#### BOARD OF ZONING APPEALS September 3<sup>rd</sup>, 2024

**Public Comment:** Citizens may provide public comment here: https://www.iop.net/public-comment-form

#### **AGENDA**

The Isle of Palms Board of Zoning Appeals will hold its regularly scheduled meeting on September 3<sup>rd</sup>, 2024, at **4:00pm** in City Hall **Upstairs Conference Room**, 1207 Palm Boulevard

- A. Call to order and roll call
- B. Acknowledgement that the meeting has been advertised in compliance with State law
- C. Approval of minutes of previous meeting: July 19<sup>th</sup>, 2024
- D. Swearing of any person giving testimony
- E. Special Exceptions: 27 Twin Oaks Lane 1400 Palm Boulevard
- F. Appeals: 2610 Palm Boulevard
- G. Executive session to receive legal advice protected by the attorney client privilege (S.C. Code Ann. 34-4-70-(a)(2)) concerning BOZA Appeal. The Board may take action following executive session.
- H. Return to regular session
- Miscellaneous business
- J. Adjournment



#### BOARD OF ZONING APPEALS 4:00pm, Tuesday, July 9, 2024 1207 Palm Boulevard, Isle of Palms, SC

#### **MINUTES**

#### 1. Call to order

Present: Glenn Thornburg, Robert Miller, Susie Wheeler, Ted McKnight, and

**Zoning Director Simms** 

Absent: Ellen Gower

2. Approval of Previous Meeting's Minutes

MOTION: Mr. McKnight made a motion to approve the minutes of the May 7, 2024 meeting, and Ms. Wheeler seconded the motion. The minutes passed unanimously.

3. Swearing in of applicants

Mr. Thornburg swore in the applicant.

4. Home Occupations

#### A. 906 Palm Boulevard

Zoning Director Simms said that the applicant, Cynthia Rocha, is requesting a special exception to allow the establishment of a defense contracting firm at their home. The applicant has indicated that the home will be used for office work only, that there will be no business-related traffic coming to the residence, there will be no evidence of a business outside the house, and that there will be no employees working in the residence other than family members that live in the home.

Ms. Rocha said she will only be using her home for office work. There will be no outdoor evidence of a business and no signage indicating a business.

MOTION: Mr. McKnight made a motion to approve and Ms. Wheeler seconded the motion. The motion passed unanimously.

5. Miscellaneous Business -- none

#### 6. Adjournment

Ms. Wheeler made a motion to adjourn and Mr. McKnight seconded the motion. The meeting was adjourned at 4:06pm.

Respectfully submitted,

Nicole DeNeane City Clerk **Appeal Number:** 24-14

**Applicant:** Darlene Enroth

Address: 27 Twin Oaks Lane

#### Request:

The applicant is requesting a special exception to allow the establishment of a concierge business at their home. The applicant has indicated that the home will be used for office work only, that there will be no business-related traffic coming to the residence, there will be no evidence of a business outside the house, and that there will be no employees working in the residence other than family members that live in the home. The business is classified in Table B1 as 7389- office work for business services not elsewhere classified.

#### Board of Zoning Appeals Information Sheet City of Isle Palms

Date Filed:	Appeal Number
Instructions: This form must be completed for a hearin application for a variance, or application to or typewritten. If the applicant is not the	g on appeal from action of a zoning official, for a special exception. Entries must be printe owner of the property, all must sign.
Property Address 27 Twin O	ats in
Lot 9 Block L	TMS 60410000141
Area of Lot 1548 Zoning Cla	TMS 60410000141
Applicant(s) Name	nroll
Applicant(s) Name <u>Darlene</u> E  Address <u>27 Twin Out</u>	ulcs Ln 10P
Telephone 843-693-7	744
Interest (i.e. Owner, Owner's attorney, An	chitect, etc) Neighbor
Owner(s) (if different from applicant)	
Name	
Address	
Telephone	
I (We) certify that this application and all s	supporting documents attached are correct.
Dale Enoth 8	
Applicant signature/date	
Na.	
Owner signature (if different from applican	t)/ date

## Board of Zoning Appeals Special Exception Application Home Occupation City of Isle of Palms

1. Applicant hereby appeals to the Board of Zoning Appeals for a special exception for the use of the property described on the information sheet (page 1) as (give brief description of business): <u>Concience On Call to assist out of pund sames</u>
2. Will there be any work other than office work (i.e. use of phone, computer, fax, etc.) occurring at this residence? Yes No If yes, please explain:
3. Will there be any evidence of a business from a visual inspection of the exterior of this residence? Yes No If yes, please explain:
4. Will any signs, merchandise, equipment or other articles be displayed in a manner that they are visible from the street? Yes No
5. Will there be any business related traffic coming to this residence? Yes
6. Will there be any employees working in this residence other than family members?  Yes No
7. Will any business related activity be conducted on your property, but outside of the house (i.e. in a detached shed or in the yard)? Yes No
8. Will any merchandise or articles be stored at any location other than inside this residence? Yes No If yes, explain:
9. Will more than 25% of the floor of this residence be devoted to the occupation?  Yes No
10. Will any equipment or materials that are not normal to a household be used or stored at this residence in connection with the occupation? Yes No
11. Will the occupation generate any noise, vibration, heat, glare, smoke, odor, or dust perceptible to your neighbors? Yes No
12. Are there currently any other home occupations operating at this residence?  Yes No

Describe in full the nature of your occupation, profession, or trade by listing all activities related to such occupation that will be undertaken in your home:
Be on call to assist out of town owners as
they need to clede house (ie. aftersterms, check
have for any leats et.) Coordinate cleaning or
have for any leats, etc.) Coordinate cleaning or Contractors as needed since they owners are not
on premises. Expect only a handful needing help.

In applying for this special exception home occupation, I have answered the questions truthfully and have not omitted any information about my home occupation which, if disclosed, would result in a denial of this application in accordance to section 5-4-7 (a) (b) of the City of Isle of Palms Code of Ordinances.

I further acknowledge that, if granted, the special exception home occupation and business license issued under authority of that permit may be revoked if any of the information contained in this application is found to be untruthful or if I fail to meet the requirements of section 5-4-44 and 5-4-2(18): If I have failed to provide information fully describing the home occupation to be conducted on my premises, or at any time the conduct of my home occupation may constitute a nuisance as defined in section 5-4-44 or section 6-1-11, et. Esq., of the City of Isle of Palms Code of Ordinances. Any activity which adversely diminishes the residential character of my neighborhood may be cause for revocation of my home occupation. Outdoor advertising is <u>not</u> allowed under this license.

Signature of applicant & date

**Appeal Number:** 24-15

**Applicant:** Matt Immerfall on behalf of Jeff's Bagel Run

Address: 1400N Palm Boulevard

#### Request:

The applicant is requesting a special exception to allow the establishment of a drive-through service business in the GC-1 zoning district. Section 5-4-38(3) of the City's zoning code specifies drive-through service windows are allowed upon a finding by the Board of Zoning Appeals that the facility provides adequate (1) space for the stacking of vehicles based upon the number of drive-through vehicles projected during the peak fifteen (15) minute period, (2) the service time involved in processing customers' orders, and (3) the window time necessary to complete the transaction. Additionally, Section 5-4-5(c) of the zoning code specifies the standards that the Board must apply in deciding special exception applications. The applicant has proposed several measures to be taken in order to ensure there is no hinderance to traffic, including an overflow drive-through line and installation of appropriate signage. The referenced zoning codes are provided below:

#### Sec. 5-4-38

(3) *Drive-through service windows*. Drive-through service windows are permitted only in GC-1 and GC-3 districts as a special exception subject to section 5-4-5 upon a finding by the Board of Zoning Appeals that the facility provides adequate space for the stacking of vehicles based upon the number of drive-through vehicles projected during the peak fifteen (15) minute period, the service time involved in processing customers' orders, and the window time necessary to complete the transaction. Drive-through service window facilities, or uses thereof, existing on June 22, 1993, and located in the

GC-1 district, shall not be altered or enlarged without approval of a special exception subject to section 5-4-5 and the criteria stated in this subsection.

#### Sec. 5-4-5

- (c) Special exceptions.
  - 1. Upon written application filed with the Zoning Administrator, the Board may grant as a special exception any use specified as a special exception in the zoning district regulations. In addition to the conditions generally required by the applicable zoning district regulations, the Board shall apply the following standards in deciding special exception applications:
    - (1) Adequate provision shall be made for setbacks, fences, buffer or planting strips to protect adjacent properties from adverse impact of the proposed use, such as noise, vibration, dust, glare, odor, traffic congestion and similar factors.
    - (2) Vehicular traffic and pedestrian movement on adjacent roads must not be hindered or endangered.
    - (3) Off-street parking and loading areas and the entrances and exits for the use must be adequate in terms of location, number, design and construction to serve the use without adverse impact on adjacent properties.
    - (4) The proposed use must not adversely affect the property values, the general character or the general welfare of the surrounding vicinity.
  - 2. In granting a special exception, the Board may attach to it such conditions regarding the location, size, character, or other features of the proposed use as the Board may consider advisable in order to promote public health, safety, or general welfare. No special exception use may be altered or enlarged without the prior approval of the Board.

