

IN THE STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

APPEAL FROM HORRY COUNTY  
Court of Common Pleas

Honorable Benjamin H. Culbertson, Circuit Court Judge

Civil Action No.: 2016-CP-26-02377

In Re: Venture Engineering, agent for DT LLC .....Respondent

vs.

Horry County Zoning Board of Appeals .....Appellant

**APPELLANT’S DESIGNATION OF MATTER  
TO BE INCLUDED IN THE RECORD ON APPEAL**

Appellant proposes the following be included in the Record on Appeal:


1. Order Denying Respondent’s Motion to Reconsider dated June 12, 2018
2. Order Granting Appellant’s Motion for Costs dated June 12, 2018
3. Order Reversing May 11, 2015 and March 14, 2016 Orders of the Horry County Zoning Board of Appeals dated April 5, 2018
4. Order Denying Respondent’s Motion to Strike dated October 13, 2016, in *In Re: Venture Engineering, agent for DT, LLC v. Horry County Zoning Board of Appeals*
5. Order Denying Respondent’s Motion to Strike dated October 12, 2016, in *Dennis Thompkins-Bellamy Law Firm, agent for DT, LLC v. Horry County Zoning Board of Appeals*
6. Order to Consolidate Actions dated October 12, 2016
7. Form 4 Judgment dated May 31, 2018
8. Horry County Board of Zoning Appeals Order dated May 11, 2015
9. Horry County Board of Zoning Appeals Order dated March 14, 2016
10. Pleadings in the *Dennis Thompkins-Bellamy Law Firm, agent for DT, LLC v. Horry County Zoning Board of Appeals, Civil Action No.: 2015-CP-26-3791*
  - a. Plaintiff’s Notice of Appeal of Order of Horry County Board of Zoning Appeals dated May 21, 2015 and Exhibit
  - b. Answer and Return to Notice of Appeal of Order of Horry County Board of Zoning Appeals dated June 18, 2015
  - c. [Second] Notice of Appeal filed December 4, 2015 and Exhibits

- d. Defendant's Motion to Strike and Disallow the Second Notice of Appeal and Exhibits Filed by Plaintiff on December 4, 2015, dated December 28, 2015 and Memorandum in Support
  - e. Answer and Return to Notice of Appeal Filed December 4, 2015, dated December 28, 2015 and Exhibits
  - f. Plaintiff's Notice of Motion and Motion to Consolidate Actions dated June 6, 2016
  - g. Respondent Horry County's Response to Appellant's Motion to Consolidate dated July 12, 2016
11. Pleadings in the *In Re: Venture Engineering, agent for DT, LLC v. Horry County Zoning Board of Appeals, Civil Action No.: 2016-CP-26-02377*
- a. Plaintiff's Notice of Appeal of Order of Horry County Board of Zoning Appeals dated April 14, 2016, and Exhibits.
  - b. Answer and Return of Respondent Horry County Zoning Board of Appeals dated May 26, 2016
  - c. Horry County's Motion to Strike Portion of Appellant's Appeal Pursuant to SCRCP 12(f) dated May 26, 2016 and Memorandum in Support
  - d. Horry County's Response to Motion to Consolidate dated July 12, 2016
  - e. Respondent Horry County Zoning Board of Appeals Notice of Motion and Motion to Reconsider Pursuant to Rule 59(e) SCRCP dated April 16, 2018
  - f. Plaintiff's Motion for Costs dated April 16, 2018
12. Transcript of Hearing held May 31, 2018
13. Transcript of Zoning Board of Appeals hearing held March 14, 2016
14. Transcript of Zoning Board of Appeals hearing held May 11, 2015
15. Transcript of Zoning Board of Appeals hearing held April 13, 2015
16. Transcript of Zoning Board of Appeals hearing held March 9, 2015
17. Transcript of Zoning Board of Appeals hearing held February 9, 2015
18. Certified Record on Appeal filed May 20, 2016, in *DT, LLC v. Horry County Zoning Board of Appeals, Civil Action No.: 2016-CP-26-02377*
19. Certified Record on Appeal dated and filed June 11, 2015, in *Dennis Thompkins-Bellamy Law Firm, agent for DT, LLC v. Horry County Zoning Board of Appeals. Civil Action No.: 2015-CP-26-03791*
20. Horry County Code of Ordinances, § 717
21. Horry County Code of Ordinances, No. 67-88, 4-18-89, 20 § 401.5

I certify that this designation contains no matter which is irrelevant to this appeal.

Respectfully submitted,

November 8, 2018

  
Emma Ruth Brittain, SC Bar #5298  
Matthew R. Magee, SC Bar #15896  
Thomas & Brittain, P.A.  
Post Office Box 1290 (zip 29578)  
Myrtle Beach, South Carolina

Telephone: 843-692-2628  
Fax: 843-692-0928  
E-mail: [erbrittain@myrlaw.com](mailto:erbrittain@myrlaw.com)  
*Attorneys for the Appellant*

Of Counsel:  
Blake A. Hewitt, Esquire  
Bluestein Thompson Sullivan, LLC  
P. O. Box 7965  
Columbia, SC 29202

IN THE STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

APPEAL FROM Horry COUNTY  
Court of Common Pleas

Honorable Benjamin H. Culbertson

Civil Action No.: 2016-CP-26-02377  
Appellate Case No.: 2018-002332

RECEIVED

NOV 08 2018

SC Court of Appeals

In Re: Venture Engineering, agent for DT LLC .....Respondent

vs.

Horry County Zoning Board of Appeals .....Appellant

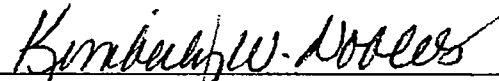
PROOF OF SERVICE

I, Kimberly W. Nobles, an employee of Thomas & Brittain, P.A., certify that I have served all counsel of record with a copy of the Appellant's Designation of Matter to be Included in the Record on Appeal in the above-referenced matter by depositing a copy in the United States Mail, first class postage pre-paid on November 8, 2018, to the following counsel of record:

Robert S. Shelton, Esquire  
The Bellamy Law Firm  
1000 29th Avenue North  
Myrtle Beach, South Carolina, 29577

A Courtesy Copy to:  
Wesley Covington, Esquire  
41 Gasparilla Circle  
Murrells Inlet, South Carolina, 29576

November 8, 2018



---

Kimberly W. Nobles  
Thomas & Brittain, P.A.  
Post Office Box 1290 (zip 29578)  
Myrtle Beach, South Carolina  
Telephone: 843-692-2628  
Fax: 843-692-0928