

BOARD OF ZONING APPEALS
April 1st, 2025

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 April 1st, 2025, at **10:00am** 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: March 4th, 2025
- D. Swearing of any person giving testimony
- E. Special Exceptions: 239 Forest Trail
1202 Palm Boulevard (continued)
- F. Miscellaneous business
- G. Adjournment



BOARD OF ZONING APPEALS
4:00pm, Tuesday, March 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

2. Approval of Previous Meeting's Minutes

MOTION: Ms. Wheeler made a motion to approve the minutes of the February 4, 2025 meeting, and Ms. Gower seconded the motion. The minutes passed unanimously.

Mr. McKnight asked if the Board had an issue with reordering the agenda so that 1202 Palm Boulevard could be discussed last. There were no objections.

3. Swearing in of applicants

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

4. Special Exceptions

A. 54 Morgan's Cove Drive

Zoning Administrator Simms said the applicants are requesting a special exception to allow the establishment of a geriatric care management business at their home. They have 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 applicants verified there will be no signage or outward indication of a business in the home.

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

B. 1 14th Avenue

Zoning Administrator Simms reminded the Board 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 provided a list of items to be sold and a computer-generated rendering of the proposed building.

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

C. 1202 Palm Boulevard

Zoning Administrator Simms reminded the Board 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. The property is located in the GC-1 zoning district and Section 5-4-38(5)(b) of the City's zoning code specifies the conditions of when the Board can approve the sale of food or beverage in the district. The applicant claims that the standards for the special exception in Section 5-4- 5(c) are met.

Board members pointed out several measurement discrepancies in the provided drawing to the employee of Café Paname (Erin) who came to the meeting on behalf of the applicant. Mr. McKnight expressed concern that the planters have been moved to accommodate customers, and the Board was told that the planters would not be moved further into the parking lot. He visited the site prior to the meeting, and the measurements provided on the drawing do not match the reality of the space.

It was also noted that the width of the picnic tables in the drawing do not add up to the proper width of the proposed dining space.

Board members expressed concern that Mr. Houti himself was not there to answer questions.

Zoning Administrator Simms suggested that Mr. Houti could withdraw his application, have a landscape designer do a scale drawing and then amend the application for what he wants.

Board members suggested any application he files should include a scale drawing, the hours of operation, the number of people permitted in the area of service, an indicator marking off the non-permanent barrier closest to the building, and what he will do to increase safety in the area. Board members said Mr. Houti must be present to answer these questions at the next meeting.

MOTION: Ms. Wheeler made a motion to continue the application until the required documents are received. Ms. Gower seconded the motion. The motion passed unanimously.

5. Variances – 2 Sand Dollar Drive

Zoning Administrator Simms said the applicant has secured their own attorney to review City Code regarding this matter. They do not want the pool in the space suggested by Zoning Administrator Simms. The matter is deferred until April or later, depending on the request of the applicants.

6. Adjournment

Ms. Wheeler made a motion to adjourn, and Ms. Gower seconded the motion. The meeting was adjourned at 4:29pm.

Respectfully submitted,

Nicole DeNeane
City Clerk

Appeal Number: 25-07

Applicant: Nick Perry

Address: 239 Forest Trail

Request:

The applicants are requesting a special exception to allow the establishment of a short-term rental business at their home. They have 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 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 239 Forest Trail

Lot _____ Block _____ TMS _____

Area of Lot _____ Zoning Classification _____

Applicant(s) Name Nest 10P LLC

Address 239 Forest Trail


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

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

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): Home office, vacation home management
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: _____

NEST IOP LLC will function as a vacation
home management entity. I will have my
home office setup for NEST IOP LLC.

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

Appeal Number: 25-03

Applicant: Amine Houti

Address: 1202 Palm Boulevard

Request:

The applicant is requesting a special exception to allow the outdoor sales of food and drink in the front patio area of 1202 Palm Boulevard

The property is located in the GC-1 zoning district and Section 5-4-38(5)(b) 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) are met.