#### Board of Zoning Appeals

#### Information Sheet City of Isle of Palms

Date Filed:	Appeal Number
Instructions:  This form must be completed for a hearing on a for a variance, or application for a special except applicant is not the owner of the property, all must be completed for a special except applicant is not the owner of the property.	ppeal from action of a zoning official, application ion. Entries must be printed or typewritten. If the ast sign.
An accurate, legible plot plan, showing all proper improvements must be attached:	rty dimensions and locations of all structures and
Property Address 1400N Palm Blvd, Isle Of Pali	ms, SC 29451 ; Ocean Park Plaza
LotBlock	<u>.</u>
Area of Lot Zoning Classificat	ion
Applicant(s) Name Matt Immerfall on behalf	of Jeff's Bagel Run
Address 573 Galera Ln, Mt. pleasant SC 294	464
Telephone 1 (407)902-9236	
Interest [i.e. owner, owner's attorney, architect,	
Owner(s) [If different from applicant]	
Name . Ocean Boulevard Properties, a South Carolina I	imited partnership (managed by The Beach Company)
Address: 320 Broad Street, Suite 600, Charleston, SC	29401
Telephone (843) 277-3016 (Kevin Foote, Commercia	
I (Vie) certify that this application and all suppor	rting documents attached are correct.
Applicant Signature/Date	Marie Committee
KAA Kevin Foote 8/1	9/2024
Owner Signature (if different from applicant)/D	ate

#### **Zoning Board of Adjustment Special Exception Application**

City of Isle of Palms Form - 4

Appeal Number

Date I ned.	rppom rambor.
1. Applicant hereby appeals to the Zoning Board of Ad the property described in the Notice of Appeals [Form	
which is a permitted special exception under the district of the Zoning Ordinance.	regulation in Section
2. Applicant will meet the standards in Section 5-4-5(c applicable to the proposed special exception in the following	
Please see word document attached to this appl	ication.
3. Applicant suggests that the following conditions be in Ordinance:  Please see word document attached to this application	mposed to meet the standards in the Zoning
4. The following documents are submitted in support of	of this application: Word document answering 2&3
A Site Plan and prototype plans (not for this site) are	e also provided for reference.
[A plot plan must be submitted.]	
8/19/24 Applicant Signature & Date	_

#### Section 5-4-5 Special Exception

Date Filed

- (c) Special Exceptions. Upon written application filed with the Zoning Administrator, the Board of Adjustment may grant as a special exception any use specified as a special exception in the district regulations. In addition to the conditions required by district regulations, the Board shall apply the following standards in granting special exceptions:
- (1) Adequate provisions shall be made for setbacks, fences, buffer or planting strips to protect adjacent properties from adverse impact of the proposed use, such as noise, vibration, dust, glare, odor, traffic congestion and similar factors.
- (2) Vehicular traffic and pedestrian movement on adjacent roads must not be hindered or endangered.
- (3) Off-street parking and loading area and the entrances and exits for the use must be adequate in terms of location, number, design and construction to serve the use without adverse impact on adjacent properties.
- (4) The proposed use must not adversely affect the level of property values, the general character or general welfare of the nearby areas.

#### **Board of Zoning Appeals**

#### Application:

Question 2: Applicant will meet the standards in Section 5-4-S(c) of the Zoning Ordinance which are applicable to the proposed special exception in the following manner:

Section 5-4-5(c)(2) is applicable as we seek permission to use the drive-thru in a reasonable manner. However, there could be concern that vehicular traffic on adjacent roads, especially the entrance to the plaza from 14<sup>th</sup> street may be hindered.

Question 3: Applicant suggests that the following conditions be imposed to meet the standards in the Zoning Ordinance:

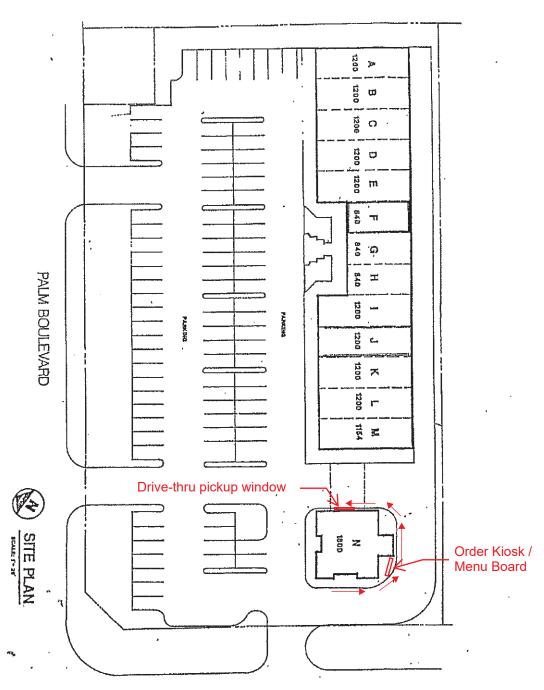
In order to ensure that there is no hinderance to traffic and the entrance to the plaza from 14<sup>th</sup> street remains open, we propose to take the following measures.

As a prerequisite, please see the plans site plan submitted with this application depicting the proposed direction of traffic as well as the drive-thru call box and window. We have also provided pictures to demonstrate the ample amount of space available.

In the case of overflow, which would mean more than 8 cars are in line by our estimate, we would direct cars to proceed to the second and third drive-through lines that are marked in the pictures. On busy days, we would then have a dedicated employee running out orders or handing them out in a manner similar to what you see at Chick-fil-a. We believe this approach would allow space for at least 15 vehicles without blocking the exit to the center.

In addition, we will install a pedestrian crossing sign that would be placed after the pickup window to make cars that just received their order proceed with caution. We will also be adding a sign that says either "no cars after this point" or "do not block exit" at the entrance of the drive-thru in order to help prevent cars from stacking up past that point.

Lastly, if the above measures are not enough, on very busy days, we will ensure that all employees are aware of the potential backlog, and we will have an employee out front stopping any potential backlog from occurring.

