

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF BEAUFORT )  
  
Bay Point Island, LLC, )  
 )  
Appellant, )  
 )  
vs. )  
 )  
County of Beaufort and Beaufort )  
County Zoning Board of Appeals, )  
 )  
Respondents, )  
 )  
and )  
 )  
South Carolina Coastal Conservation )  
League, Inc. and Gullah/Geechee )  
Fishing Association, )  
 )  
Intervenors. )  
\_\_\_\_\_ )

IN THE COURT OF COMMON PLEAS  
FOR THE FOURTEENTH JUDICIAL CIRCUIT  
CASE No.: 2020-CP-07-02160

**ORDER DENYING APPELLANT BAY POINT ISLAND, LLC's MOTION TO RECONSIDER**

**RECEIVED**  
**Dec 15 2022**  
**SC Court of Appeals**

This came before me on September 23<sup>rd</sup>, 2022, on Appellant Bay Point Island, LLC's , Motion to Reconsider this Court's Order Denying and Dismissing Appeal dated July 21, 2022.

Attorney John A. Massalon appeared for Appellant Bay Point Island, LLC. Attorneys Thomas J. Keavny, II, and Bradley A. Mitchell appeared for Beaufort County and Beaufort County Zoning Board of Appeals respectively. Attorneys Leslie S. Lenhardt appeared for Intervenor Gullah/Geechee Fishing Association and Attorney Ross A. Appel appeared for Intervenor South Carolina Coastal Conservation League, Inc.

This Appeal was heard in my capacity as the Beaufort County Master in Equity and Special Circuit Court Judge. The Order Denying and Dismissing Appeal dated July 21, 2022 contained a clerical error in that the signature block should have indicated that I executed the Order Denying and Dismissing Appeal in my capacity as Special Circuit Court Judge for Beaufort County.

After review of the Motion to Reconsider, all memorandums submitted by all parties, and hearing of arguments by all parties, I respectfully deny the Appellant's Motion to Reconsider this Court's Order Denying and Dismissing Appeal dated July 21, 2022.

**IT IS SO ORDERED.**

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**Honorable Marvin H. Dukes, III**  
**Master in Equity and Special Circuit Court Judge**  
**For Beaufort County**

November \_\_\_\_, 2022  
Beaufort, South Carolina



Beaufort Common Pleas

**Case Caption:** Bay Point Island Llc VS Beaufort County Of , defendant, et al

**Case Number:** 2020CP0702160

**Type:** Order/Other

So Ordered:

s/Marvin H. Dukes III #3069