



**BOARD OF ZONING APPEALS**  
**4:00pm, Tuesday, February 4, 2025**  
**1207 Palm Boulevard, Isle of Palms, SC**

**MINUTES**

**1. Call to order**

Present: Glenn Thornburg, Ellen Gower, Susie Wheeler, Ted McKnight, and  
Zoning Director Simms

Absent: Robert Miller

**2. Nomination and election of Chair and Vice Chair**

Mr. McKnight nominated Mr. Thornburg as Chair of the Board of Zoning Appeals. Ms. Gower seconded the motion. There being no other nominations, a vote was taken with all in favor of Mr. Thornburg as Chair of the Board of Zoning Appeals.

Ms. Wheeler nominated Ms. Gower as Vice Chair of the Board of Zoning Appeals. Mr. Thornburg seconded the motion. There being no other nominations, a vote was taken with all in favor of Ms. Gower as Vice Chair of the Board of Zoning Appeals.

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

**MOTION: Mr. McKnight made a motion to approve the minutes of the January 7 and 15, 2025 meetings, and Ms. Gower seconded the motion. The minutes passed unanimously.**

**3. Swearing in of applicants**

Mr. Thornburg swore in the applicants and other members of the public.

**4. Special Exceptions**

**A. 1202 Palm Boulevard**

Zoning Administrator Simms reminded the Board that the applicant, Amine Houti, is requesting a special exception to allow the outdoor sales of food and drink in the front patio area of 1202 Palm Boulevard. Mr. Gary Nestler said he was present to speak on behalf of Mr. Houti.

Mr. McKnight pointed out that the Board requested site specifics from Mr. Houti, and what has been provided is unacceptable. The Board needs a drawing of the space in question providing the dimensions of the planters, where the 32' distance begins and ends, the distance between the front door of the establishment and the planters, and the location of the proposed fence.

Mr. Nestler asked for a continuance to secure that information. He said he could have it within 24 hours.

**MOTION: Mr. McKnight made a motion to continue the request of 1202 Palm Boulevard to the March meeting. Ms. Gower seconded the motion. The motion passed unanimously.**

**B. 1 14<sup>th</sup> Avenue**

Zoning Administrator Simms said the applicant is requesting a special exception to allow the outdoor sales of food and drink in a proposed permanent structure at 1 14th Avenue. Charleston County Parks and Recreation Commission (CCPRC) has an existing Special Exception that allows the outdoor sale and rental of tangible goods that are sold from mobile carts in a specified 25' by 20' area on the site. CCPRC also has a Special Exception for a mobile food truck. This Special Exception request would consolidate and replace the mobile carts into one proposed permanent structure. The proposed structure would be approximately 180' from the OCRM baseline.

Mr. Eric Stewart of CCPRC said this new free-standing, pre-fabricated structure will continue the sales of prepackaged food and sundries and the rental of selected beach items in one location within the County Park.

Mr. McKnight expressed concern this request will take from the brick and mortar businesses on the Front Beach. Mr. Stewart said this is only a request to continue what they are doing now but in a more permanent location. It will only be open seasonally and is not meant to draw business away from Front Beach businesses.

Mr. Thornburg asked for drawings of the proposed building, which Mr. Stewart said would be available after they have received their building permit.

**MOTION: Mr. McKnight made a motion to approve the application contingent upon receipt of drawings of the proposed building and detailed listing of the items being sold within the storefront. Final approval will be given upon receipt of those items. Ms. Gower seconded the motion. The motion passed unanimously.**

Mr. Stewart said those items will be given to the Board at their next meeting.

**5. Variances – 2 Sand Dollar Drive**

Zoning Administrator Simms said the applicant is requesting a variance to allow a raised pool to encroach 7' into the front setback off Sand Dollar Drive. The required setback is 24' from the property line and the pool is proposed to be located 17' from the property line. The applicant claims the lot is extraordinary and exceptional due to the presence of multiple live oaks in front yard, the water and sewer lines in the side yard, and a drainage easement in the side yard that restricts the construction of a pool. The applicant claims the application of the ordinance would effectively prohibit or unreasonably restrict the utilization of the property. Due to the live oaks and drainage easement, the applicant claims the only remaining space is the backyard where all utilities are located. The applicant claims the conditions that are peculiar to this property that are

not to the surrounding properties include the location of the house on the lot, the side yard drainage easement, and the 24' setbacks off Wildwood Drive and Sand Dollar Drive.

Additionally, under the City's code previously allowed corner lots to designate one street side as the front yard and the other as the side yard. However, the current City code requires the lot's front yard setbacks to be met on both street sides and the lot's side yard setback requirements must be met on all other sides of the lot. Consequently, the applicant claims the current regulations are peculiar to this property as the neighboring corner lot residences were constructed under the former City code requirements for corner lots. The applicant claims the authorization of this variance will not be of substantial detriment to adjacent properties or to the public good.

Mr. Tom Cotton said the house was originally built by the previous owners with the intention of installing a pool. He believes they should be grandfathered in under the previous setbacks and be allowed to put in the pool. He said the pool cannot be built elsewhere on the property due to the setbacks and utility easements.

Mrs. Bea Love, 9 Sand Dollar Drive and Kitty Riley, 1 Sand Dollar Drive, both spoke in support of the Cotton's request to put their pool in the front setback. Mrs. Love believes the setbacks written after Hurricane Hugo were shortsighted. Ms. Riley agrees with the plans submitted by the Cottons. Mr. Stuart Coleman, 10 Live Oak Drive, agreed with Mrs. Love's statements and believes this pool would be a nice addition to the neighborhood.

Mr. McKnight clarified that the Board of Zoning Appeals can only follow the ordinances as written. He suggested the Cottons address City Council regarding a change to the setbacks.

**MOTION: Mr. Thornburg made a motion to go into Executive Session to receive legal advice. Ms. Wheeler seconded the motion. The motion passed unanimously.**

The Board of Zoning Appeals went into Executive Session at 4:41pm.

**MOTION: Mr. Thornburg made a motion to come out of Executive Session at 5:05pm. Ms. Wheeler seconded the motion. The motion passed unanimously.**

Mr. McKnight said, "There are several reasons why we would have to vote no if we were to proceed with your variance request. In the process of looking at all this stuff, it does appear that there is a way that you can put in your pool. It's not where you are indicating, but Matt indicated that you really didn't go out and have a site visit and take a look. So it is your choice, but we are suggesting to you that ask for a continuance of today's proceedings until next month. In the meantime, have Matt come out, indicate to you where he thinks the pool can go, and if that is agreeable to you, then you would file your variance permits and proceed with putting in your pool."

Mr. Simms pointed out that two trees can be removed and mitigated to accommodate the pool. Mr. Cotton expressed concerns about flooding in the area. He asked that this request be continued in order to have more conversations about it.

**MOTION: Mr. McKnight made a motion to continue the variance request of 2 Sand Dollar Drive to the next meeting. Ms. Wheeler seconded the motion. The motion passed unanimously.**

**6. Adjournment**

Ms. Wheeler made a motion to adjourn, and Ms. Gower seconded the motion. The meeting was adjourned at 5:11pm.

Respectfully submitted,

Nicole DeNeane  
City Clerk