENITY WATERFRONT AMENITIES

SHEET NAME:

PARTIAL PRIVATE MARINA - CENTRAL PLAN

APPLICANT:

LAND INVESTMENT RESOURCES

LOCATION: VANCE, SC

DATE: 7/10/2023

JOB NUMBER: J - 29017.0000

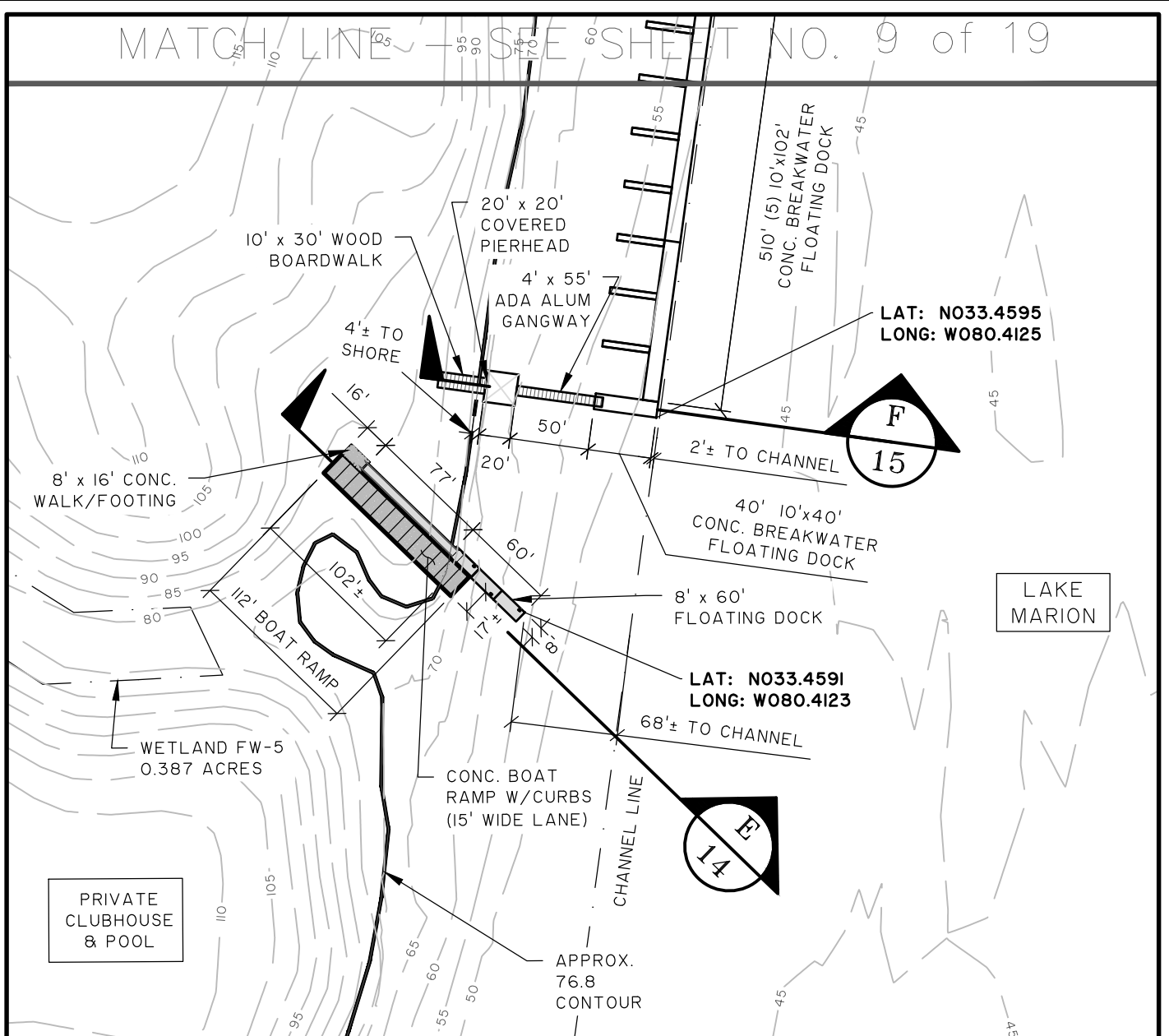
SHEET: 7 OF 19

SCALE: 1" = 100'

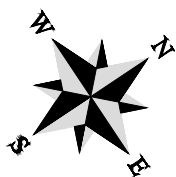
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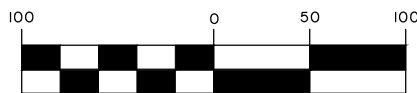
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DATUM: NGVD88



GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.



