

BOARD OF ZONING APPEALS
December 3rd, 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 December 3rd, 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: October 22nd, 2024
- D. Swearing of any person giving testimony
- E. Special Exceptions: 103 Timber Lane
 243 Forest Trail
 806 Palm Boulevard
 6 Yacht Harbor
- F. Miscellaneous business
- G. Adjournment



BOARD OF ZONING APPEALS
4:00pm, Tuesday, October 22, 2024
1207 Palm Boulevard, Isle of Palms, SC

MINUTES

1. Call to order

Present: Glenn Thornburg, Robert Miller, Ellen Gower, Susie Wheeler, and Zoning Director Simms, Director Kerr

Absent: Ted McKnight

2. Approval of Previous Meeting's Minutes

MOTION: Mr. Miller made a motion to approve the minutes of the September 3, 2024 meeting, 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 Exception – 1400 Palm Boulevard

B. 1400 Palm Boulevard

Zoning Administrator Simms reminded the Board of the request for a special exception is to allow the establishment of a drivethrough 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 applicant, Matt Immerfall, speaking on behalf of Jeff's Bagel Run, introduced representatives from Stantec and the Beach Company who came to speak about the special exception request. He reviewed what they asked Stantec to do in their traffic study of the area. He said, "Most of our sales on any given day are completed by the time the majority of the high traffic volume is coming onto the island, so we feel like that kind of helps in kind of curbing a little bit of the impact it could potentially be from additional folks coming to our bagel store."

The study concluded “that the impact of a Jeff’s Bagel Run including the use of a drive-through would be negligible difference to be how it impacts traffic conditions currently on IOP.”

Stuart Day of Stantec explained how the traffic count and study were completed. He said that they added 30% to their numbers for seasonal considerations and 2% per year for annual growth to accommodate for the fact that the traffic study could not be done during the summer.

Mr. Immerfall explained how signage will be used to manage traffic flow through the drive-through. He believes using the drive-through will be safer for patrons so they don’t have to park and get out of their cars.

Mr. Kevin Flint and Mr. Carmichael Harrison of the Beach Company said they are excited to have Jeff’s Bagel Run as tenants and believe they will enrich the IOP Community. He said they passed on more well-known businesses for that space and asked for the Board’s support of this special exception.

Mr. James Menacho, 816 Carolina Boulevard, said he believes that this business will add too many cars to an already crowded chokepoint on the island. Ms. Brenda Smith, 902 Carolina Boulevard, also believes a drive-through will cause traffic problems and could invite other franchises to the island.

Mr. Simms said that Chief Cornett stated there is no set time on busy summer weekends when 14th Avenue is closed. It is done as needed. Director Kerr added that since the Police Department is already set up in that area on those weekends, they will be available to help as needed.

Mr. Miller expressed concern about employees directing traffic. Mr. Immerfall said safety is paramount to them, and they will train their staff as Chik-Fil-A does. Mr. Flint said that should there be issues, he believes Mr. Immerfall, who has been solution-oriented from the start, will address any concerns.

Mr. Thornburg reviewed the criteria for a drive-through and asked if Board members agreed that Mr. Immerfall had met those criteria. There was no dissent. He pointed out that the concern about too much traffic in the area is really only on 20-26 days per year, and the business would be open 340 other days that may not be of concern. He said Mr. Immerfall is the one taking the risk because it would be the entrance to his business that could be closed on those high traffic days.

Discussion about the possibility of adding a stipulation to the approval ensued. Director Kerr said a stipulation that could revoke an approval would not be possible. He suggested adding a condition on the approval that the drive-through be closed when it becomes a problem based on a predetermined trigger.

Discussion ensued about an appropriate trigger to temporarily close the drive-through.

MOTION: Mr. Thornburg made a motion to approve the special exception to allow the use of a drive-through at 1400 Palm Boulevard with the following stipulation “that if traffic hinders and backs up onto Palm Boulevard or 14th Avenue, then the drive-through would

be closed until resolution of the problem is solved.” Mr. Miller 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 5:46pm.

