

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

The Honorable R. Markley Dennis, Jr., Circuit Court Judge

RECEIVED

JUN 18 2019

SC Court of Appeals

App. Case No. 2015-002297

John Doe,

Appellant,

v.

Board of Zoning Appeals (BZA) and
Town of Sullivans Island (S.I.),
S. I. Zoning Administrator, and
S. I. Building Dept., Individually
and In Official Capacity,

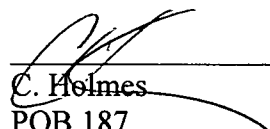
Respondents.

**Motion for Reconsideration In Light of New Precedent and
Motion for Abeyance of All Time Limits**

C. Holmes
P.O. Box 187
Sullivans Isd.,
SC 29482-0187
(843)883-3010
For Appellant

The appellant respectfully submits motion for reconsideration of the Petition for Rehearing with application of new precedent herein and motion for abeyance of all time limits. Specifically, the case of *Citizens for Quality Rural Living, Inc., v. Greenville Cnty. Planning Comm'n* (S.C. App., 2019) (COA Case No. 2017-000170 with remittitur filed in the Circuit Court on June 12, 2019) supports reversal of the May 23, 2019, Petition for Rehearing and reversal of the March 6, 2019, opinion herein. See attached copy of correspondence dated and faxed June 12, 2019. That case supports the appellant's right to file in the circuit court the notice of BZA appeal with request for pre-litigation mediation. Accordingly, appellant respectfully requests this Court grant this motion for reconsideration and grant motion for abeyance of all time limits pending disposition.

Respectfully submitted,


C. Holmes
POB 187
S.I., SC 29482-0187
843.883.3010

12 June 2019

By Fax: 803.734.1839

V. Claire Allen
Deputy Clerk, South Carolina Court of Appeals
1220 Senate Street
Post Office Box 11629
Columbia, SC 29201/29211

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JUN 18 2019

SC Court of Appeals

Re: Doe v BZA et al
App. Case No. 2015-002297

Dear Ms. Allen:

We are writing to bring to the Court's attention new case law in *Citizens for Quality Rural Living, Inc., v. Greenville Cnty. Planning Comm'n* (S.C. App., 2019) (COA Case No. 2017-000170 with remittitur filed in the Circuit Court today June 12, 2019). Under the ruling in that case, Appellant has standing to file in the lower court the Notice of BZA Appeal with Request for Mediation which supports reversal of the lower court's decision in App. Case No. 2015-002297. We respectfully request review for application of new case law to the above-named pending appeal. Please contact us with any questions. Please advise if you need anything further.

Thank you for your kind attention to this matter. With best personal regards, I remain

Yours very truly,

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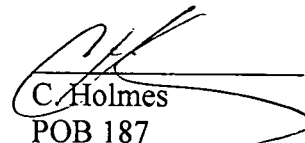
Board of Zoning Appeals (BZA) and
Town of Sullivans Island (S.I.),
S. I. Zoning Administrator, and
S. I. Building Dept., Individually
and In Official Capacity,

Respondents.

PROOF OF SERVICE

I certify that I have timely served the foregoing on the Respondents on this date by deposit in the United States Mail, postage prepaid, addressed to Respondents' attorney of record at 66 Hasell St., Charleston, SC 29401.

Dated 5/14/19


C. Holmes
POB 187
S.I., SC 29482-0187
843.883.3010

Fax: 803.734.1839

Clerk, South Carolina Court of Appeals
1220 Senate Street
Post Office Box 11629
Columbia, SC 29201/29211

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SC Court of Appeals

Re: Doe v BZA et al
App. Case No. 2015-002297

Dear Jenny:

Enclosed for filing is the original Motion for Reconsideration and Motion for Abeyance of All Time Limits in the above case. Also, enclosed are the following:

- 1) The filing fee,
- 2) Seven copies,
- 3) Proof of Service and a copy, and
- 4) SASE for return.

Thank you for your kind attention to this matter. With best personal regards, I remain

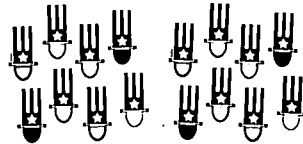
Very truly yours,

29482-0187

Durst Family Medicine

306 Station 22½

Sullivan's Island, South Carolina 29482-9788



ADDITIONAL OUNCE - USA

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FOREVER / U.S.

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