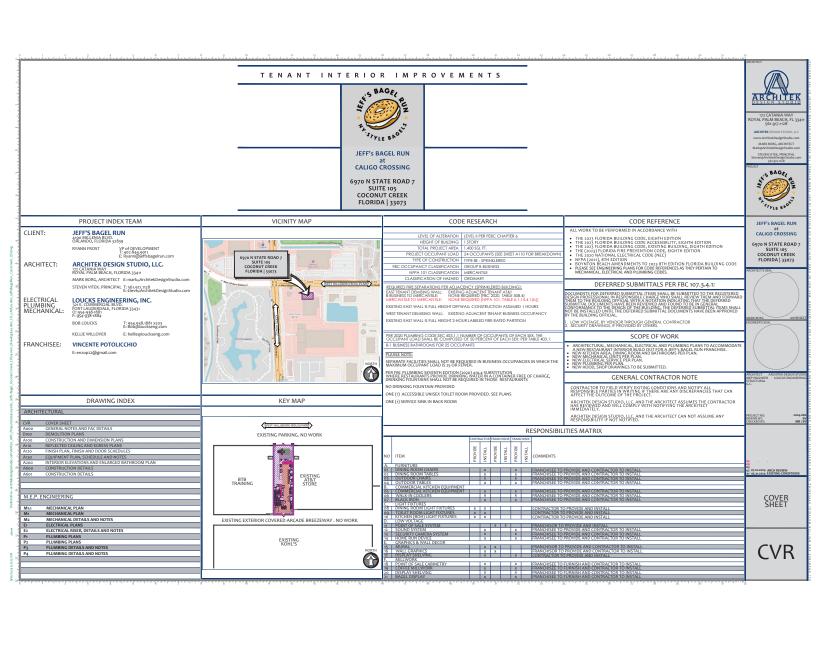


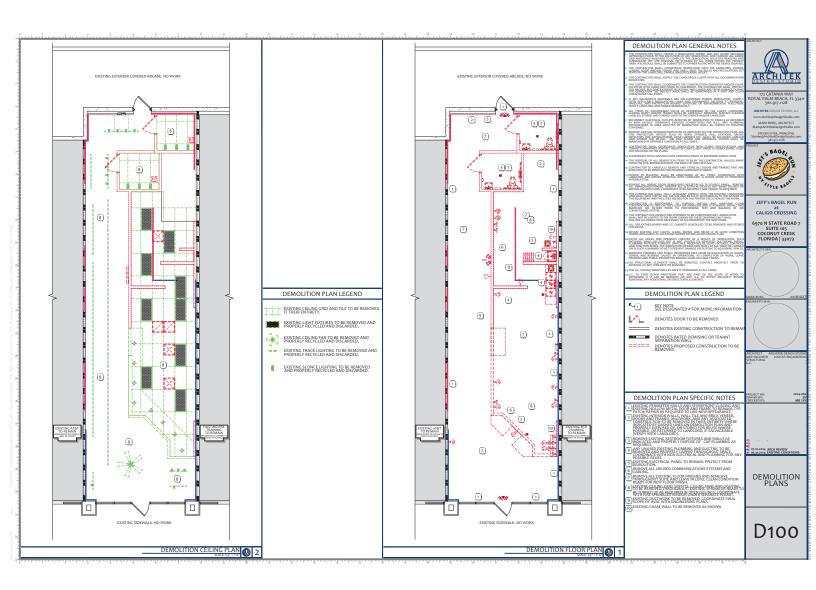
FOURTEENTH AVENUE

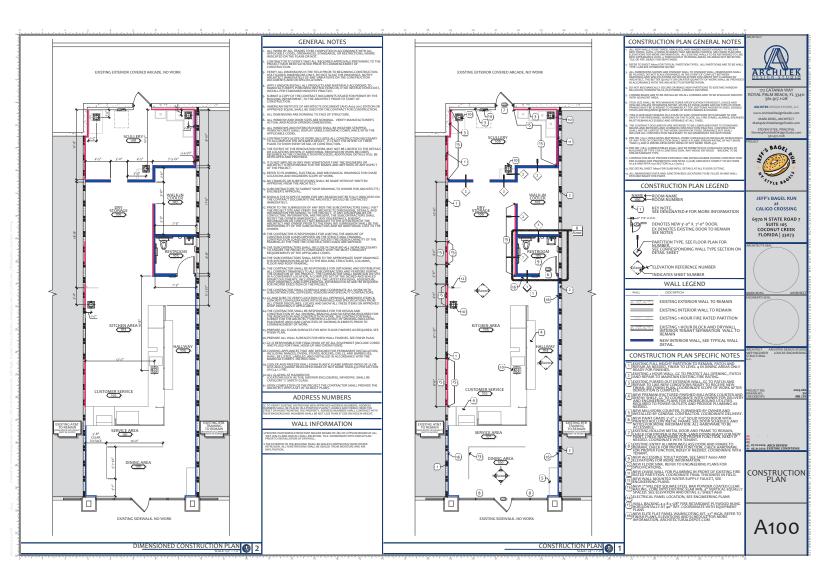


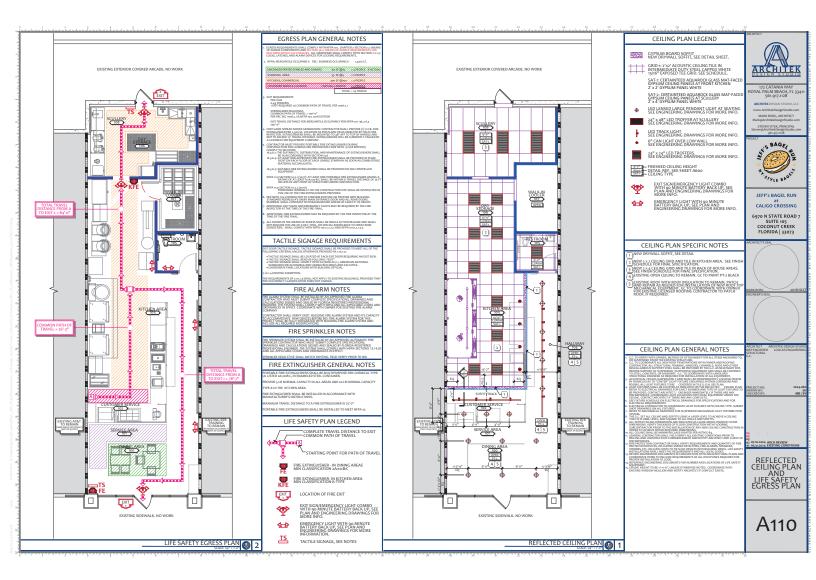


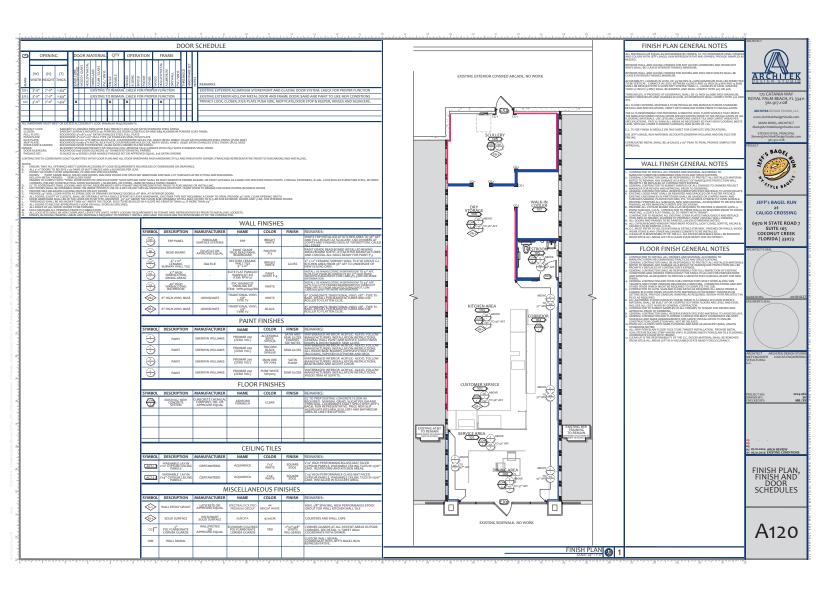


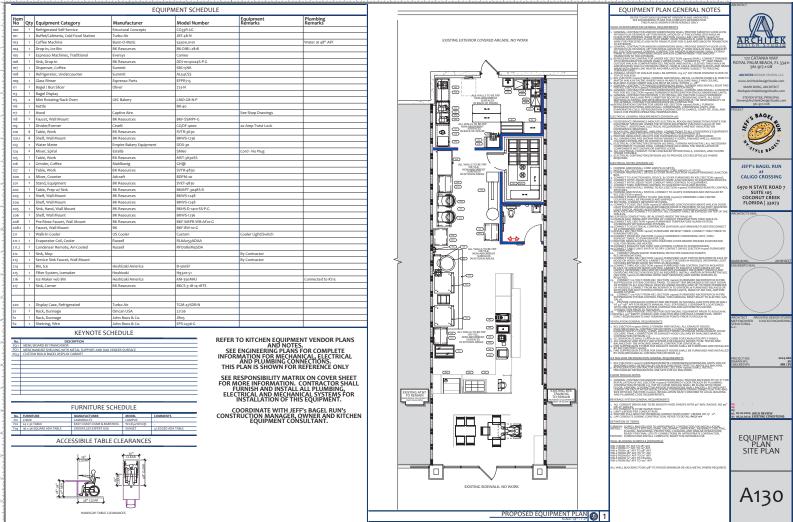






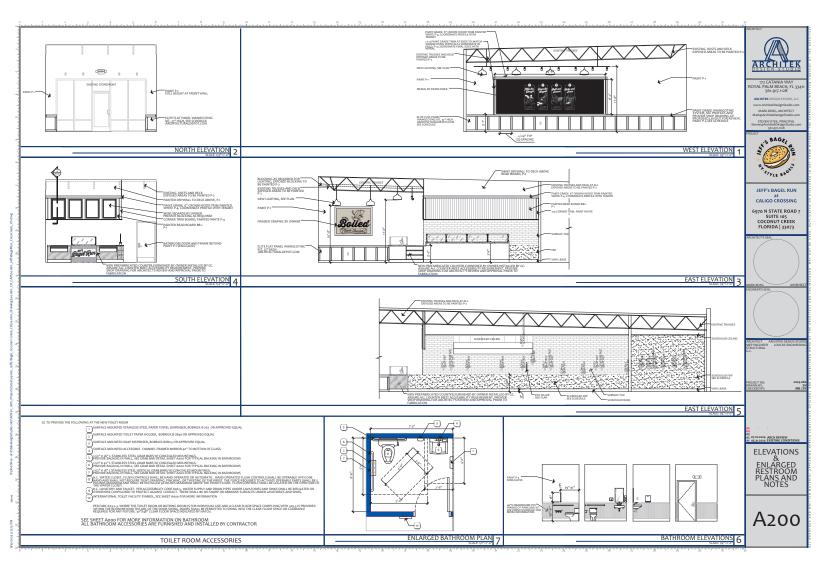


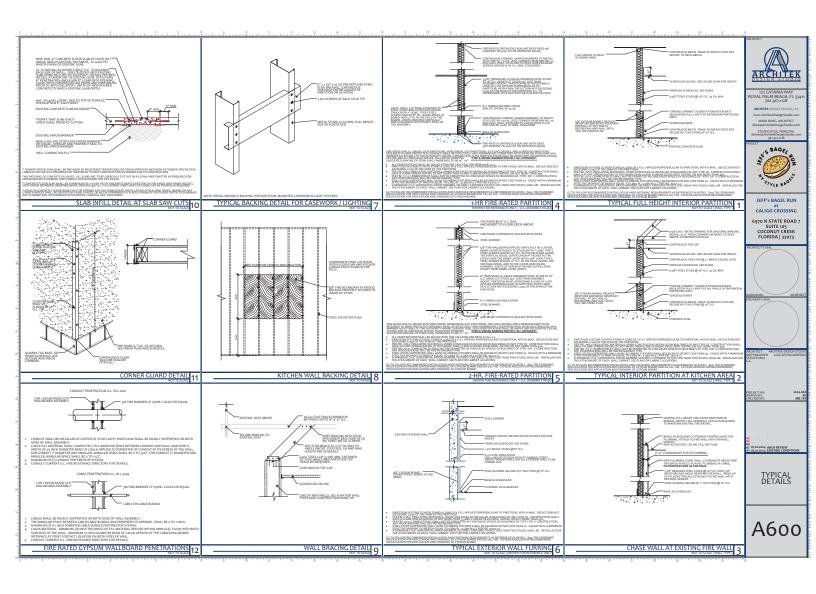


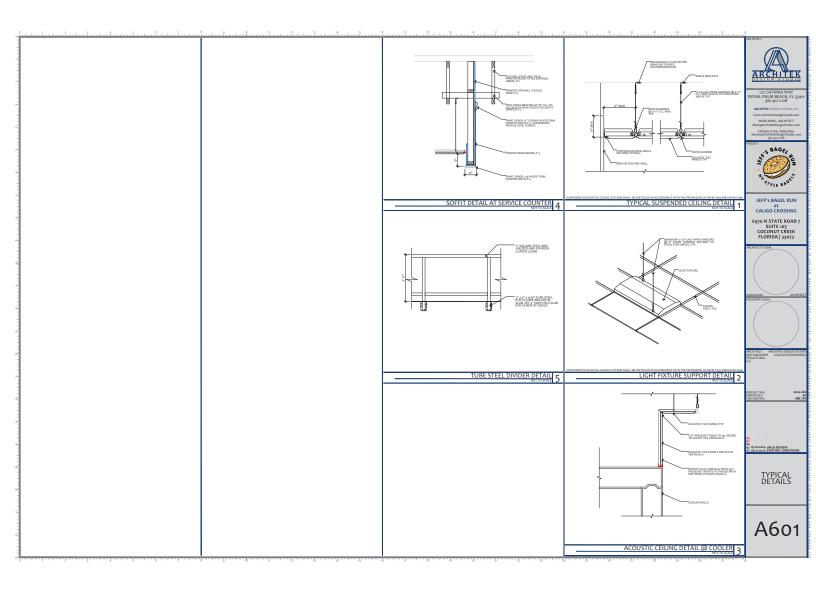


SiOne Drive - archteskde signstudio.com/AGS (br\_AGS\_Projects),assel (s. 4.06

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**Appeal Number:** 24-16

**Applicant:** Joseph Griffith

Address: 2610 Palm Boulevard

#### Request:

The applicant is appealing a determination made by the Zoning Administrator concerning a proposed staircase in the side setback. The Zoning Administrator denied the proposed staircase due to the encroachment into the 10' side setback and encroachment past the maximum building line. The applicant's full appeal is attached and states that the Zoning Administrator was arbitrary and capricious in his determination, as an HVAC stand was previously approved within the side setback of this same address. The applicant was informed that the HVAC stand has been previously reviewed and approved as a pre-existing nonconforming structure, which is allowed to remain in its original location. The applicant is only appealing the encroachment into the side setback and not the encroachment past the maximum building line. The Zoning Administrator's denial letter is attached.

#### **Pertinent Codes:**

#### Sec. 5-4-32(6):

Minimum yard requirements. Minimum yard requirements in the SR-1 single-family residential district are as follows:

- a. Front yard: thirty feet (30').
- b. b. Side yard: ten feet (10').
- c. c. Rear yard: thirty feet (30').

Exception: minimum yard requirements for lots with an area less than seventeen thousand five hundred (17,500) square feet.

- a. Front yard: twenty-four feet (24').
- b. Side yard: ten feet (10').
- c. c. Rear yard: twenty-four feet (24').

#### Sec. 5-4-51(3)(a):

Additional regulations. Within the P-2 preservation overlay zone, the following additional regulations shall apply:

- a. Except as expressly allowed in subsection (3)b and c of this section, no structure shall extend seaward of the maximum building line shown and labeled as such on that certain plat prepared by E.M. Seabrook, Jr., C.E. and L.S., dated January 8, 1988, and entitled "FINAL PLAT, CITY OF ISLE OF PALMS, CHARLESTON COUNTY, S.C." and duly recorded at the County RMC Office on February 16, 1988, in Plat Book BQ, at Page 11; said plat is incorporated herein and made a part hereof by reference thereto.
- b. One dune walkover per lot shall be allowed, so long as it complies with all applicable provisions of this Code and OCRM regulations.
- c. One swimming pool per lot shall be allowed, so long as it complies with the applicable provisions of this Code and OCRM regulations.

#### Sec. 5-4-47(b):

Subject to all other applicable provisions of this chapter and other City ordinances, an existing structure, including stairs, which does not comply with the zoning district setback requirements of this chapter may be altered or renovated so long as no part of the structure extends beyond the original footprint of the encroachment.