Pertinent Zoning Code Sections:

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

Outdoor sale or rental of tangible personal property, in whole or in part, in the LC or GC-1 district is permitted only by special exception pursuant to section 5-4-5; provided, however, that outdoor sale or rental of any tangible personal property, including food and beverage, in whole or in part in the LC or GC-1 district within one hundred sixty feet of the OCRM baseline established along the beach of the Atlantic Ocean is strictly prohibited. All activity associated with outdoor sales or rentals in the LC and GC-1 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 5-4-38(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: 12/4/24

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.

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

Property Address 1202 Palm Blvd

Lot A **Block** _____ **TMS** _____

Area of Lot _____ **Zoning Classification** _____

Applicant(s) Name Amine Houti

Address 1430 jefferson rd, MP, SC, 29466

Telephone [REDACTED]

Interest [i.e. owner, owner's attorney, architect, etc] Owner

Owner(s) [If different from applicant]

Name Amine Houti

Address 1430 jefferson rd,,MP, SC, 29466

Telephone [REDACTED]

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

amine Houti 12/4/24
Applicant Signature/Date

Amine houti 12/4/24
Owner Signature (if different from applicant)/Date

Zoning Board of Adjustment Special Exception Application

City of Isle of Palms

Form - 4

Date Filed: 12/4/24

Appeal Number: _____

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: Selling liquor beverage outdoors / outside

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: We will

not block traffic and have our own parking spaces.

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

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

[A plot plan must be submitted.]

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.

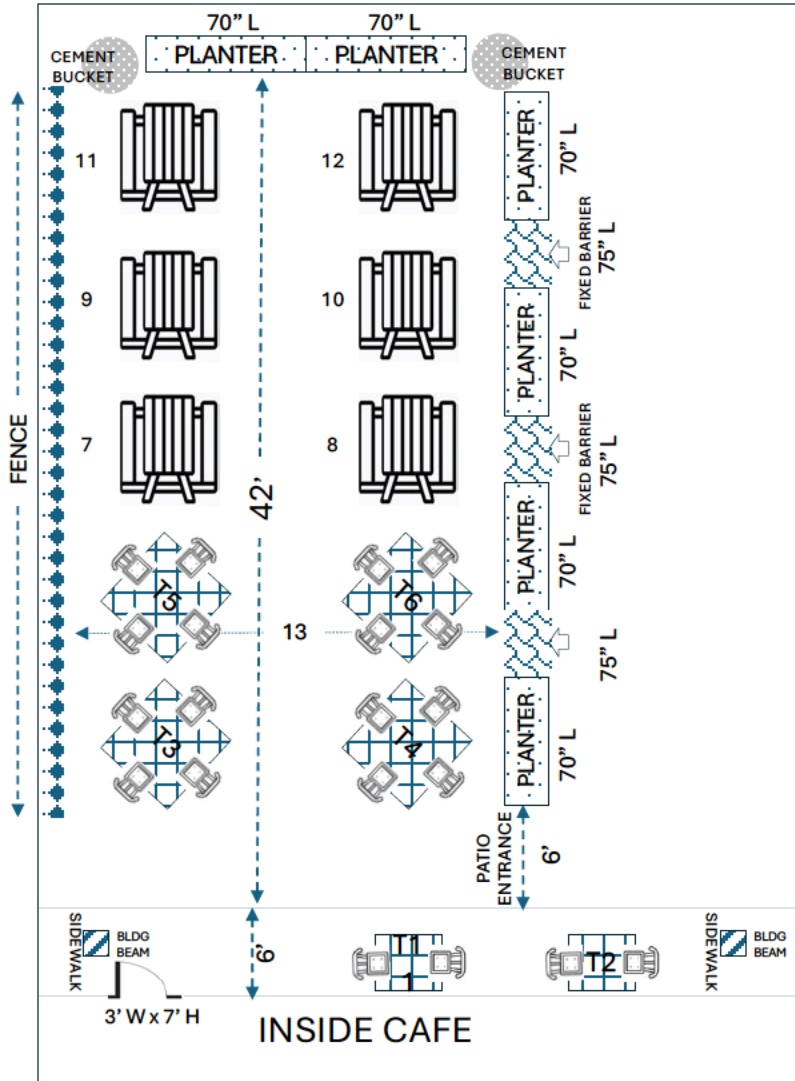
(2) Vehicular traffic and pedestrian movement on adjacent roads must not be hindered or endangered.

