

BOARD OF ZONING APPEALS
June 16, 2021

AGENDA

The Isle of Palms Board of Zoning Appeals will hold its regularly scheduled meeting in City Hall Council Chambers on June 16, 2021 at 4:30pm.

- A. Call to order
- B. Acknowledgement that the meeting has been advertised in compliance with State law
- C. Approval of minutes of previous meeting: May 4, 2021
- D. Swearing of any person giving testimony
- E. Home occupations: 122 Ocean Boulevard
 10 Fairway Oaks Lane
 10 Fairway Oaks Lane
- F. Special exceptions: 1012 Ocean Boulevard
 1120 Ocean Boulevard
- G. Miscellaneous business
- H. Adjournment



BOARD OF ZONING APPEALS
4:30pm, Tuesday, May 4, 2021
Virtual Meeting via Zoom call due to COVID-19 Pandemic
broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>

MINUTES

1. Call to order

Present: Glenn Thornburg, Elizabeth Campsen, Brian Abel, and Douglas Kerr,
Director of Planning

Absent: Arnold Karig

2. Approval of Previous Meeting's Minutes

Mr. Thornburg made a motion to approve the minutes of the March 9, 2021 meeting as presented, and Ms. Campsen seconded the motion. The motion passed unanimously.

3. Swearing in of applicants

There were no applicants to swear in.

4. Special Exceptions

A. #33-22nd Avenue

Director Kerr stated Margaret Schapp is requesting a special exception to allow the establishment of an office for a pet sitting business. She has indicated that the home will be used for office work only and there would be no business-related activity conducted on the property and no business-related traffic would come to the residence.

MOTION: Ms. Campsen made a motion to approve the request as submitted, and Mr. Thornburg seconded the motion. The motion passed unanimously.

B. #16-26th Avenue

Director Kerr said Michael Zinone is requesting a special exception to allow the establishment of a golf cart rental business at his home. He has indicated the golf carts would be stored off-site and that the home will be used for office work only. There will be no business-related traffic coming to the residence, and no employees working in the residence other than family members.

MOTION: Mr. Abel made a motion to approve the request and Mr. Thornburg seconded the motion. The motion passed unanimously.

6. Miscellaneous Business

Director Kerr reported that all Committees and City Council (with the exception of the Planning Commission) are now meeting in person in Council Chambers. The extension of the Emergency Ordinance allows for virtual meetings for an additional 60 days. Board members agreed to meet in Council Chambers for their next meeting.

Director Kerr also reported there will be a new Board member beginning next month. He will ask the City Attorney to conduct the annual legal briefing at that meeting. He said the Board may also need to discuss outdoor sales next month.

7. Adjournment

Mr. Thorburg made a motion to adjourn, and Mr. Able seconded the motion. The meeting was adjourned at approximately 4:40pm.

Respectfully submitted,

Nicole DeNeane
City Clerk

Appeal Number: 21-07

Applicant: Kristen Stein

Address: 122 Ocean Boulevard

Request:

The applicant is requesting a special exception to allow the establishment of an interior design business in her home. The applicant has indicated that the home will be used for office work only and there would be no business-related traffic coming to the house or exterior evidence of a business. The business is classified in Table B1 as 7389- office work for business services not elsewhere classified.

Sec. 5-4-44. Home business occupation.

- (A) One or more home business occupations may be permitted in a dwelling unit in any residential zoning district as a special exception granted by the Board of Zoning Appeals after consideration of the criteria contained in section 5-4-5 and upon a finding by the Board that all requirements and conditions set forth in this section are satisfied. In granting approval of a home business occupation, the Board may impose reasonable restrictions on the conduct and use of the home business occupation, including a limit on the number of home business occupation-related visitors per day and the frequency of product or material deliveries. There shall be no fee charged for a home business occupation application. The requirements and conditions are as follows:
- (1) The occupation, profession or trade is a use allowed under section 5-4-38, Table B-1, and is conducted wholly within the principal building of the lot.
 - (2) Not more than twenty-five percent (25%) of the floor area of the principal building, or seven hundred fifty (750) square feet, whichever is less, shall be used for any part of the home business occupation.
 - (3) No accessory building or outside storage shall be used in connection with the home business occupation.
 - (4) No signs, merchandise or other articles shall be displayed for advertising purposes, or be visible from outside of the dwelling.
 - (5) There shall be no alteration of the residential character of the building or premises.
 - (6) The home business occupation shall not generate greater vehicular or pedestrian traffic volume than that which normally occurs in the neighborhood. All parking generated by the home business occupation shall be located solely within the boundaries of the property upon which the home business occupation is conducted and shall not be located in the required front yard.
 - (7) No electrical, mechanical, chemical or other equipment that is not a normal domestic or household equipment shall be allowed in connection with the home business occupation and such occupation shall not generate noise, vibration, electrical interference, heat, glare, dust, smoke, odors, fumes, or unsafe conditions which are detectable to the normal human senses off of the lot or which adversely affect the health, safety or welfare of the neighborhood.
 - (8) No home business occupation shall be conducted using assistants or associates working in whole or in part within the home, except for family members living on the premises.
 - (9) Only passenger vehicles shall be allowed in connection with the home business occupation. For purposes of this section, passenger vehicles are limited to motorcycles, mopeds, automobiles, pickup trucks and vans.
- (B) Inspections. Home business occupation permittees shall allow reasonable, periodic inspections of the premises by any Zoning or Building Official to determine compliance with the home business occupation permit.

