

BOARD OF ZONING APPEALS  
September 7, 2021

AGENDA

The Isle of Palms Board of Zoning Appeals will hold its regularly scheduled meeting in City Hall Council Chambers on September 7, 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: June 16, 2021
- D. Swearing of any person giving testimony
- E. Home occupations:           309 Palm Boulevard  
  810 Carolina Boulevard
- F. Miscellaneous business
- H. Adjournment



**BOARD OF ZONING APPEALS**  
**4:30pm, Tuesday, June 16, 2021**  
**1207 Palm Boulevard, Isle of Palms, SC and**  
**broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>**

**MINUTES**

**1. Call to order**

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

**2. Approval of Previous Meeting's Minutes**

Mr. Thornburg made a motion to approve the minutes of the May 4, 2021 meeting as presented, and Ms. Campsen seconded the motion. The motion passed unanimously.

**3. Swearing in of applicants**

Ms. Campsen swore in the applicants.

**4. Home Occupations**

**A. 122 Ocean Boulevard**

Director Kerr stated Kristen Stein, the applicant, is requesting a special exception to allow the establishment of an interior design business in her home. Ms. Stein 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. Ms. Meredith Maxwell, Ms. Stein's attorney, said the only materials on the property would be sample design boards or pipe materials. They are mostly stored in her car. Sample materials may occasionally be delivered to her home.

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

**B. 10 Fairway Oaks Lane**

**C. 10 Fairway Oaks Lane**

Director Kerr said both applications for 10 Fairway Oaks Lane have been withdrawn as the applicants have located the businesses to a physical location off the island.

5. **Special Exceptions**

A. **1012 Ocean Boulevard**

Director Kerr said that Papi's Taquiera is requesting a special exception to allow for outdoor sales of food and drink. They are requesting service on a ground-level deck to adjacent to the restaurant.

He reported to the Board that Papi's was granted permission for the outdoor sale of food and drink in 2017 on an elevated deck under the following conditions: sales were limited to occur between 11am and 10pm Sunday through Thursday and 11am-11pm on Friday and Saturday. Additionally, no live music including acoustic or amplified performances would be permitted and no electronic or other devices were to be used to play music.

City code requires that the outdoor sale of food in this district be more than 200' away from the Ocean Boulevard right of way, and this deck area is within that 200'. The request also is seeking permission to construct the deck on which the food and drink will be served.

**MOTION: Ms. Campsen made a motion to open discussion for the application from 1012 Ocean Boulevard. Mr. McKnight seconded the motion.**

The applicant explained that the space where they were permitted to put picnic tables during the shutdown is a heavily trafficked area, so they would like to move these tables to the proposed deck area. Director Kerr pointed out that the proposed deck area will actually cross over the property line into the adjacent property at 1016 Ocean Boulevard which is owned by the same person owning 1012 Ocean Boulevard. He said this portion of the request still has to be reviewed by the City's Building Official who is not obligated to approve anything that does not comply with the code. The applicant explained there would be a fenced area that would provide coverage of trash bins and cleaning supplies. A cantilever roof to cover that utility area is also proposed.

Director Kerr suggested that the owner might just move the property line so that the proposed deck is part of the 1012 Ocean Boulevard property. Ms. Campsen said there are a number of options available to the owner who should probably take time to discuss those options with a real estate attorney. Director Kerr said that the current section of the Emergency Ordinance allowing the outdoor sale of food and drink could be extended by City Council for up to a year.

**MOTION: Ms. Campsen made a motion to defer the application at 1012 Ocean Boulevard until the July BOZA meeting. Mr. McKnight seconded the motion. The motion passed unanimously.**

B. **1120 Ocean Boulevard**

Director Kerr said that Perry Freeman of Coconut Joe's is requesting a special exception to allow for outdoor sales of food and drink. A ground-level deck has been recently constructed in that area for that purpose. The deck is on the roadside of Coconut Joe's and backs up to Smuggler's.

Director Kerr pointed out that the Building Official may have concerns about the fire separation at the property lines. He said that approval of this request by the Board is not an indication that the deck is in compliance with the building code.

**MOTION: Ms. Campsen made a motion to open the application up for discussion, and Mr. Thornburg seconded the motion.**

Mr. Freeman indicated the intent of this area is for drink and cocktail service while customers are waiting for their tables. They have built in countertop seating and may eventually add plumbing and electrical to allow for an outdoor bar service area.