(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.

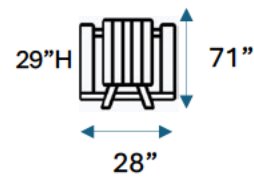


PERMISSION TO AMEND THE SPECIAL EXCEPTION REQUEST TO BE A 42'x13' AREA



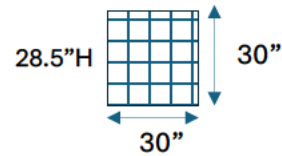
LEGEND

PICNIC TABLE



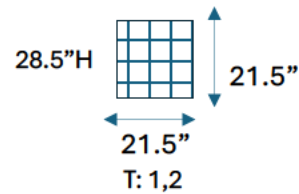
PT: 7,8,9,10,11,12

METAL TABLE

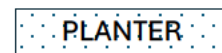


T: 3,4,5,6

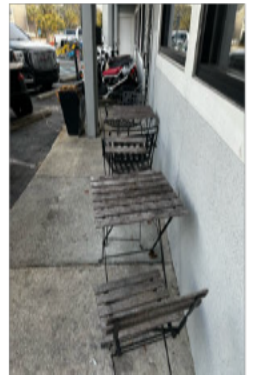
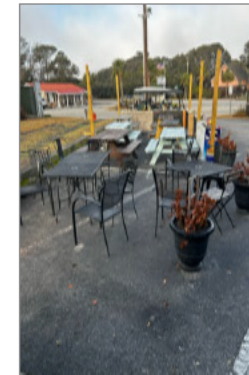
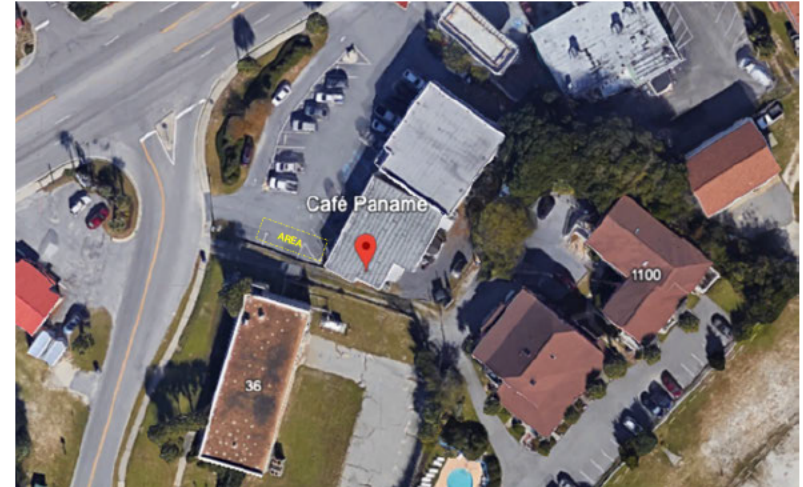
METAL TABLE



T: 1,2



NOTES: 30'x12' (inside the planters); fixed barrier between planters or installation of an additional planter; sunshade over most of the 30'x12' area; WARNING signage shall be posted re: car movement in several places.



CAFÉ PANAME

rendering for outdoor use

REVISED MARCH 09, 2025

Matt Simms

[EXTERNAL]



12 ppl inside
40 ppl outside
Monday-Sunday 7-1pm
Friday Saturday 4-10
Subject may be changed depending on my family needs, emergency or situation
Yours truly

Thanks Amine! One thing I forgot to mention that the Board asked for – do you have the hours of operation and the maximum occupancy? You can just email this information back to me and I can share it with the Board.

Thank you!
Matt

Matt Simms
Zoning Administrator
ISA Certified Arborist SO-11183A
City of Isle of Palms

Correspondence to and from this address may be subject to public disclosure under the South Carolina Freedom of Information Act (FOIA).