(Ord. No. 2015-15, § 1, 2-23-2016)

Board of Zoning Appeals
Information Sheet
City of Isle of Palms

Date Filed 4/29/21

Appeal Number 21-07

Instructions:

This form must be completed for a hearing on appeal from action of a zoning official, application for a variance, or application for a special exception. Entries must be printed or typewritten. If the applicant is not the owner of the property, all must sign.

Property Address 122 Ocean Blvd, Isle of Palms, SC

Lot _____ Block _____ TMS _____

Area of Lot _____ Zoning Classification _____

Applicant(s) Name Kristen Stein

Address 122 Ocean Blvd., Isle of Palms, SC

Telephone 215-520-3570

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 supporting documents attached are correct.

Kristen Stein 4/28/21
Applicant Signature/Date

Owner Signature (if different from applicant)/Date _____

Meredith Maxwell

Board of Zoning Appeals
Information Sheet
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):
Interior Design Services
2. Will there be any work other than office work (i.e. use of phone, computer, fax, etc.) occurring at this residence? Yes _____ No X. 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 X. 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 X
5. Will there be any business related traffic coming to this residence? ? Yes _____ No X. If yes, please explain and give frequency. _____
6. Will there be any employees working in this residence other than family members? ? Yes _____ No X
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 X
8. Will any merchandise or articles be stored at any location other than inside this residence? Yes _____ No X If yes, explain: _____
9. Will more than 25% of the floor of this residence be devoted to the occupation? Yes _____ No X
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 X No _____
11. Will the occupation generate any noise, vibration, heat, glare, smoke, odor, or dust perceptible to your neighbors? Yes _____ No X
12. Are there currently any other home occupations operating at this residence? Yes _____ No X

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. _____

I am an Interior Designer who visits, presents and installs products and design services in the clients' home.

I will use my home office as a place to work on my designs and presentations. No client will come to the home for services

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 the 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 not allowed under this license.

K. [Signature] 4/28/21
Signature of Applicant & Date

APPLICANT MUST ATTEND BOARD OF ZONING APPEALS FOR APPLICATION TO BE HEARD

Appeal Number: 21-08

Applicant: Allen Owens

Address: 10 Fairway Oaks Lane

Request:

The applicant is requesting a special exception to allow the establishment of an interior design business in his home. The applicant has indicated that the home will be used for office work only and there would be no business-related traffic coming to the house or exterior evidence of a business. 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 of Palms

Date Filed: 5/25/2021

Appeal Number 21-08

Instructions:

This form must be completed for a hearing on appeal from action of a zoning official, application for a variance, or application for a special exception. Entries must be printed or typewritten. If the applicant is not the owner of the property, all must sign.

Property Address 10 Fairway Oaks Ln

Lot 10 Block S TMS _____

Area of Lot _____ Zoning Classification _____

Applicant(s) Name Allen Owens

Address 10 Fairway Oaks Ln

Telephone 704 651 7014

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 supporting documents attached are correct.

Allen Owens 5/25/2021

Applicant signature/date

Allen Owens 5/25/2021

Owner signature (if different from applicant)/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): Interior Designer

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 _____ No . If yes, please explain and give frequency: _____

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

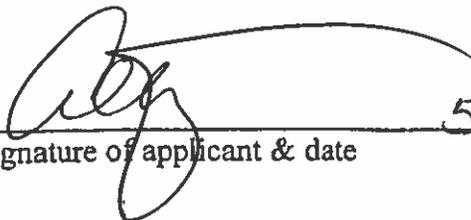
12. Are there currently any other home occupations operating at this residence? Yes _____ No

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: _____

Interior Designer -
Select Furnitures, Draperies, Rug etc
for Clients homes

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 not allowed under this license.

 5/25/2021

Signature of applicant & date

Appeal Number: 21-09

Applicant: Sidney Stevens

Address: 10 Fairway Oaks Lane

Request:

The applicant is requesting a special exception to allow the establishment of a concierge and goods rental service in the home. This is an application for the same residence as the preceding application, appeal number 21-08. The applicant has indicated that the home will be used for office work only and there would be no business-related traffic coming to the house or exterior evidence of a business. 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 of Palms

Date Filed: 5/20/2021

Appeal Number 21-09

Instructions:

This form must be completed for a hearing on appeal from action of a zoning official, application for a variance, or application for a special exception. Entries must be printed or typewritten. If the applicant is not the owner of the property, all must sign.