Respectfully submitted,

Nicole DeNeane
City Clerk

Appeal Number: 23-16

Applicant: Tina Gillmore

Address: 103 Timber Lane

Request:

The applicant is requesting a special exception to allow the establishment of an event rental and decoration business at their home. They have indicated that the home will be used for office work and storage of supplies only, there will be infrequent 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 (decoration service for special events)

Board of Zoning Appeals
Information Sheet
City of Isle Palms

Date Filed: _____

Appeal Number _____

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 103 Timber Lane

Lot _____ Block _____ TMS _____

Area of Lot _____ Zoning Classification _____

Applicant(s) Name Tina Gillmor

Address 103 Timber Lane

Telephone 415-307-6686

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.

Tina Gillmor 10/16/2024
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): event rental & decor

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 X
No _____. If yes, please explain and give frequency: infrequently
someone (customer) might pick something
up instead of having it delivered

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 X No _____. If yes, explain: yes, in open
space under the house!

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
things like flower walls + balloons

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: _____

Pop & Palette provides small event rentals and decor to the East Cooper and Charleston area. We offer things like flower walls, decorative arches, balloons for rent / use at small events like birthday parties, showers, Weddings.

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.

Ann Gillme 10/16/24

Signature of applicant & date

Appeal Number: 24-17

Applicant: Jay Madigan

Address: 243 Forest Trail

Request:

The applicant is requesting a special exception to allow the establishment of a residential building business at their home. The applicant has indicated that the home will be used for office work only, there will be no business-related traffic coming to the residence, there will be no evidence of a business outside the house, and 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 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 243 Forest Trail

Lot 6 Block FT-FOUR TMS 571-07-00-02

Area of Lot 12,564 SF Zoning Classification _____

Applicant(s) Name Jay Madigan

Address 243 Forest Trail

Telephone 843-514-1831

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

Owner(s) (if different from applicant) _____

Name _____

Address _____

Telephone _____

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


Applicant signature/date 10.31.24

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): Residential Builder - office work only

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

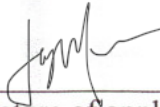
12. Are there currently any other home occupations operating at this residence? Yes _____ No

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: _____

Small residential business - just a home office to do office work. My wife is the only employee and she shares the same home office to do any office work necessary

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.



10.31.24

Signature of applicant & date

Appeal Number: 24-18

Applicant: William Burgis

Address: 806 Palm Boulevard

Request:

The applicant is requesting a special exception to allow the establishment of a electrical contractor business at their home. The applicant has indicated that the home will be used for office work only, there will be no business-related traffic coming to the residence, there will be no evidence of a business outside the house, and 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: 11/12/2024

Appeal Number _____

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 806 Palm Blvd

Lot _____ Block _____ TMS _____

Area of Lot _____ Zoning Classification residential

Applicant(s) Name William Burgis

Address 806 Palm Blvd, Isle of Palms, SC 2945

Telephone 843-323-2505

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

Owner(s) (if different from applicant) _____

Name _____

Address _____

Telephone _____

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

W Burgis 11/12/2024
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): Electrical contractor
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 _____ No X
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: _____

Electrical contractor / Electrician, No activities
other than office

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.

WR Burgis 11/24/2024
Signature of applicant & date

Appeal Number: 24-19

Applicant: Zacharry Lary

Address: 6 Yacht Harbor

Request:

The applicant is requesting a special exception to allow the establishment of a real estate holding company at their home. The applicant has indicated that the home will be used for office work only, there will be no business-related traffic coming to the residence, there will be no evidence of a business outside the house, and 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: 11/21/24

Appeal Number _____

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 6 Yacht Harbor Court

Lot _____ Block _____ TMS _____

Area of Lot _____ Zoning Classification _____

Applicant(s) Name ZL Investments, LLC

Address 6 Yacht Harbor Court

Telephone 843-810-5179

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

Owner(s) (if different from applicant) _____

Name Zacharry Lary

Address 6 Yacht Harbor Court

Telephone 843-810-5179

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



11/21/24

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): Real Estate Holding Company

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 _____ No X

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: _____

Management of Real Estate Owned by me, Zacharry Lary

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