#### Section 5-4-12(f):

Sills, belt course, window air conditioning units, chimneys and cornices may project into a required yard by not more than two feet (2'). Steps may project into a required front yard or rear yard by not more than five feet (5').

#### Section 5-4-5(a):

1.Pursuant to S.C. Code 1976, § 6-29-780, the City Board of Zoning Appeals is hereby established. Provisions relating to organization, composition and functions of the Board are set forth in title 1, chapter 9, article B. Appeals to the Board of Zoning Appeals may be taken from any order or decision of the Zoning Administrator by any person aggrieved or by any officer, department, or board of the City. Unless otherwise provided by rules of the Board, an appeal must be

made by written application setting forth the grounds of appeal and filed with the Zoning Administrator within thirty (30) days from the date of the order or decision appealed from. The Zoning Administrator shall promptly forward to the Board all documents constituting the record upon which the action appealed from was taken. The Board shall fix a reasonable time for the hearing of the appeal or other matter referred to it, and give at least fifteen (15) days' public notice thereof in a newspaper of general circulation in the community and also due notice to the parties in interest, and decide the same within a reasonable period of time. At the hearing, any party may appear in person or by agent or attorney. The Board shall adopt rules of procedure for the conduct of hearings. All final decisions and orders of the Board shall be in writing and permanently filed in the office of the Board as a public record. All findings of fact and conclusions of law must be separately stated in final decisions or orders of the Board, which must be delivered to parties in interest by certified mail.

2. An appeal stays all legal proceedings in furtherance of the action appealed from, unless the officer from whom the appeal in taken certifies to the Board, after the notice of appeal has been filed with him, that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life and property. In such case, proceedings may not be stayed other than by a restraining order which may be granted by the Board or by a court of record on application, on notice to the officer from whom the appeal is taken, and on due cause shown.

#### Board of Zoning Appeals Information Sheet City of Isle Palms

Date Filed: 6/21/2024	Appeal Number
Instructions: This form must be completed for a hearing on apparent application for a variance, or application for a spe or typewritten. If the applicant is not the owner of the specific and the owner of the specific and the owner of the specific and the specif	cial exception. Entries must be printed
Property Address 2410 PALM BLVD  Block TM	Lot 9 + 9A S 571-09-00-180
Area of Lot 2 43, 838 Zoning Classif	
Applicant(s) Name Joseph P. GR	IFFITH, JR.
Address 2610 PALM BU	LVD.
Telephone 843.810.8172	
Interest (i.e. Owner. Owner's attorney, Architect	.etc) OWNER
Owner(s) (if different from applicant)	
Name	
Address	
Telephone	
I (We) certify that this application and all suppor	
Applicant fignature/date	6/21/2024
Owner signature (if different from applicant)/da	te