Property Address 10 Fairway Oaks Lane, Isle of Palms, SC 29451

Lot 10 Block S TMS _____

Area of Lot _____ Zoning Classification _____

Applicant(s) Name Sidney B. Stevens

Address 10 Fairway Oaks Lane, Isle of Palms, SC 29451

Telephone (704) 516-5400

Interest (i.e. Owner, Owner's attorney, Architect, etc.) Owner

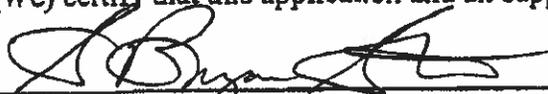
Owner(s) (if different from applicant) _____

Name _____

Address _____

Telephone _____

I (We) certify that this application and all supporting documents attached are correct.

 5/20/2021
Applicant signature/date

Owner signature (if different from applicant)/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): Office location for a luxury goods rental & concierge services business.
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 _____ No . If yes, please explain and give frequency: _____
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: luxury rental goods (towels, linens, cookware) will be stored in Mt. Pleasant & John's Island.
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 _____ (Interior Design - back office only)

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: Website driven

reservations coordination and follow up; outreach to
vacation property owners/managers as well as
service provider partners (phone, email)

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 not allowed under this license.


Signature of applicant & date 5/20/2021

Appeal Number: 21-10

Applicant: VW Banditos, LLC DBA Papi's Taqueria

Address: 1012 Ocean Boulevard (Papi's Taqueria)

Request:

The applicant is requesting a special exception to allow the outdoor sales of food and drink in the area of a proposed ground level deck at 1012 Ocean Boulevard. Papi's Taqueria had a similar request approved by the Board in 2017 for a 560 square foot on the second floor of the proposed addition.

The property is located in the GC2 zoning district and Section 5-4-38(5)(a) of the City's zoning code specifies the conditions of when the Board can approve the sale of food or beverage in the district (see complete section below).

The applicant claims that the standards for the special exception will be satisfied by complying with all of the underlying zoning criteria of setbacks, screening, loading and parking requirements.

In the prior request, the Board attached the following conditions:

1. The outdoor sale of food and drink be limited to the hours of 11am to 10pm Sunday through Thursday and 11am to 11pm on Friday and Saturday.
2. There may be no live music outdoors, including acoustic or amplified performances.
3. There may be no electronic or other devices used to play noises or music including stereos, PA systems, televisions, phonographs, radios, or other similar devices.

Pertinent Zoning Code Sections:

Section 5-4-38(5)(a):

Outdoor sale of food or beverage, in whole or in part, in the GC-2 district more than two hundred feet (200') seaward of the right-of-way of Ocean

Boulevard is strictly prohibited. Outdoor sale of food or beverage, in whole or in part, in the GC-2 district within two hundred feet (200') seaward of the right-of-way of Ocean Boulevard is permitted only by special exception pursuant to section 5-4-5. Outdoor sale of food or beverage, in whole or in part, in the GC-3 district is permitted only by special exception pursuant to section 5-4-5. Outdoor sale or rental of other tangible personal property, in whole or in part, in the GC-2 and GC-3 districts is strictly prohibited. All activity associated with outdoor sale of food or beverage in the GC-2 and GC-3 districts must occur within the footprint of a permitted permanent structure. Any use of a mobile or temporary unit, including, but not limited to, food trucks, vehicles, trailers, and carts, is prohibited, except as provided in section(5)(c) and 5-4-38(5)(d).

Section 5-4-5 (c):

(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: 6/1/2021

Appeal Number 21-10

Instructions:

This form must be completed for a hearing on appeal from action of a zoning official, application for a variance, or application for a special exception. Entries must be printed or typewritten. If the applicant is not the owner of the property, all must sign.

An accurate, legible plot plan, showing all property dimensions and locations of all structures and improvements must be attached.

Property Address 1012 Ocean Blvd, Isle of Palms, SC 29451

Lot 67-70 Block 28 TMS 568-11-00-182

Area of Lot 1,896 Sq Ft. Zoning Classification GC-2

Applicant(s) Name VW Banditos, LLC (DBA Papi's Taqueria)

Address 1012 Ocean Blvd. Isle of Palms, SC 29451

Telephone (843)926-7274

Interest [i.e. owner, owner's attorney, architect, etc] Madison Lansdowne, LLC

Owner(s) [If different from applicant]

Name Benj Farmery

Address 19117 Caddy Court, Leesburg, VA 20175

Telephone (703) 395-9121

I (We) certify that this application and all supporting documents attached are correct.

Eric D. Evaul 06/01/2021

Applicant Signature/Date

Eric D. Evaul 06/01/2021

Owner Signature (if different from applicant)/Date

**Zoning Board of Adjustment
Special Exception Application
City of Isle of Palms
Form - 4**

Date Filed: 06/01/2021

Appeal Number: 21-10

1. Applicant hereby appeals to the Zoning Board of Adjustment for a special exception for use of the property described in the Notice of Appeals [Form 1] as: 1012 Ocean Blvd, Isle of Palms, SC 29451

_____ which is a permitted special exception under the district regulation in Section _____ of the Zoning Ordinance.

2. Applicant will meet the standards in Section 5-4-5(c) of the Zoning Ordinance which are applicable to the proposed special exception in the following manner: To build an outdoor porch/
dining area.