SERENITY WATERFRONT AMENITIES

SHEET NAME:
PARTIAL PRIVATE BOAT RAMP & MARINA - NORTHWEST PLAN

APPLICANT:
LAND INVESTMENT RESOURCES

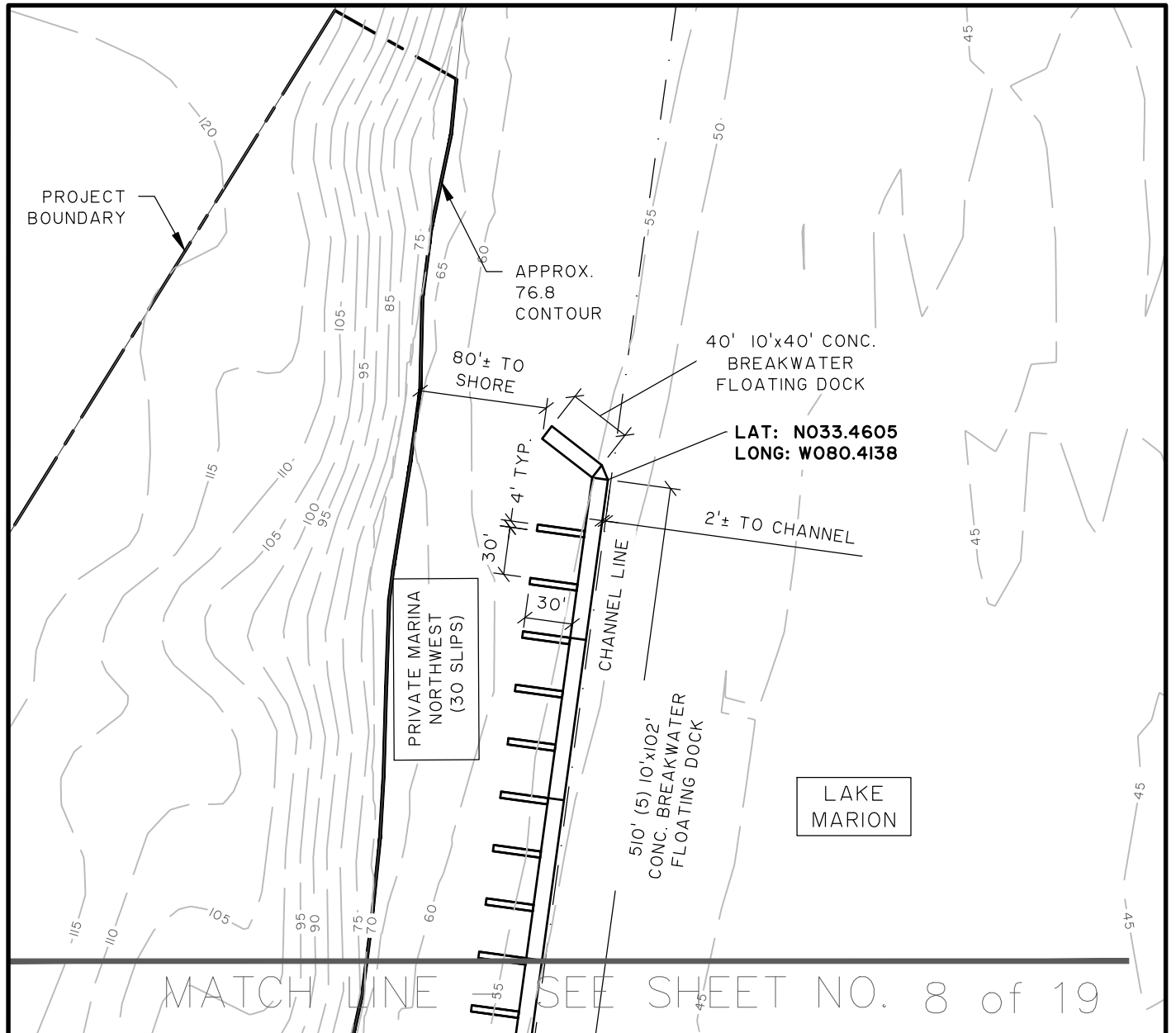
LOCATION: VANCE, SC
DATE: 7/10/2023
JOB NUMBER: J - 29017.0000

SHEET: 8 OF 19
SCALE: 1" = 100'

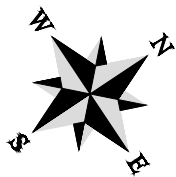
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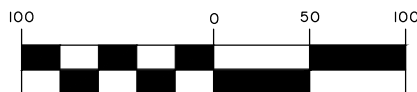
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DATUM: NGVD88



GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.



SERENITY WATERFRONT AMENITIES

SHEET NAME:
PARTIAL PRIVATE MARINA - NORTHWEST PLAN

APPLICANT:
LAND INVESTMENT RESOURCES

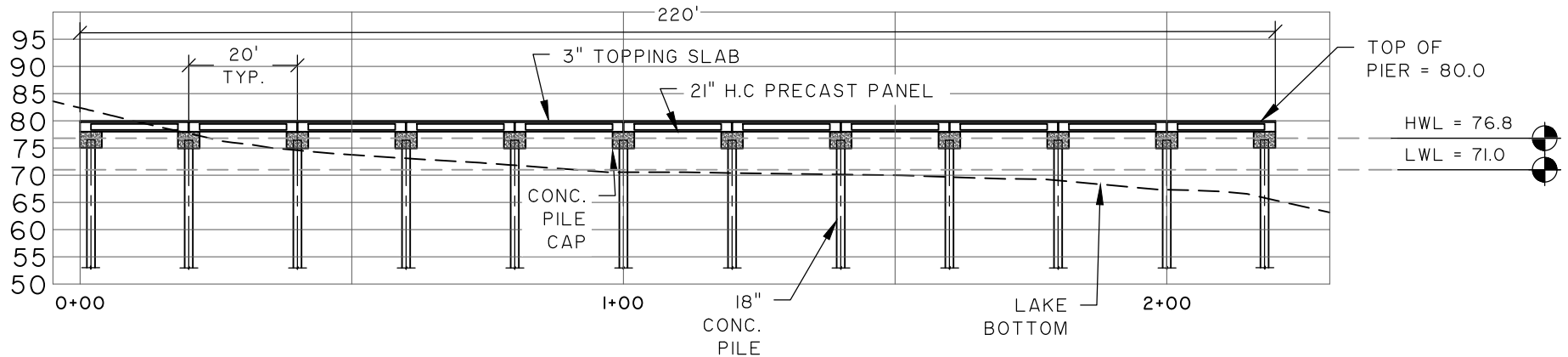
LOCATION: VANCE, SC
DATE: 7/10/2023
JOB NUMBER: J - 29017.0000