# Board of Zoning Appeals Appeal from Action of Zoning Administrator City of Isle of Palms Form 2

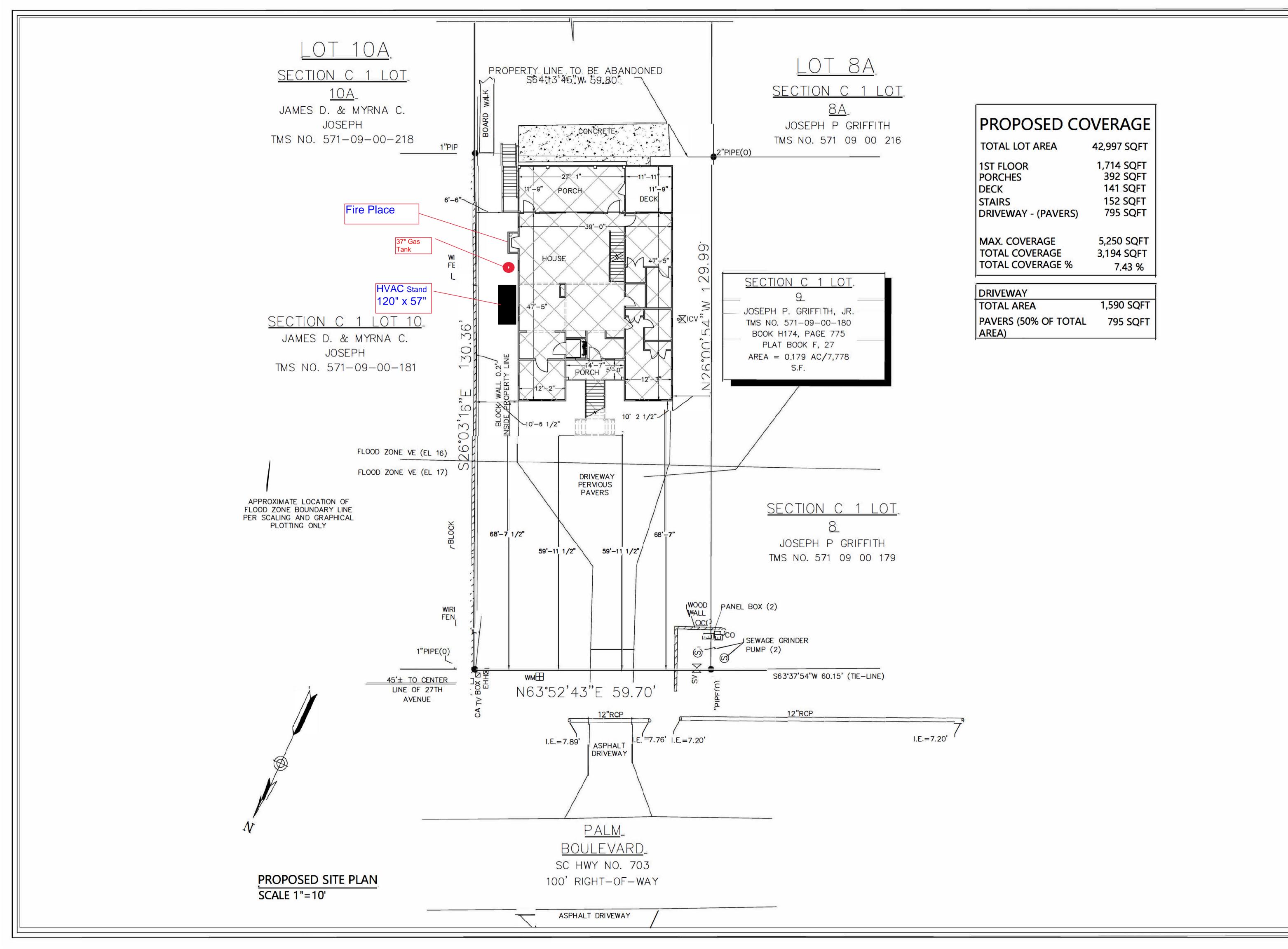
Date	Filed: 6 21 2024	AĮ	ppeal Number:		
1.	Applicant hereby appeals to the Board of Zoning Appeals from the action of the Zoning Administrator affecting the property described in the notice of Appeal (Form 1) on the grounds that:				
	☐ granting 🏿 denial of an applicatio	n for a permit to	CONSTRUCT	STAIRS	
	TO REAR PORCH ON LEF				
	was erroneous and contrary to the pro- action or decision of the Zoning Adm	visions of the zor inistrator was erro	ning ordinance; or oneous as follows	other :	
	(A) SEE ATTACH MENT,				
2.	Applicant is aggrieved by the action of SEE ATTACH MENT.	or decision in that	;		
3.	Applicant contends that the correct in applied to the property is:	terpretation of the	e zoning ordinanc	e as	
	TO ALLOW CONSTRUCTIO	N OF STAIL	25 TO READ	PORCH	
	ON LEFT SIDE OF	HOUSE			
4.	Applicant requests the following relie	ef:			
	PERMIT ALLOWING CO	NSTR UCTION	OF STAIRS	TO REAR	
	PORCH ON LEFT SIDE				
Sign	And Suffell 6	/21/2024			

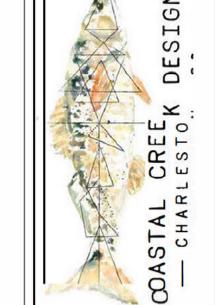
#### Attachment to Form 2

#### Questions 1(A) + 2 Response:

- 1. The requested stairs would be 48" in width which is less than the HVAC wood stand (57" in width) which has already been approved by the Zoning Administrator ("ZA") and thus have less of an impact on setback than the existing HVAC stand, and the ZA's decision was thus arbitrary and capricious and in violation of Fifth and Fourteenth Amendments to the U.S. Constitution and equivalent State protections.
- 2. The requested stairs 48" width is a minor (de minimis) infringement of the side setback line.
- 3. The neighbors on both sides of Owner's lot do NOT object to the requested stairs.
- 4. The requested stairs will not be visible from the street.
- 5. The applicant is aggrieved by the ZA's denial of the requested stairs because the stairs provide an additional entrance/exit to the residence which enhances the safety, health and well-being for occupants, and the decision was arbitrary and capricious as set forth herein.
- 6. Placing requested stairs on the left side of house preserves fire lines on the right side of house.
- 7. The ZA's decision to deny the requested stairs due to the side setback was arbitrary and capricious in that similar setback infringements have been allowed or ignored by the Isle of Palms ("IOP"), in violation of Fifth and Fourteenth Amendments to the U.S. Constitution and equivalent State protections.
- 8. The ZA arbitrarily and capriciously set the rear setback line to preclude proposed stairs to the rear porch, in violation of Fifth and Fourteenth Amendments to the U.S. Constitution and equivalent State protections.
- 9. The requested stairs do not adversely affect the nature, character or parking of the neighborhood nor property values of the same.

Joseph Luffin





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COASTAL CREEK DESIGN

COASTA LC REE K DESIGN
5 0 BELLE HALL PARKWAY, UNIT 20
MOUNT PLEASANT, SC 29464
843-514-1790

STAIRS PLAN
2610 PALM BLVD.
Shee tTitle
PROPOSED SITE PLAN

D.P. in Charge

A#

Job Captain

B#

Drawn By

C#

Date Drawn

4/15/2024

Issued for Pricing

E#

Issued for Pern

A0c

Issue Date G#

### **INDEX**

A - TITLE SHEET, SPECIFICATIONS

A0c - PROPOSED SITE PLAN

A1 - GROUND FLOOR PLAN

A2 - 1ST FLOOR PLAN

A3 - REAR ELEVATION

A4 - LEFT ELEVATION

A5 - RIGHT ELEVATION

## 2610 PALM BLVD. ISLE OF PALMS, SC TMS NO. 571-09-00-180



REAR ELEVATION

SCALE 1/4" =1'

## ABBREVIATIONS

TYP.: TYPICAL DTL.: DETAIL DBL .: DOUBLE PKT .: POCKET T.: TEMPERED E.: EGRESS CO.: CENTER P.T.: PRESSURE TREATED REF.: REFRIGERATOR

DW: DISHWASHER MW: MICROWAVE PREFIN.: PREFINISHED ALUMN.: ALUMINUM CONC.: CONCRETE ARCH.: ARCHITECTURAL C.J.: CEILING JOIST R.R.: ROOF RAFTER

G.W.B.: DRYWALL G.Y.P.: DRYWALL B.F.E.: BASE FLOOD ELEVATION WP : WATERPROOF

CONT.: CONTINUOUS A.C.: ABOVE COUNTER A.F.F.: ABOVE FINISH FLOOR ELEV.: ELEVATION F.P.: FROST PROOF

ESIGN sc — CRE

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COASTAL CREEK DESIGN

## NOTES AND SPECIFICATIONS:

D.P. in Charge Job Captain Drawn By Date Drawn 4/15/2024 Issued for Pricing Issued for Permit 4/15/2024

Issue Date G#

ISSUED FOR CONSTRUCTION

OWNERS SIGNATURE:

CONTACTORS SIGNATURI

## **GENERAL NOTES**

AND LAWS.

DRAWINGS SHALL BE CONSIDERED DIAGRAMMATIC AND THEREFORE NEVER BE SCALED. WRITTEN OR NOTED DIMENSIONS SHALL BE FOLLOWED TO INDUSTRY STANDARDS. WHERE DIMENSIONS ARE NOT FOUND OR ARE UNCLEAR, CONTRACTOR SHALL CONTACT DESIGNER FOR CLARIFICATION.

CONTRACTOR SHALL CHECK DRAWINGS AND SPECIFICATIONS AND NOTIFY DESIGNER OF OMISSIONS OR DISCREPANCIES PRIOR TO THE START OF ANY WORK. CONTRACTOR SHALL INSURE ALL WORK COMPLIES WITH APPLICABLE CODES, REGULATIONS,

CONTRACTOR SHALL TAKE ANY MEASURE NECESSARY TO PROTECT ADJACENT PROPERTIES AND STRUCTURES ON PROJECT PROPERTY NOT SPECIFICALLY STATED TO BE MODIFIED OR REMOVED. CONTRACTOR SHALL REPAIR ANY DAMAGE RESULTING FROM CONSTRUCTION, AT NO CHARGE TO HOME OWNER OR DESIGNER.

CONTRACTOR SHALL PROVIDE ALL WORK AND MATERIALS REQUIRED FOR COMPLETED PROJECT, INCLUDING BUT NOT LIMITED TO CONNECTIONS TO PUBLIC UTILITIES, WELLS, SEPTIC SYSTEMS WHERE APPLICABLE.

IF CONTRADICTIONS ARE FOUND BETWEEN SPECIFICATIONS AND DRAWINGS AFTER THE START OF WORK, EITHER APPLICATION MAY BE STIPULATED BY THE DESIGNER AT NO ADDITIONAL CHARGE TO THE HOME OWNER OR DESIGNER.

CLARIFICATION DETAILS REQUESTED BY CONTRACTOR AFTER START OF WORK SHALL BE COMPLIED WITH AS PART OF BASE BID.

REQUESTS FOR SUBSTITUTIONS OF METHODS OR MATERIALS SHALL BE SUBMITTED TO DESIGNER IN WRITING PRIOR TO THE START OF RELATED WORK. WHERE COST DIFFERENCES OCCUR, QUOTES OR ESTIMATES SHALL BE SUBMITTED.

ALL CHANGE ORDER REQUESTS SHALL BE APPROVED IN ADVANCE AND BE ACCOMPANIED BY QUOTES OR ESTIMATES.