3. Applicant suggests that the following conditions be imposed to meet the standards in the Zoning Ordinance: That Papi's Taqueria with the permission of the landlord, Madison Lansdowne, LLC
be allowed to construct a porch/outdoor dining area between the properties.

4. The following documents are submitted in support of this application: Site plans and appraisals
submitted by Mr. Benj Farmery of Madison Lansdowne, LLC.
[A plot plan must be submitted.]

Eric D. Ewaul 06/01/2021
Applicant Signature & Date

Section 5-4-5 Special Exception

(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.

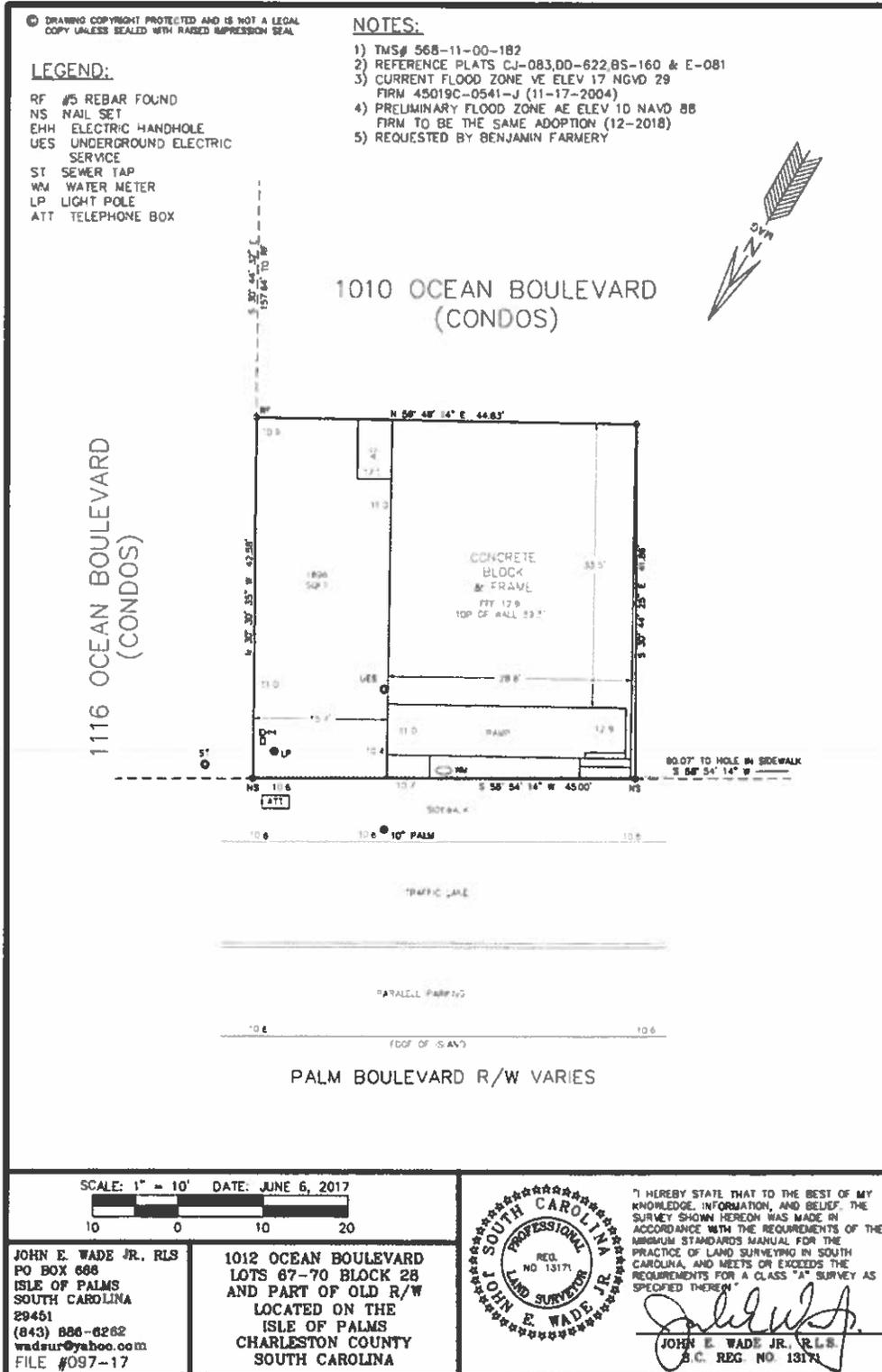
(3) Off-street parking and loading area and the entrances and exits for the use must be adequate in terms of location, number, design and construction to serve the use without adverse impact on adjacent properties.

(4) The proposed use must not adversely affect the level of property values, the general character or general welfare of the nearby areas.