SHEET: 9 OF 19
SCALE: 1" = 100'

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A
BOAT LIFT PIER SECTION
10

1" = 30'

DATUM: NGVD88

SERENITY WATERFRONT AMENITIES

SHEET NAME:

BOAT LIFT PIER SECTION

APPLICANT:

LAND INVESTMENT RESOURCES

LOCATION: VANCE, SC

DATE: 7/10/2023

JOB NUMBER: J - 29017.0000

SHEET: 10 OF 19

SCALE: 1" = 30'



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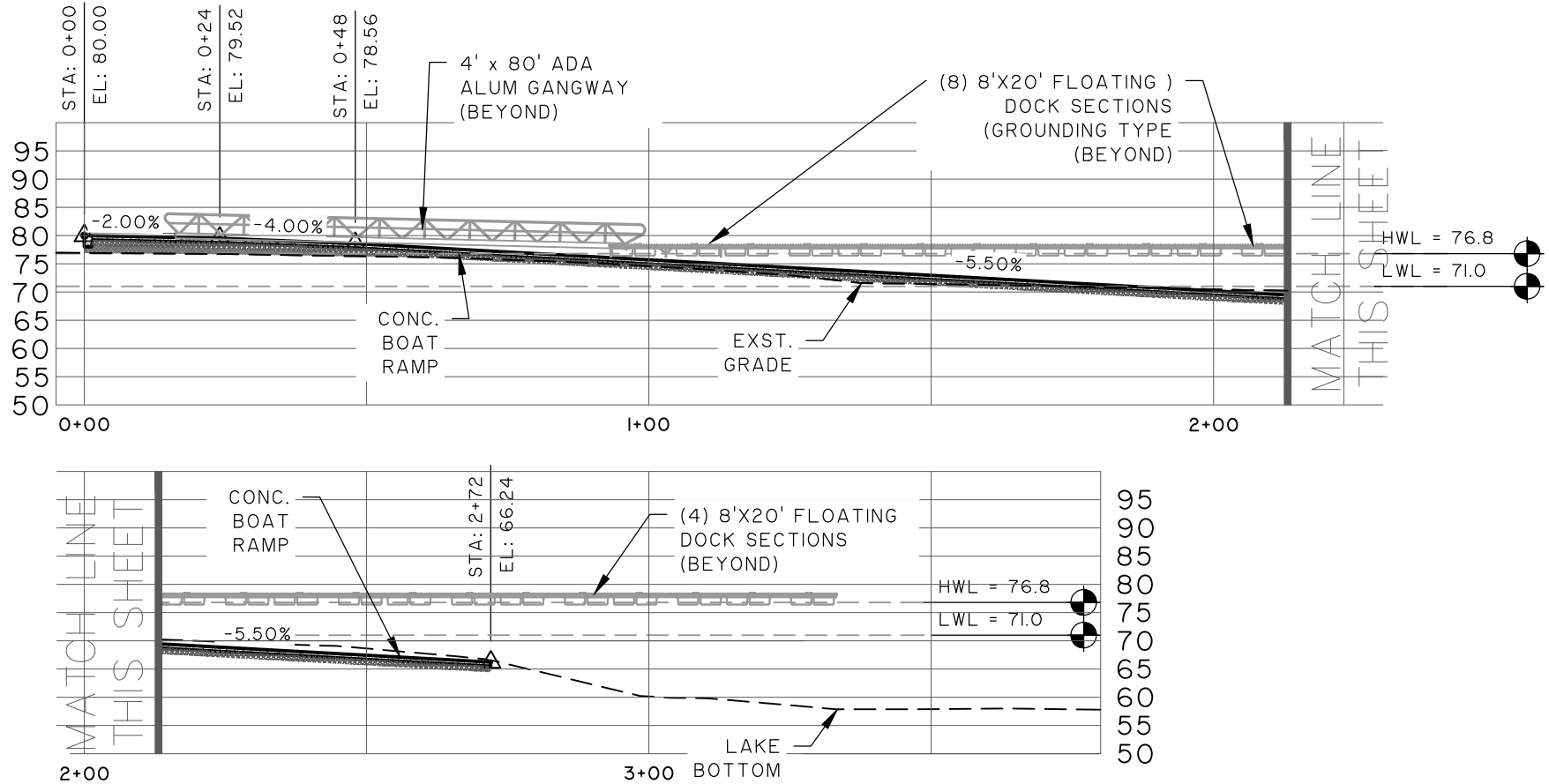
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B
11

PUBLIC BOAT RAMP SECTION
 1" = 30'

DATUM: NGVD88

SERENITY WATERFRONT AMENITIES

SHEET NAME:

PUBLIC BOAT RAMP SECTION

APPLICANT:

LAND INVESTMENT RESOURCES

LOCATION: VANCE, SC

DATE: 7/10/2023

JOB NUMBER: J - 29017.0000

SHEET: 11 OF 19

SCALE: 1" = 30'



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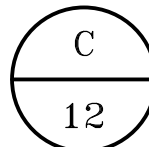
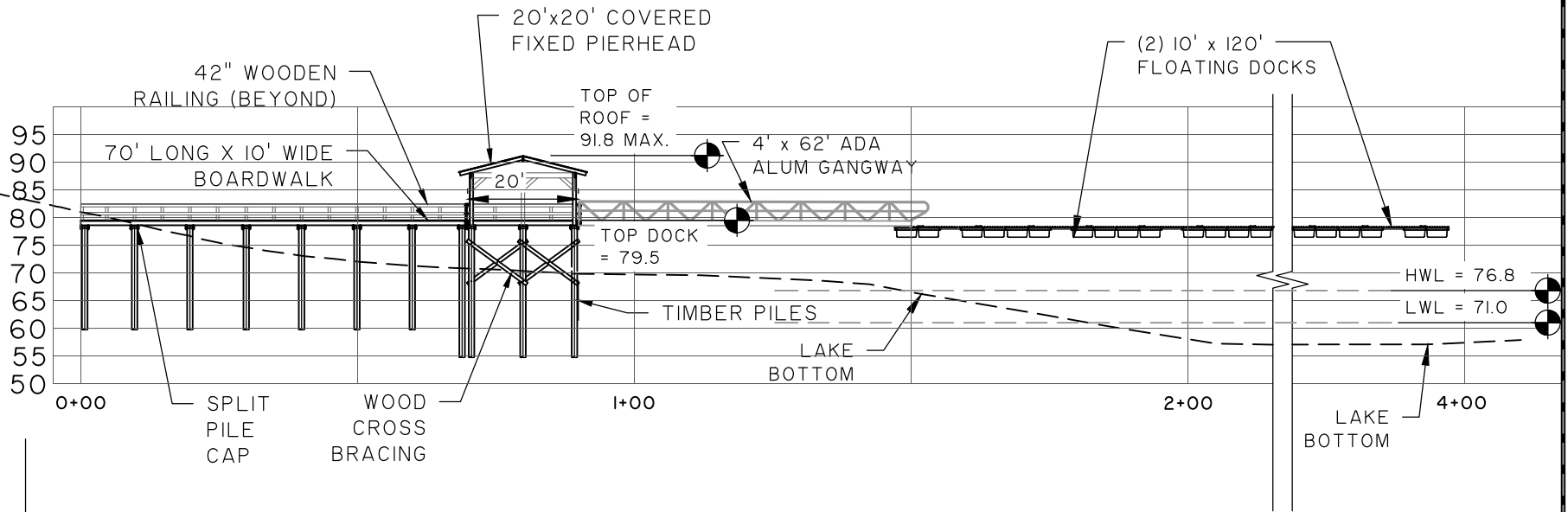
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PUBLIC MARINA SECTION

1" = 30'

DATUM: NGVD88

SERENITY WATERFRONT AMENITIES

SHEET NAME:

PUBLIC MARINA SECTION

APPLICANT:

LAND INVESTMENT RESOURCES

LOCATION: VANCE, SC

DATE: 7/10/2023

JOB NUMBER: J - 29017.0000

SHEET: 12 OF 19

SCALE: 1" = 30'



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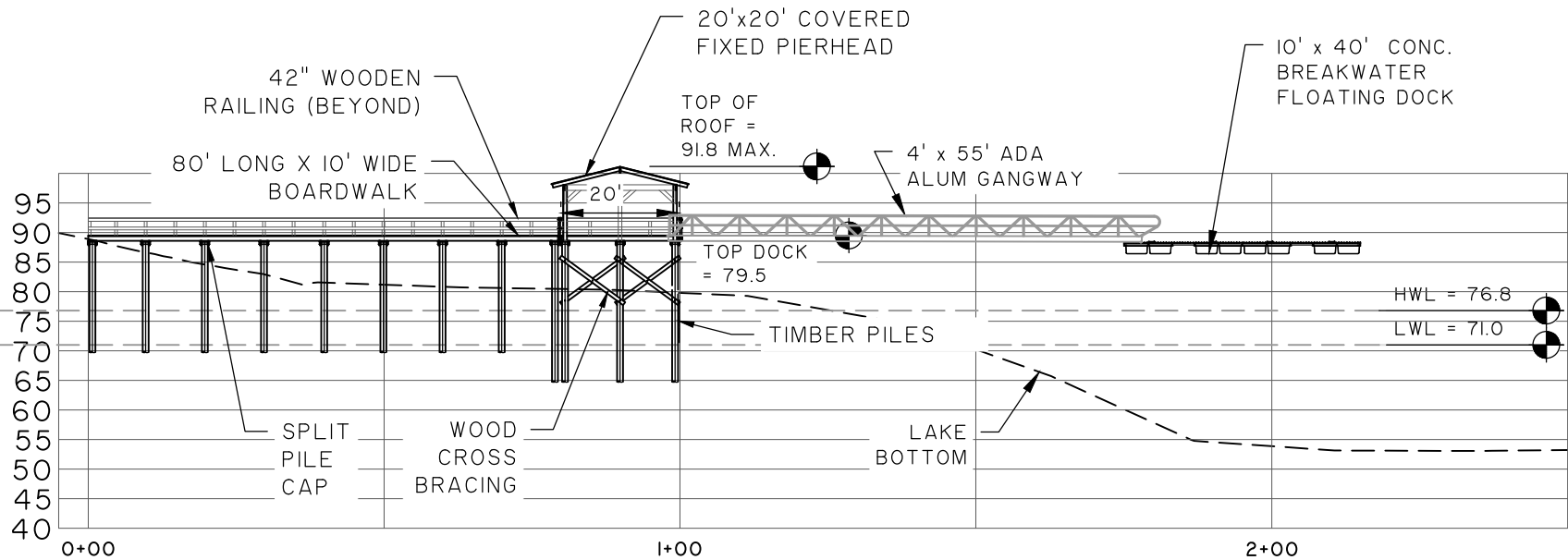
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D
13