ALL DOORS AND WINDOWS ARE TO BE INSTALLED PER MANUFACTURER SPECS. SEE MANUFACTURER'S SHOP DRAWINGS FOR INSTALLATION AND FLASHING DETAILS. REFER TO MFR., R.O. PRIOR TO FRAMING.

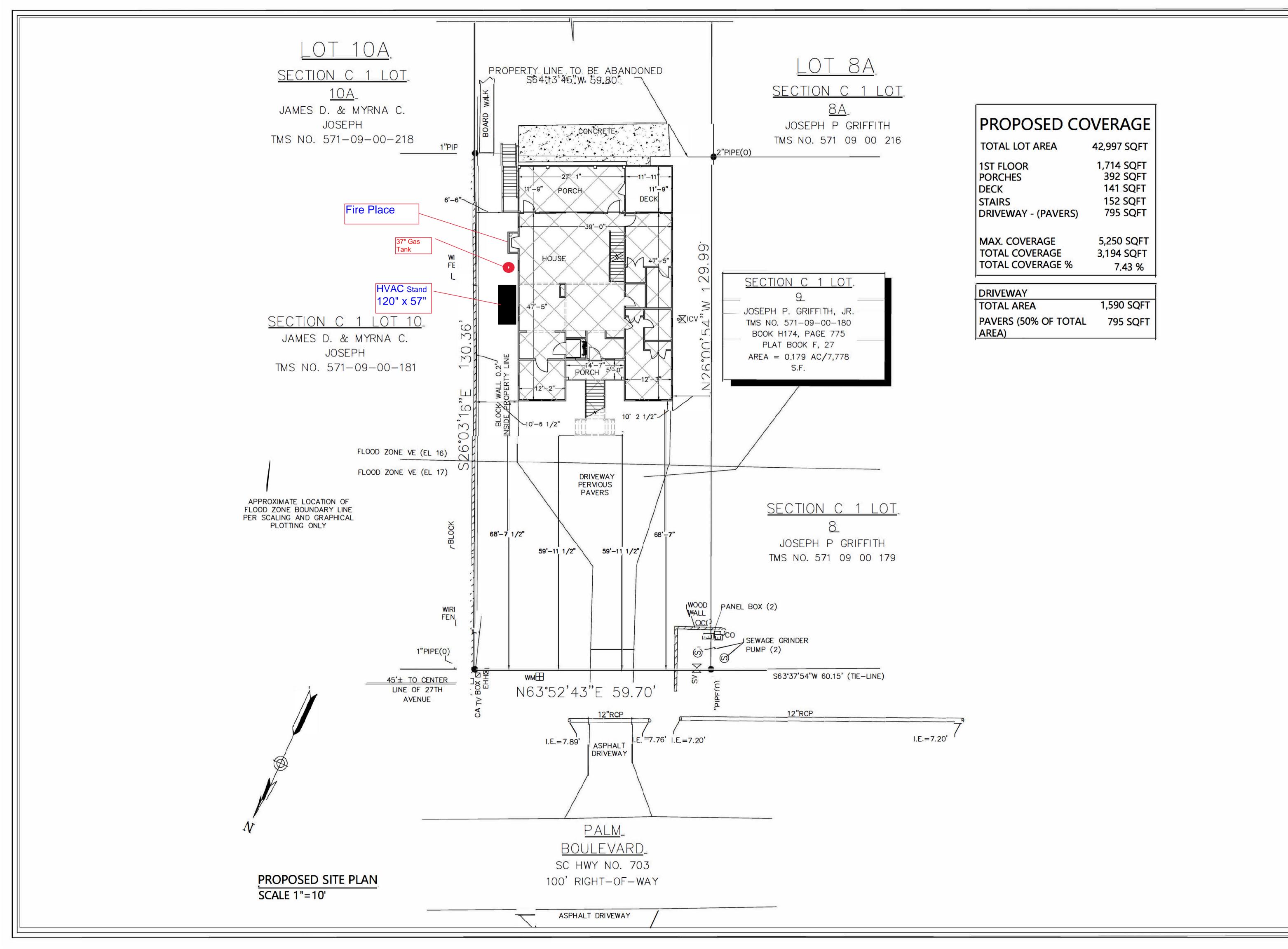
ALL EXTERIOR MATERIALS - SIDING AND TRIM, STUCCO CONVENTIONAL AND ROOFING - SHALL BE INSTALLED PER MANUFACTURER'S SPECS AND RECOMMENDATION. IT IS THE CONTRACTOR'S RESPONSIBILITY TO PROVIDE SHOP DRAWINGS AND MANUFACTURE SPECIFICATION FOR INSTALLATION, AS WELL AS OVERSEEING THE INSTALLATION AND OR APPLICATION.

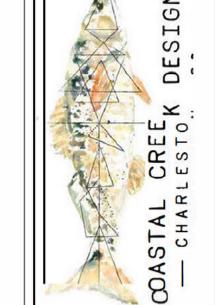
CONTRACTOR SHALL BE RESPONSIBLE FOR ALL PERMITS REQUIRED FOR PROJECT COMPLETION.

CONTRACTOR TO PROVIDE "ICE & WATER SHIELD" WINDOW FLASHING AT ALL WINDOWS AND DOORS, PER MANUFACTURERS INSTALLATION INSTRUCTIONS.

THE CONTRACTOR IS SOLEY RESPONSIBLE FOR ALL FLASHING AND WATERPROOFING RESPONSIBILITIES. PROVIDE FLASHING AROUND WINDOWS AND DOORS PER THE MANUFACTURERS WRITTEN INSTRUCTIONS.

THE GENERAL CONTRACTOR SHALL HOLD HARMLESS THE DESIGNER AND HIS AGENTS AGAINST LOSS, DAMAGE, LIABILITY, OR ANY EXPENSE ARISING IN ANY MANOR FROM THE WRONGFUL OR NEGLIGENCE OF THE CONTRACTOR AND INDEPENDENT CONTRACTORS AND THEIR RESPECTIVE EMPLOYEES.