THE GUERRY GROUP

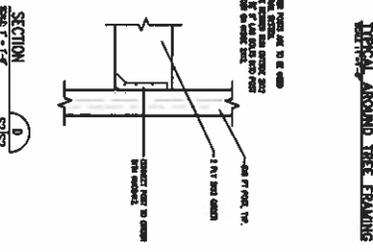
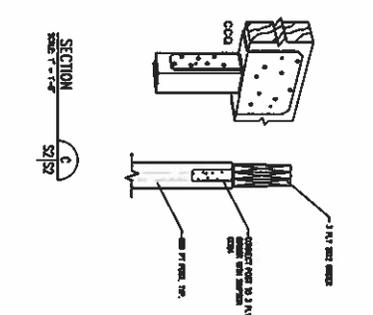
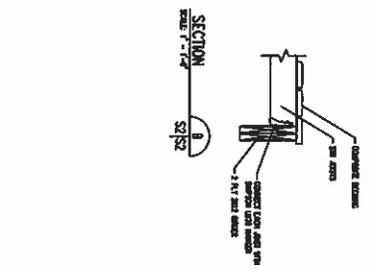
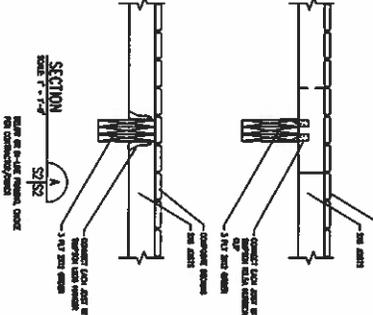
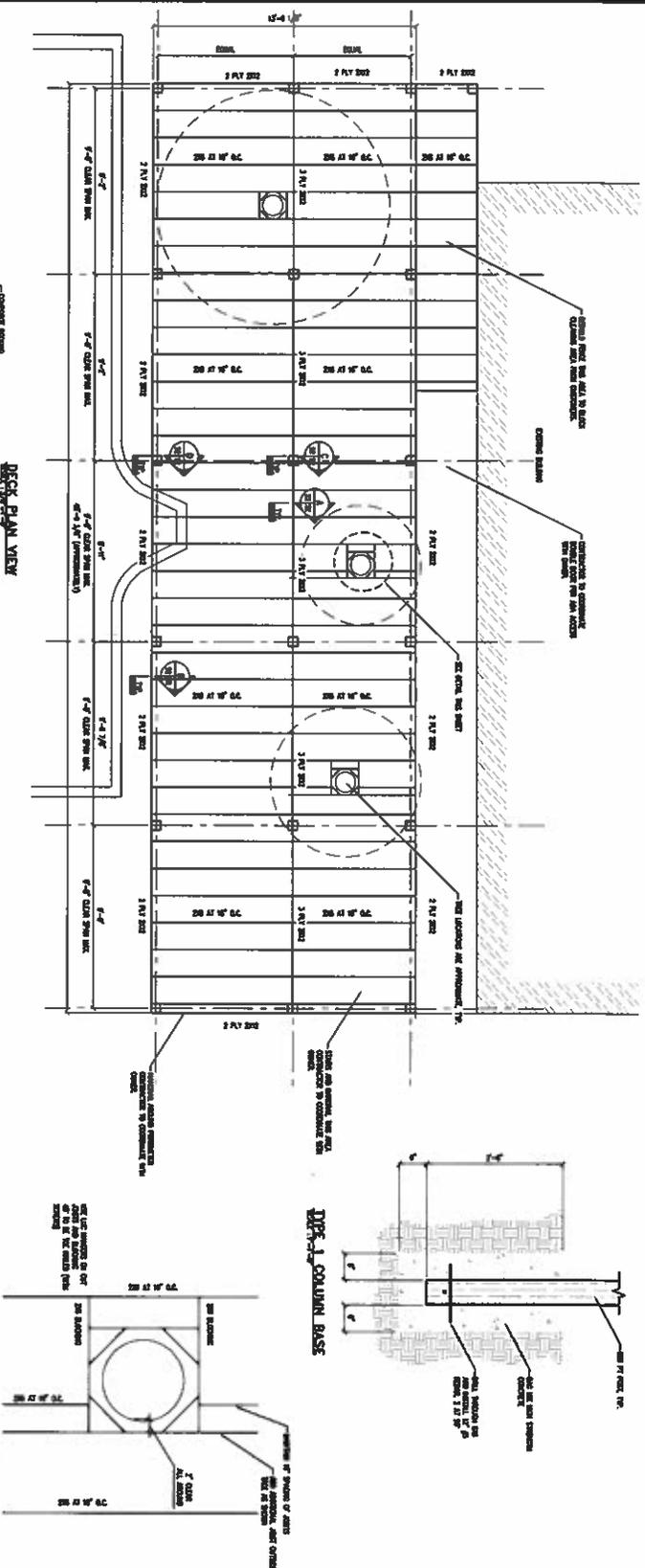
REAL ESTATE ANALYSTS, CONSULTANTS AND APPRAISERS

Plat Map



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PO BOX 1532 MOUNT PLEASANT, S.C. 29465-1532 (843) 375-1440 FAX (843) 375-1479 WWW.GUERRYGROUP.COM



TYPICAL AROUND TREE FRAMING

ALL DRAWINGS ARE 1/4\"/>

DECK PLAN
 COLUMN PLAN

Client	BASTONGROUP
Drawn By	LSM/DJ
Checked By	NJA
Project Number	1012
Drawing Number	21.022

S-002

Appeal Number: 21-06

Applicant: Perry Freeman-

Address: 1120 Ocean Boulevard (Coconut Joe's)

Request:

The applicant is requesting a special exception to allow the outdoor sales of food and drink in the area of a recently constructed ground level deck at 1120 Ocean Boulevard.