PRIVATE MARINA – CENTRAL SECTION

1" = 30'

DATUM: NGVD88

SERENITY WATERFRONT AMENITIES

SHEET NAME:

PRIVATE MARINA - CENTRAL SECTION

APPLICANT:

LAND INVESTMENT RESOURCES

LOCATION: VANCE, SC

DATE: 7/10/2023

JOB NUMBER: J - 29017.0000

SHEET: 13 OF 19

SCALE: 1" = 30'



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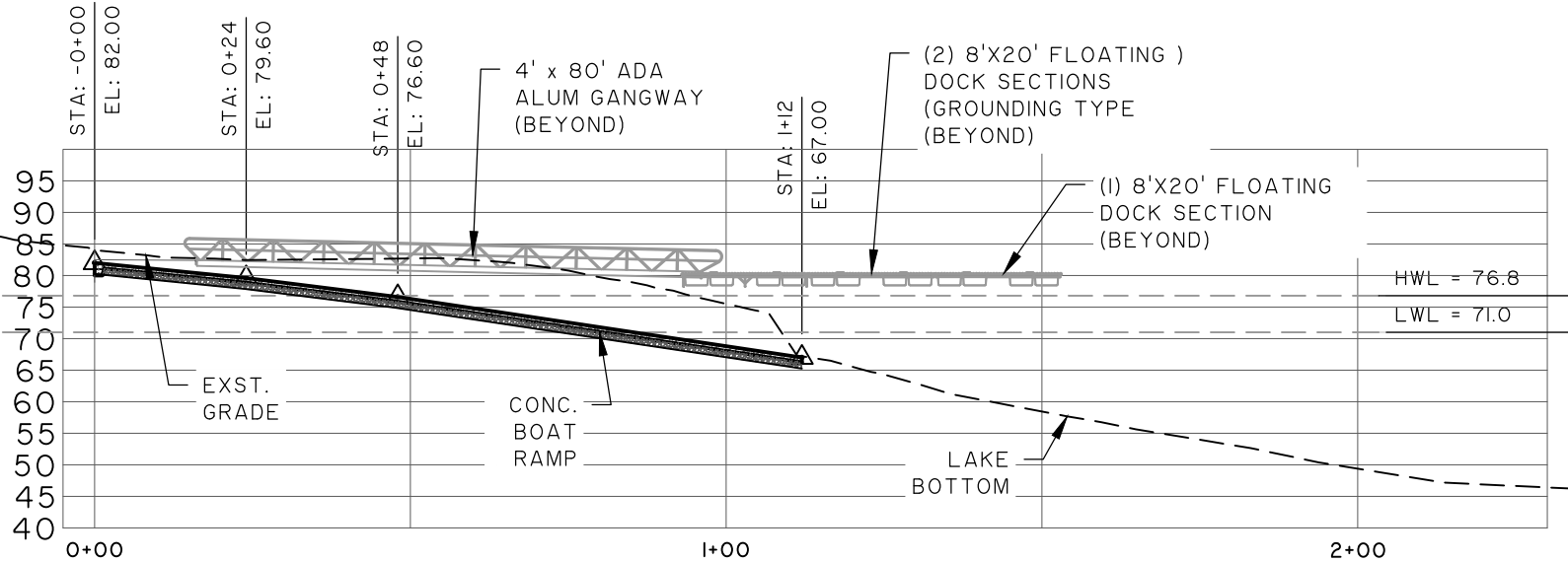
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E
14

PRIVATE BOAT RAMP - NORTHEAST SECTION
 1" = 30'

DATUM: NGVD88

SERENITY WATERFRONT AMENITIES

SHEET NAME:
PRIVATE BOAT RAMP - NORTHEAST SECTION

APPLICANT:
LAND INVESTMENT RESOURCES

LOCATION: VANCE, SC
DATE: 7/10/2023
JOB NUMBER: J - 29017.0000

SHEET: 14 OF 19
SCALE: 1" = 30'