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COASTAL CREEK DESIGN

COASTA LC REE K DESIGN
5 0 BELLE HALL PARKWAY, UNIT 20
MOUNT PLEASANT, SC 29464
843-514-1790

STAIRS PLAN
2610 PALM BLVD.
Shee tTitle
PROPOSED SITE PLAN

D.P. in Charge

A#

Job Captain

B#

Drawn By

C#

Date Drawn

4/15/2024

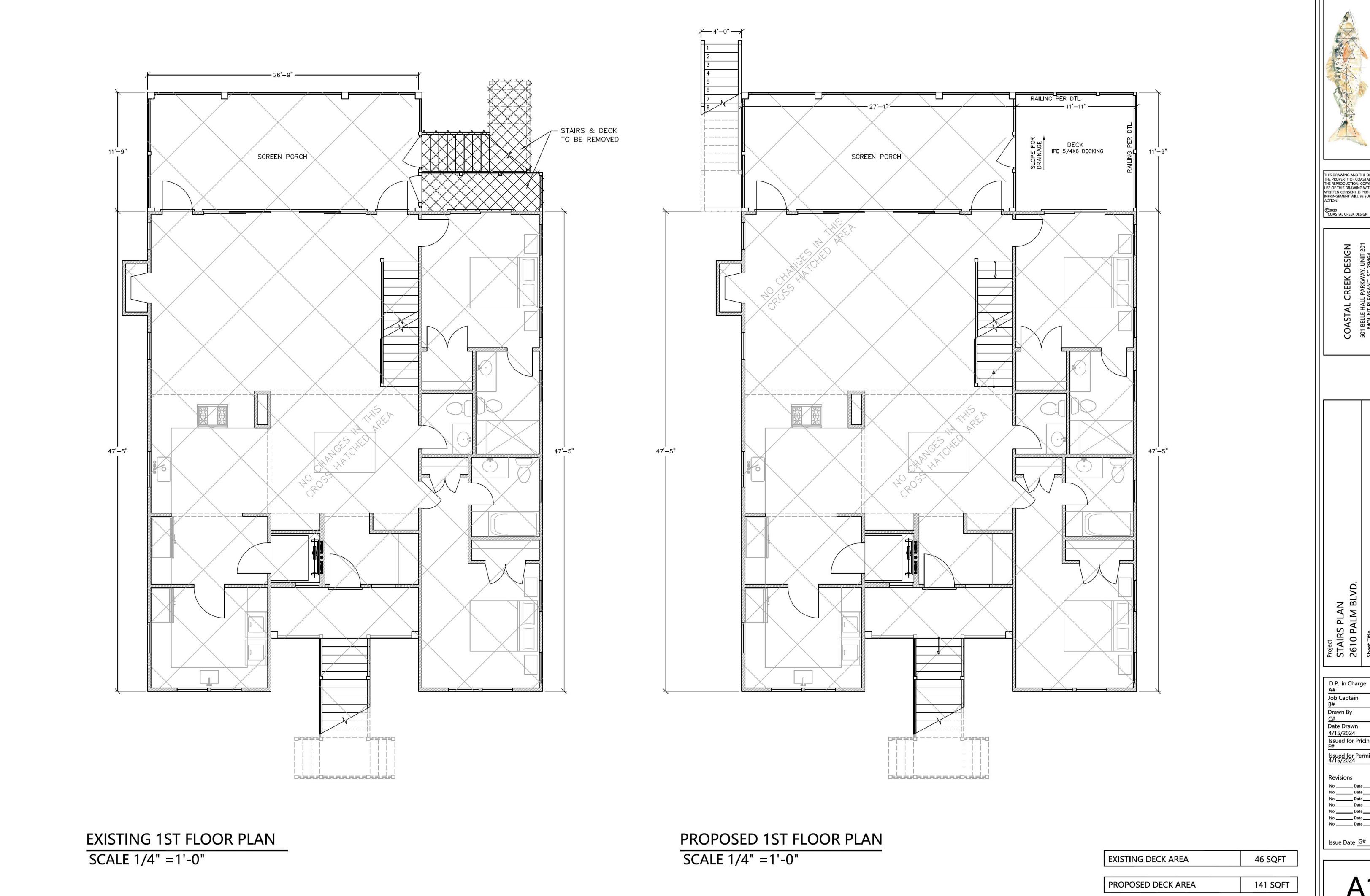
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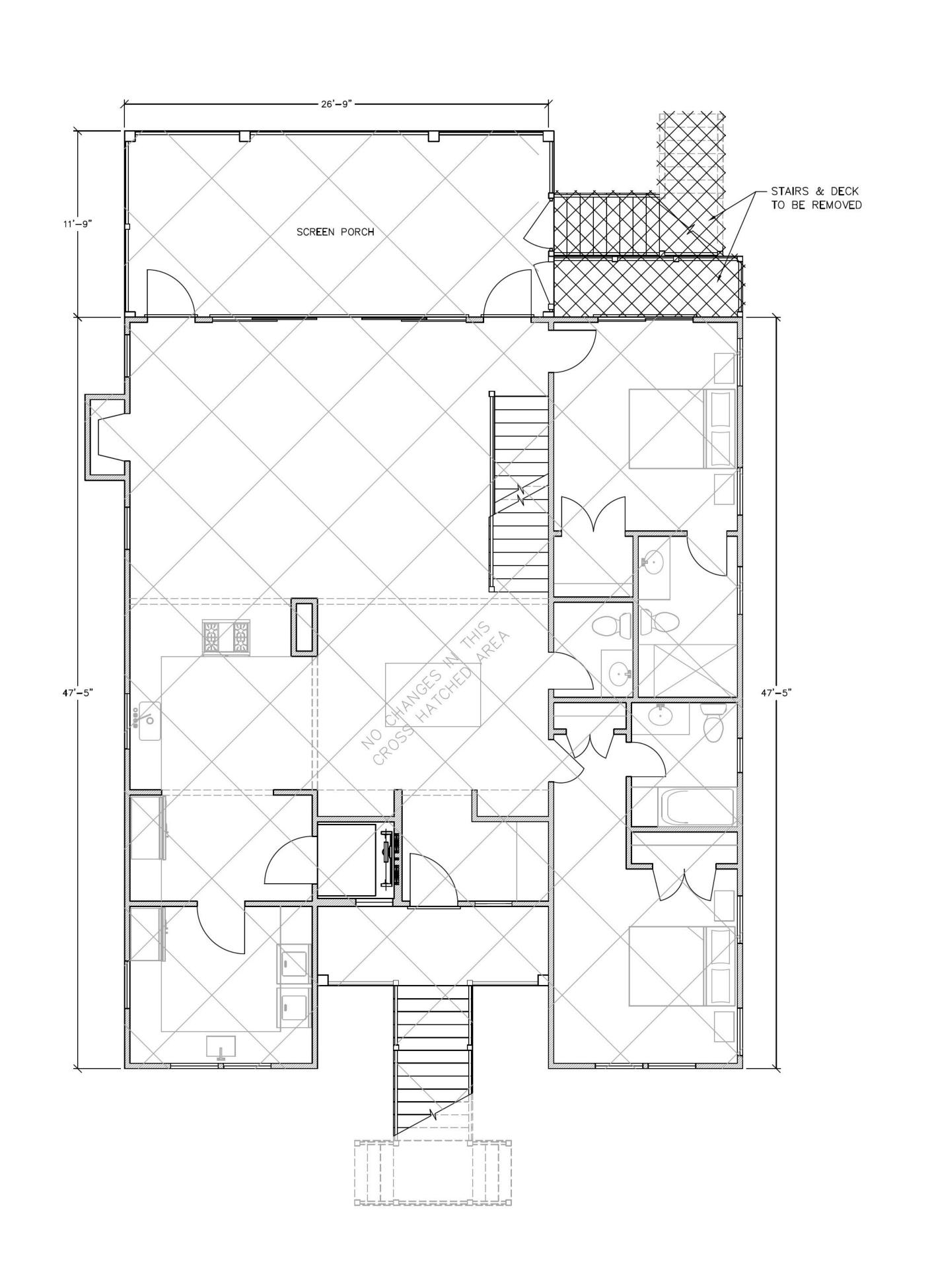
Issue Date G#

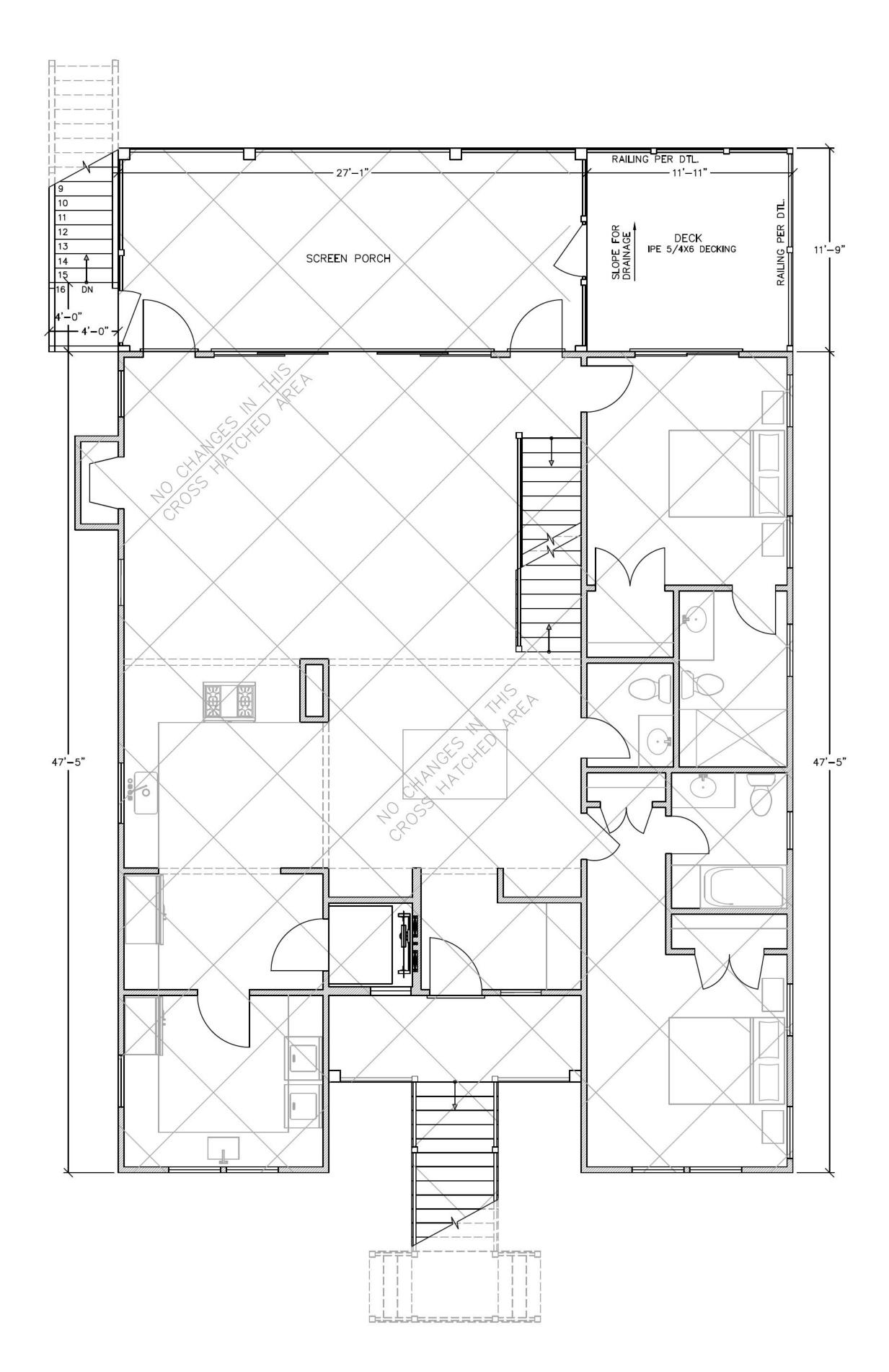


DESIGN sc — CREEK

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D.P. in Charge A# Date Drawn
4/15/2024
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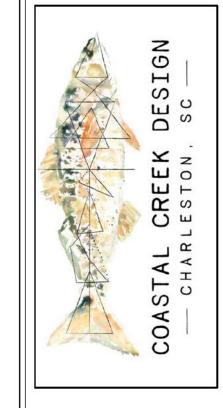
EXISTING 1ST FLOOR PLAN

SCALE 1/4" =1'-0"