The property is located in the GC2 zoning district and Section 5-4-38(5)(a) of the City's zoning code specifies the conditions of when the Board can approve the sale of food or beverage in the district (see complete section below).

The applicant claims that the standards for the special exception in Section 5-4-5(c).

Pertinent Zoning Code Sections:

Section 5-4-38(5)(a):

Outdoor sale of food or beverage, in whole or in part, in the GC-2 district more than two hundred feet (200') seaward of the right-of-way of Ocean Boulevard is strictly prohibited. Outdoor sale of food or beverage, in whole or in part, in the GC-2 district within two hundred feet (200') seaward of the right-of-way of Ocean Boulevard is permitted only by special exception pursuant to section 5-4-5. Outdoor sale of food or beverage, in whole or in part, in the GC-3 district is permitted only by special exception pursuant to section 5-4-5. Outdoor sale or rental of other tangible personal property, in whole or in part, in the GC-2 and GC-3 districts is strictly prohibited. All activity associated with outdoor sale of food or beverage in the GC-2 and GC-3 districts must occur within the footprint of a permitted permanent structure. Any use of a mobile or temporary unit, including, but not limited to, food trucks, vehicles, trailers, and carts, is prohibited, except as provided in section(5)(c) and 5-4-38(5)(d).

Section 5-4-5 (c):

(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: 5/18/21

Appeal Number 21-06

Instructions:

This form must be completed for a hearing on appeal from action of a zoning official, application for a variance, or application for a special exception. Entries must be printed or typewritten. If the applicant is not the owner of the property, all must sign.

An accurate, legible plot plan, showing all property dimensions and locations of all structures and improvements must be attached.

Property Address 1120 Ocean Blvd., Isle of Palms, SC 29451

Lot _____ Block _____ TMS _____

Area of Lot _____ Zoning Classification _____

Applicant(s) Name Peggy Freeman

Address 1227 Yeoman's Hall Rd. Hanahan, SC 29410

Telephone 864-958-4112

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 supporting documents attached are correct.

Peggy Freeman 5/18/21
Applicant Signature/Date

Owner Signature (if different from applicant)/Date

**Zoning Board of Adjustment
Special Exception Application**

City of Isle of Palms

Form - 4

Date Filed: 5/18/21

Appeal Number: 21-06

1. Applicant hereby appeals to the Zoning Board of Adjustment for a special exception for use of the property described in the Notice of Appeals [Form 1] as:

permit seating and food/drink in designated area
which is a permitted special exception under the district regulation in Section 5(a)
of the Zoning Ordinance.

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

We meet all of the requirements from this section

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

Allow seating in this area for guests to wait to avoid crowding

4. The following documents are submitted in support of this application:

[A plot plan must be submitted.]