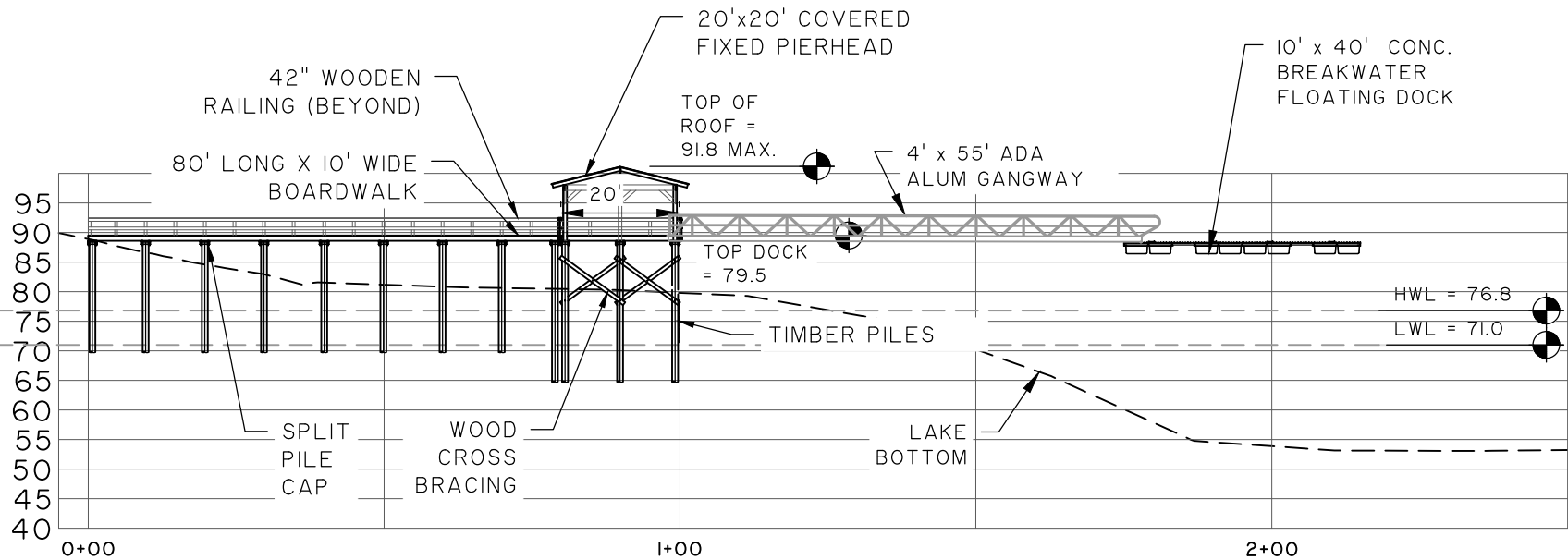
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F
15
PRIVATE MARINA – NORTHWEST SECTION
 1" = 30'

DATUM: NGVD88

SERENITY WATERFRONT AMENITIES

SHEET NAME:

PRIVATE MARINA - NORTHWEST SECTION

APPLICANT:

LAND INVESTMENT RESOURCES

LOCATION: VANCE, SC

DATE: 7/10/2023

JOB NUMBER: J - 29017.0000

SHEET: 15 OF 19

SCALE: 1" = 30'



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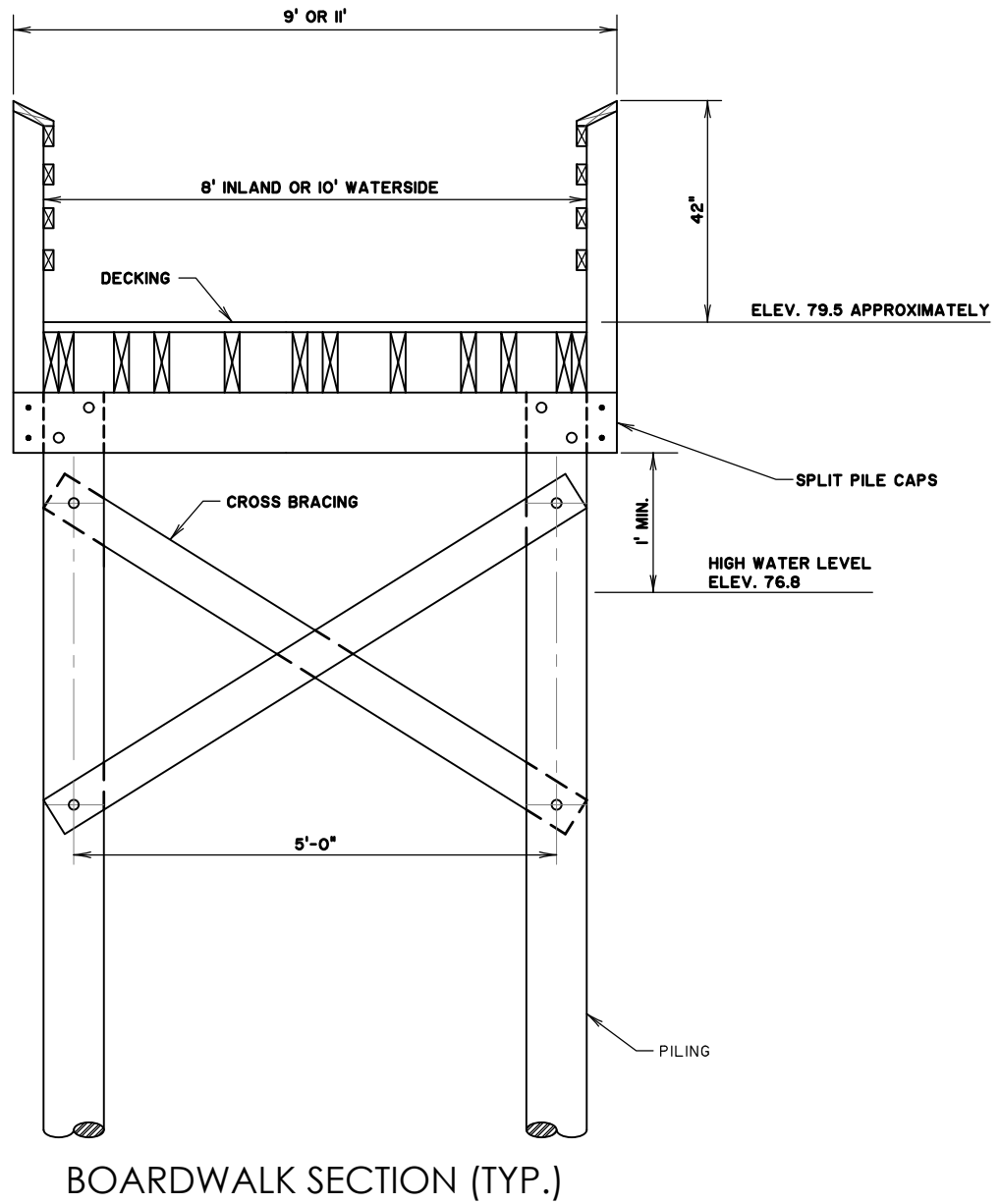
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TYPICAL BOARDWALK SECTION