PROPOSED 1ST FLOOR PLAN
SCALE 1/4" =1'-0"

	EXISTING DECK AREA		46 SQI
--	--------------------	--	--------

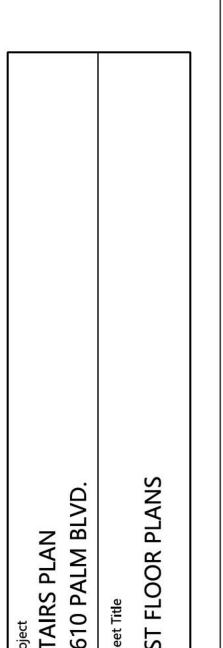
PROPOSED DECK AREA	141 SQFT



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501 BELLE HALL PARKWAY, UNIT 201
MOUNT PLEASANT, SC 29464
843-514-1790



D.P. in Charge

A#

Job Captain

B#

Drawn By

C#

Date Drawn

4/15/2024

Issued for Pricing

E#

Issued for Permit

4/15/2024

Revisions

No \_\_\_\_\_ Date

No \_\_\_\_ Date

Issue Date G#

**A**2



## SCALE 1/4" =1'



PROPOSED REAR ELEVATION SCALE 1/4" =1'



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D.P. in Charge

Drawn By C# Date Drawn 4/15/2024 Issued for Pricing Issued for Permit 4/15/2024 Issue Date G#

Job Captain











From: Matt Simms < msimms@iop.net > Date: May 23, 2024 at 10:57:10 AM EDT

To: John Frick < john@levelbuildingprojects.com >

**Cc:** Rachel Jones <<u>riones@iop.net</u>>, Lynsee Turok <<u>LTurok@iop.net</u>>

Subject: City of IOP Plan Review for: 2610 Palm Blvd

## Good morning,

The City of Isle of Palms Building and Planning Department have begun an initial review of 2610 Palm Boulevard. The required documentation and plan review comments are itemized below and may also referred to on the marked-up plan set. Please note that all items listed below must be satisfied/addressed before the issuance of a building/zoning permit.

## **Plan Review Comments:**

1. Stairs cannot encroach into the side setback. Please revise and resubmit.

## **Required Documentation:**

Please reply to this email for any submittal of revisions and documents.

Feel free to reach out if you have any questions.

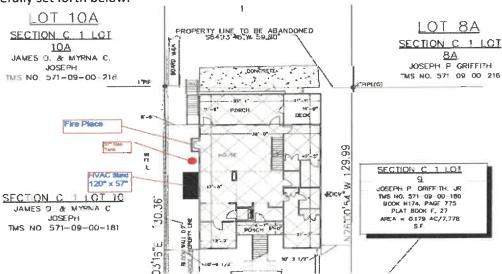
Thank you, Matt

Matt Simms
Zoning Administrator
ISA Certified Arborist SO-11183A
City of Isle of Palms
P.O. Drawer 508
Isle of Palms, SC 29451
(p) 843-886-9912
(f) 843-886-8005

County of Charleston )	AFFIDAVIT OF MYRNA JAMES
State of South Carolina )	

PERSONALLY, appeared before me Myrna James, who being duly sworn, deposes and says that:

- 1. My name is Myrna James. I am over the age of twenty-one (21) and of sound mind.
- 2. The facts stated herein are made from my personal knowledge and are made under penalty of perjury.
- 3. I am the owner of the property at 2612 Palm Boulevard, Isle of Palms, South Carolina.
- 4. It is my understanding that my next-door neighbor, Joseph Griffith, Jr., is attempting to get steps to his back porch permitted for construction by the Isle of Palms, within the side setback line, as generally set forth below:



5. I have no objection to Mr. Griffith's request and would encourage the City of Isle of Palms to approve his request.

SWORN to and subscribed before me

this 20 day of June, 2024.

Notary Public for South Carolina

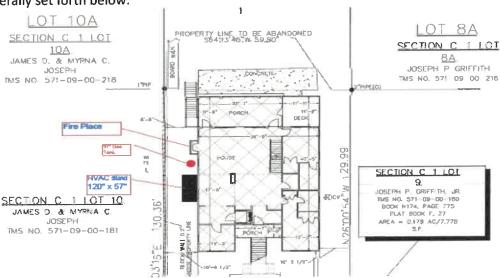
MELANIE M. GRIFFITH Notary Public, State of South Carolina

My Commission Expires 12/12/2027

County of Charleston )	
)	AFFIDAVIT OF LOUIS GRIFFITH
State of South Carolina )	

PERSONALLY, appeared before me Louis Griffith, who being duly sworn, deposes and says that:

- 1. My name is Louis Griffith. I am over the age of twenty-one (21) and of sound mind.
- 2. The facts stated herein are made from my personal knowledge and are made under penalty of perjury.
- 3. I am an owner of the property at 2608 Palm Boulevard, Isle of Palms, South Carolina.
- 4. It is my understanding that my next-door neighbor, Joseph Griffith, Jr., is attempting to get steps to his back porch permitted for construction by the Isle of Palms, within the side setback line, as generally set forth below:



5. I have no objection to Mr. Griffith's request and would encourage the City of Isle of Palms to approve his request. This request will have no adverse impact on any property in the area, and will not adversely affect any property values in the area.

Louis Griffith

SWORN to and subscribed before me

this 19 day of 4une

Wenney.

\_\_\_, 2024.

Notary Public for South Cardina

My Commission Expires:

# CITY OF ISLE OF PALMS



## South Carolina

DEPARTMENT OF BUILDING, PLANNING AND LICENSING

June 26th, 2024

Mr. Joseph Griffith 2610 Palm Boulevard Isle of Palms, SC 29451

Dear Mr. Griffith,

On May 23rd, 2024, I denied an addition of exterior stairs located in the side yard, 6 feet and 6 inches from the property line. Per Sec. 5-4-32(6)(b) of the City's code, the minimum side setback in the SR-1 zoning district is 10 feet. Additionally, the proposed exterior stairs were designed to be located past the maximum building line. Sec. 5-4-51(3)(a) prohibits any structures within the Preservation Overlay Zone 2 from being constructed seaward of the maximum building line. Based on the codes noted above, I denied the proposed plans and advised the contractor to revise and resubmit plans compliant with the City's code.

I understand that there is an HVAC stand located in the same side setback. This issue has been previously reviewed and the City ultimately determined the HVAC stand was existing and is a nonconforming structure. Pursuant to Sec. 5-4-47(b), an existing structure is allowed to remain and be renovated, so long as no part of the structure extends beyond the original footprint of the encroachment. There is also a chimney projecting into the 10-foot side setback, which is permissible pursuant to Section 5-4-12(f).

Feel free to let me know if you have any questions or concerns.

Sincerely,

Matt Simms

**Zoning Administrator** 

 From:
 Matt Simms

 To:
 joe@joegriffith.com

 Cc:
 Douglas Kerr

Subject: Fwd: [EXTERNAL] Fwd: 2610 Palm Blvd.

Date: Friday, June 21, 2024 3:17:10 PM

Attachments: <u>image001.pnq</u>

image002.png

## Good afternoon Mr. Griffith.

I have received your application and everything looks to be in order. I am out of town until Tuesday, but I can formally process the appeal application when I return.

Please see the below email sent to Carden Seamon in regard to the AC stand in the setback. The City determined the AC stand was existing, based off the attached survey from 2002 that shows the stand in the same location that was proposed. This was ultimately approved as a preexisting legal nonconforming structure that could remain in the setback, pursuant to Sec. 5-4-47(b) of the City's code.

Thank you, Matt

Matt Simms
Zoning Administrator
City of Isle of Palms
P.O. Drawer 508
Isle of Palms, SC 29451
(p) 843-886-9912
(f) 843-886-8005

\*\*\* WARNING \*\*\* All e-mail correspondence to and from this address may be subject to public disclosure under the South Carolina Freedom of Information Act (FOIA).

From: Matt Simms <msimms@iop.net> Sent: Friday, January 19, 2024 10:27 AM

**To:** Carden Seamon <carden@levelbuildingprojects.com>; Lynsee Turok <LTurok@iop.net>

Subject: RE: [EXTERNAL] Fwd: 2610 Palm Blvd.

Good morning Carden,

Looks like the AC unit is in the setback – this will have to be moved out of the setback, unless it is on an existing stand.

Thanks!

### Matt

Matt Simms
Zoning Administrator
City of Isle of Palms
P.O. Drawer 508
Isle of Palms, SC 29451
(p) 843-886-9912

(f) 843-886-8005

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From: Carden Seamon < carden@levelbuildingprojects.com>

Sent: Thursday, January 18, 2024 4:00 PM

**To:** Matt Simms <msimms@iop.net>; Lynsee Turok <LTurok@iop.net>

Subject: [EXTERNAL] Fwd: 2610 Palm Blvd.

## [EXTERNAL]



External (carden@levelbuildingprojects.com)



Please see as build below

Carden Seamon Level Building Projects 843.478.6489

Begin forwarded message:

From: keith campbell < keith.riverland@gmail.com >

**Date:** January 18, 2024 at 3:06:24 PM EST **To:** <u>carden@levelbuildingprojects.com</u>

Subject: 2610 Palm Blvd.

Keith Campbell

843.901.7731 <u>keith.riverland@gmail.com</u>