Per [Signature] 5/18/21
Applicant Signature & Date

Section 5-4-5 Special Exception

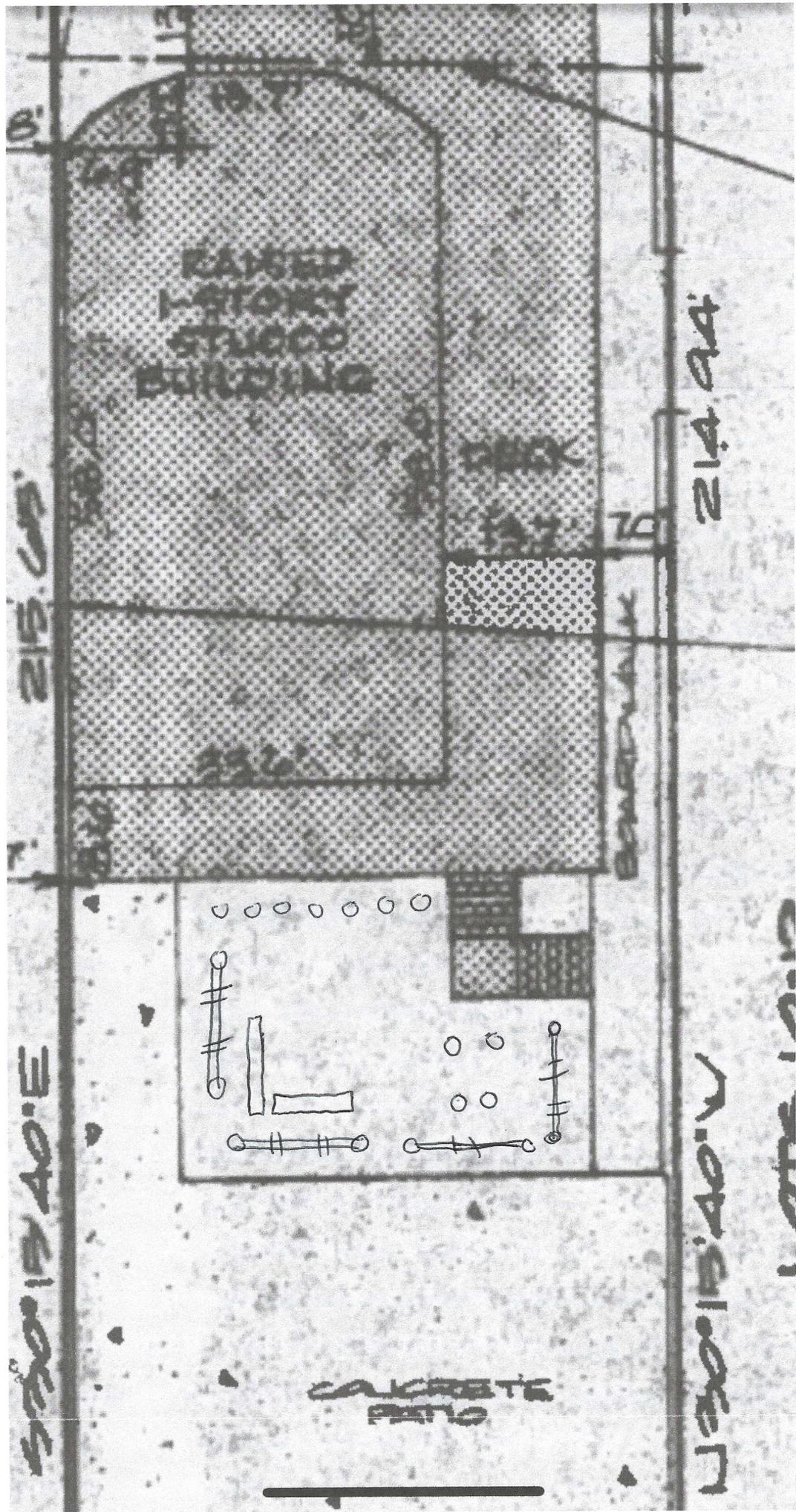
(c) Special Exceptions. Upon written application filed with the Zoning Administrator, the Board of Adjustment may grant as a special exception any use specified as a special exception in the district regulations. In addition to the conditions required by district regulations, the Board shall apply the 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.

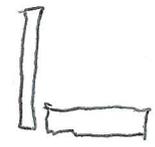
(3) Off-street parking and loading area and the entrances and exits for the use must be adequate in terms of location, number, design and construction to serve the use without adverse impact on adjacent properties.

(4) The proposed use must not adversely affect the level of property values, the general character or general welfare of the nearby areas.