DATUM: NGVD88

SERENITY WATERFRONT AMENITIES

SHEET NAME:

TYPICAL BOARDWALK SECTION

APPLICANT:

LAND INVESTMENT RESOURCES

LOCATION: VANCE, SC

DATE: 7/10/2023

JOB NUMBER: J - 29017.0000

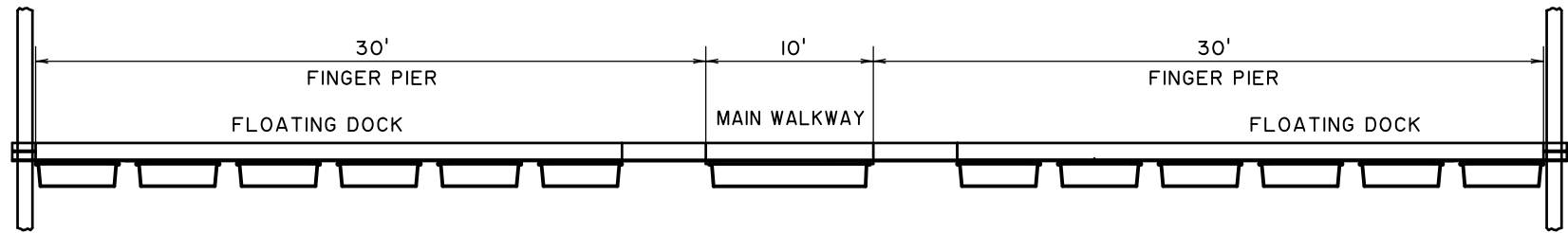
SHEET: 16 OF 19

SCALE: N.T.S.



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TYPICAL SECTION AT FINGER PIERS AND MAIN WALKWAY

DATUM: NGVD88

SERENITY WATERFRONT AMENITIES

SHEET NAME:

TYPICAL SECTION AT FINGER PIERS AND MAIN WALKWAY

APPLICANT:

LAND INVESTMENT RESOURCES

LOCATION: VANCE, SC

DATE: 7/10/2023

JOB NUMBER: J - 29017.0000

SHEET: 17 OF 19

SCALE: N.T.S.



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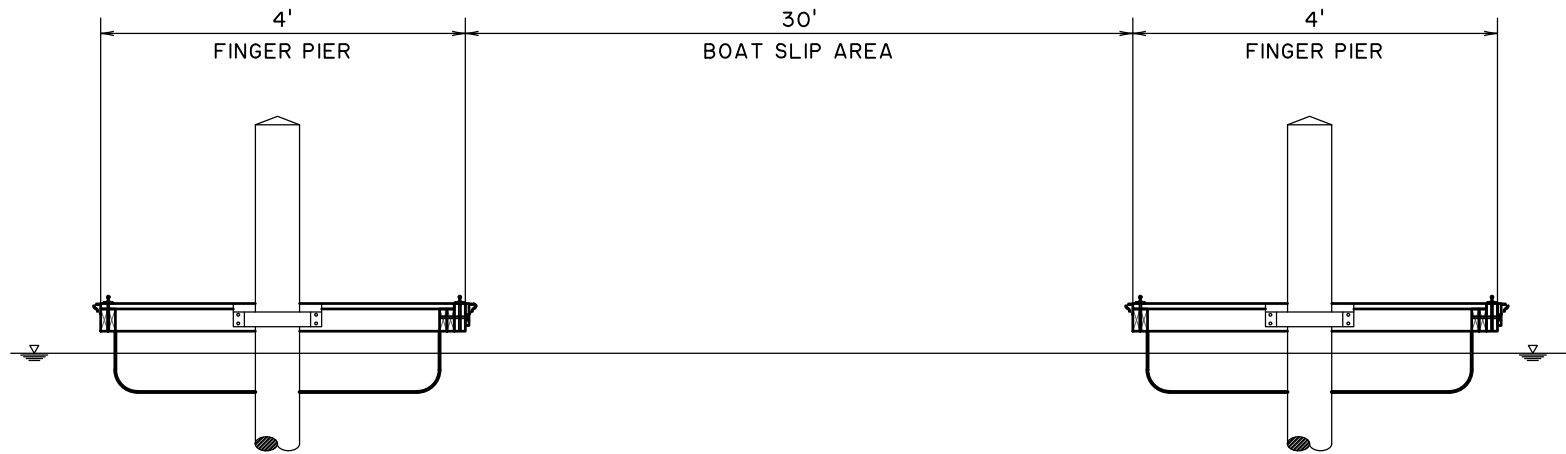
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TYPICAL SECTION AT FINGER PIERS AND BOAT SLIPS