A resident expressed concern about underground propane tanks in the area. Mr. Freeman said, according to AmeriGas, early next week all the tanks will be completely inactive and irrelevant to the area. Mr. Freeman also said he would need to get confirmation from his general contractor to verify if the deck was professionally designed and properly permitted. Director Kerr expressed concern about the possible fire separation issues.

Board members expressed concerns about safety issues with regards to the propane tanks and would like more information about how those will be dealt with safely.

**MOTION: Mr. McKnight made a motion to defer further discussion on the application until the July BOZA meeting. Mr. Thornburg seconded the motion. The motion passed unanimously.**

**6. Miscellaneous Business**

The next meeting of the Board of Zoning Appeals will be on Tuesday, July 13, 2021 at 4:30pm.

**7. Adjournment**

Mr. Thorburg made a motion to adjourn, and Ms. Campsen seconded the motion. The meeting was adjourned at approximately 5:21pm.

Respectfully submitted,

Nicole DeNeane  
City Clerk

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**Appeal Number:** 21-11

**Applicant:** Connor Flowers

**Address:** 309 Palm Boulevard

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**Request:**

The applicant is requesting a special exception to allow the establishment of a internet reselling business in the 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 8/4/21

Appeal Number 21-11

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 309 Palm Blvd

Lot \_\_\_\_\_ Block \_\_\_\_\_ TMS \_\_\_\_\_

Area of Lot \_\_\_\_\_ Zoning Classification \_\_\_\_\_

Applicant(s) Name Conner Flowers

Address 309 Palm Blvd, Isle of Palms S.C. 29451

Telephone 864-616-7377

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.

Conner Flowers

Applicant Signature/Date

Owner Signature (if different from applicant)/Date

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):  
AMAZON RESELLING 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: \_\_\_\_\_
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. \_\_\_\_\_

I will be buying and selling various items on Amazon website. I will be an Amazon Seller

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.



Signature of Applicant & Date

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



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**Appeal Number:** 21-12

**Applicant:** Eric Johnson

**Address:** 810 Carolina Boulevard

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**Request:**

The applicant is requesting a special exception to allow the establishment of a personal training business in his home. The applicant has indicated that the home will be used for office work only and all training sessions would be held at clients' homes. He has indicated that 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.

21-12

Entry #: 2

Date Submitted: 9/3/2021 12:23 PM

**Property Address**

810 Carolina Blvd, Isle of Palms, South Carolina 29451

**Owner Name**

Eric Johnson

**Lot**

**Block**

**TMS Number**

**Area of Lot**

**Zoning Classification**

**Applicant's Name**

Eric Johnson

**Applicant's Address**

**Phone**

(704) 942-8750

**Applicant's Interest (Owner, Attorney, Architect etc.)**

I (we) certify that this application is true and correct

**Applicant's Email**

trifectaathletics@gmail.com



**Applicant appeals to the Board of Zoning Appeals for a special exception for the use of the property as (give brief description of the business)**

I would like to use one of my home rooms as an office for my business and then use the license to be mobile to transport to clients home for services.

**Will there be any other work than office work at the property, if yes please explain**

**Will there be any visual evidence of a business from a visual inspection of the exterior of the residence, if yes please explain**

none

**Will any signs, merchandise, equipment, or other articles be displayed in a manner that they are visible from the street**

none

**Will there be any business related traffic coming to this residence, if yes please explain and give frequency**

none

**Will there be any employees working in this residence other than family members**

none

**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)**

none

**Will any merchandise or articles be stored at any location other than inside this residence**

none

**Will more than 25% of the floor of this residence be devoted to the occupation**

no

**Will any equipment or materials that are not normal to a household be used or stored at this residence in connection with the application**  
just gym equipment needed for transporting mobile

**Will the occupation generate any noise, vibration, heat, glare, smoke, odor, or dust perceptible to your neighbors**

none

**Are there currently any other home occupations operating at this residence**

none

**Describe in full the nature of your occupation, by listing in detail all activities related to the occupation that will be occurring in the residence**

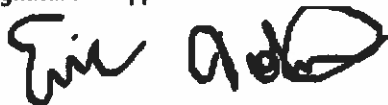
I am a personal trainer. I will be traveling to clients homes and providing health and fitness workouts for customers.

#### **Notice**

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 my 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**

9/3/2021

Please see the relevant code of ordinances sections regarding home occupations included in the PDF at the link below

[https://iop.net/Data/Sites/1/media/buildingplanning/home\\_occupation\\_special\\_exception\\_application.pdf](https://iop.net/Data/Sites/1/media/buildingplanning/home_occupation_special_exception_application.pdf)

**Supporting Documentation**