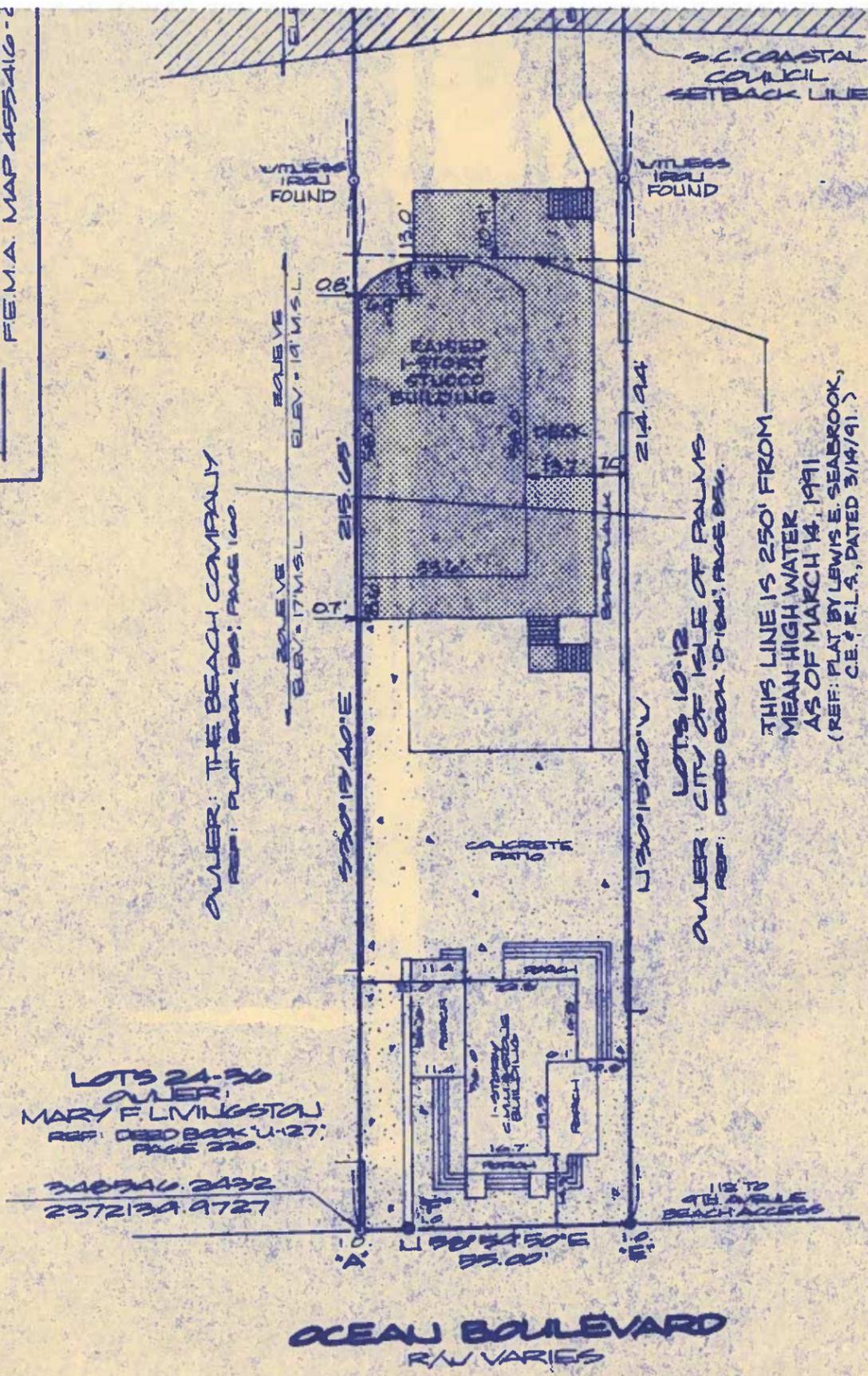
|| = Swings

o = Chairs

 = large couches

I certify that the property shown hereon is in a special flood hazard zone, according to FIA and H.U.D. Flood hazard boundary maps.

NOTE: FLOOD ZONES AS SHOWN ON F.E.M.A. MAP 455A16-3



LOTS 24-30
OWNER: MARY F. LIVINGSTON
REF: DEED BOOK 'U-27', PAGE 220
240546.2432
2372134.9727

OWNER: THE BEACH COMPANY
REF: PLAT BOOK 'B6', PAGE 100

OWNER: LOTS 10-12
CITY OF ISLE OF PALMS
REF: DEED BOOK 'D-18', PAGE 85

THIS LINE IS 250' FROM
MEAN HIGH WATER
AS OF MARCH 14, 1991
(REF: PLAT BY LEWIS E. SEABROOK,
C.E. & R.L.S., DATED 3/19/91.)

LEGEND:
○ - IRON PIPE OLD (FOUND)
○ - IRON PIPE NEW / UTILITY IRON (S)
--- DELIMITES LINES TO BE AVOIDED

REFERENCE:
1) T.M.S. SUB-11-00-187, 140 & 202
2) DEED BOOK 'S-100', PAGES 9, 13 & 17
3) DEED BOOK 'C-207', PAGE 749
4) PLAT BOOK 'E', PAGE 81
5) PLAT BOOK 'B5', PAGE 100
6) PLAT BY LEWIS E. SEABROOK, C.E. & R.L.S.

I hereby certify that the measurements as shown above are correct and there are no encroachments or projections other than shown.

PLAT

SHOWING THE RE-SURVEY OF LOTS 13-23, BLOCK 29, THE BOARDWALK SECTION, SITUATE IN THE CITY OF ISLE OF PALMS, CHARLESTON COUNTY, SOUTH CAROLINA.



THIS PROPERTY IS PRESENTLY OWNED BY:
FRONT BEACH INVESTORS, INC.

SCALE 1" = 70'
0 15 30 60

JUNE 29, 1992

Charles F. Dawley, Jr.
CHARLES F. DAWLEY, JR., R.L.S.
S.C. REGISTRATION NO. 9314
P.O. BOX 231
MT. PLEASANT, S.C. 29465
(803) 884-4931

SURVEYOR'S CERTIFICATION

I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A 'CLASS A' SURVEY AS SPECIFIED THEREIN.

Charles F. Dawley, Jr.
CHARLES F. DAWLEY, JR., R.L.S.

5681100202

OCEAN BLVD

5681100258

1126

1140

5681100285
5681100273
5681100289
5681100196
5681100295

5681100292
5681100274
5681100272
5681100278
5681100279

5681100286
5681100282
5681100276
5681100275
5681100291

1130

5681100381
1122

area of proposal



5681100193

5681100425 5681100391 5681100414
5681100392 5681100393 5681100407
5681100437 5681100411 5681100420
5681100402 5681100445 5681100390
5681100440 5681100409 5681100434

1120

1116

5681100186
5681100245

5681100187

5681100298, 5681100183
5681100301, 5681100299
5681100296, 5681100300
5681100297

5681100321
5681100315
5681100316
5681100181
5681100319

5681100323
5681100317
5681100318
5681100320
5681100322



**Colada Swings
Patio Rules:**
⊗ **NO SMOKING** ⊗
The hammock swings are
here for you to relax.
Please no twisting, jumping,
or excessive swinging.
All persons under the age of
18 must be supervised by
an adult at ALL times.
Enjoy a drink & come back
and see us again soon.

The Classic
Patio Margarita
in a Coconut Cup
\$15
12 with an
Half Pint of
or More \$16
Select Cans \$6

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and see us again soon.



No Smoking
Please do not smoke on the premises.
All patrons are notified the night before of all events.
Thank you for your patronage.