DATUM: NGVD88

SERENITY WATERFRONT AMENITIES

SHEET NAME:

TYPICAL SECTION AT FINGER PIERS AND BOAT SLIPS

APPLICANT:

LAND INVESTMENT RESOURCES

LOCATION: VANCE, SC

DATE: 7/10/2023

JOB NUMBER: J - 29017.0000

SHEET: 18 OF 19

SCALE: N.T.S.



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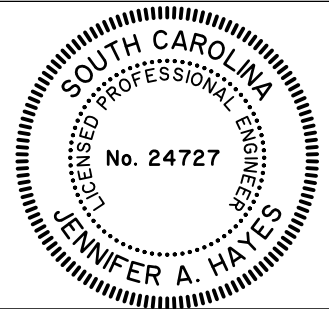
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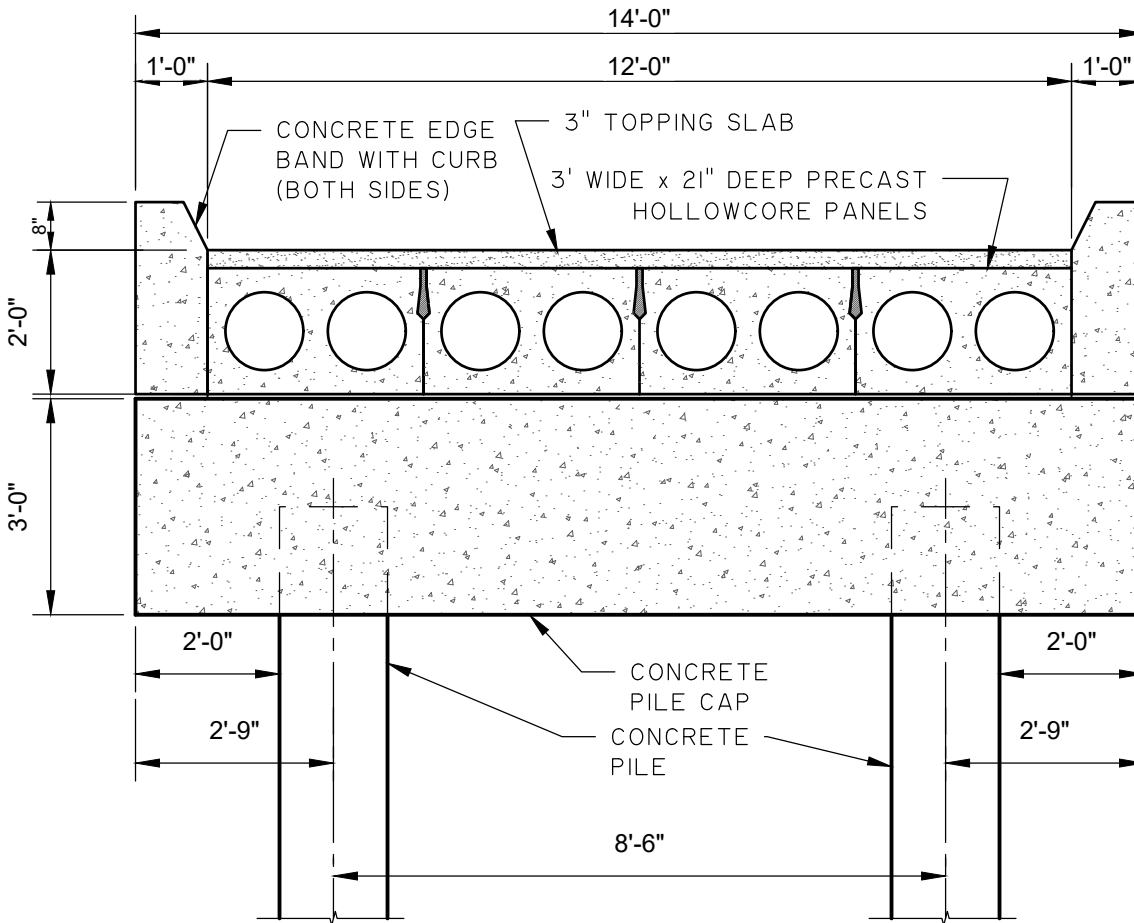
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BOAT LIFT PIER SECTION



DATUM: NGVD88

SERENITY WATERFRONT AMENITIES

SHEET NAME:

BOAT LIFT PIER SECTION

APPLICANT:

LAND INVESTMENT RESOURCES

LOCATION: VANCE, SC

DATE: 7/10/2023

JOB NUMBER: J - 29017.0000

SHEET: 19 OF 19

SCALE: 3/8" = 1'-0"

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