

THE TOWN OF HILTON HEAD ISLAND
CONSTRUCTION BOARD OF ADJUSTMENTS & APPEALS
Regular Meeting

Jay R. Owen, Chairman
Neil Gordon, Vice Chairman
Robert Tanner
Joe Nix
Neil Gordon
Michael Lynes



Frank Guidobono
Gary M. Schmidt
Ling Graves
Robert Zinn
Chauncey Burtch
Randy May

AGENDA

Tuesday, February 24, 2015
at 5:30pm in
Conference Room 4

I. CALL TO ORDER

II. FREEDOM OF INFORMATION ACT COMPLIANCE

Public notification of this meeting has been published, posted and mailed in compliance with the Freedom of Information Act and the Town of Hilton Head Island requirements.

III. WIRELESS TELEPHONE USAGE

Please turn off all wireless devices so as not to interrupt the meeting.

IV. APPROVAL OF AGENDA

V. APPROVAL OF MINUTES

Approval of the CBAA minutes of January 27, 2015

VI. APPEARANCE BY CITIZENS ON ITEMS UNRELATED TO TODAY'S AGENDA

VII. UNFINISHED BUSINESS

VIII. NEW BUSINESS

(a) HEARING

A hearing for the owner at 18 Cardinal Road, Hilton Head Island, SC to show cause why a section of the front façade should not be demolished or otherwise made safe.

IX. ADJOURNMENT

Please note that a quorum of Town Council may result if four (4) or more Town Council members attend this meeting.

**THE TOWN OF HILTON HEAD ISLAND
CONSTRUCTION BOARD OF ADJUSTMENT & APPEALS MINUTES**

Date of Meeting: Tuesday, January 27, 2015

Members Present: Chauncey Burtch, Frank Guidobono, Ling Graves, Michael Lynes, Randy May, Jay Owen, Robert Zinn

Members Absent: Neil Gordon, Joe Nix, Gary Schmidt, Robert Tanner

Town Staff Present: Charles Cousins, Director Community Development; Jill Foster, *Deputy Director Community Development*; Brian Hulbert, *Staff Attorney*; Bob Klein, *Building Official*; Chris Yates, *Chief Building Inspector*; Susan Simmons, *Director of Finance*

I. Call to Order

Chairman Graves called the meeting to order at 5:30 p.m.

II. FOIA Compliance

Public notification of this meeting has been published, posted and mailed in compliance with the Freedom of Information Act and the Town of Hilton Head Island requirements.

III. Wireless Telephone Usage. Please turn off all wireless devices so as not to interrupt the meeting.

IV. Election of Chairman and Vice Chairman. Mr. Guidobono made a motion to nominate Mr. Jay Owen for the position of Chairman and Mr. Neil Gordon for the position of Vice Chairman. Mr. Zinn seconded the motion. The motion passed unanimously.

V. Approval of Agenda. Agenda approved as presented.

VI. Approval of Minutes. The minutes of July 22, 2015 were approved as presented.

VII. Appearance by Citizens on Items Unrelated to Today's Agenda. None

VIII. Unfinished Business.

IX. New Business.

- a) **Proposed 2015 CBAA Meeting Schedule.** Mr. Owen made a motion to approve the 2015 CBAA Meeting Schedule. Mr. Lynes seconded. The motion passed unanimously.

- b) **A hearing for the owner of the Metropolitan Hotel at 11 Lemoyne Avenue, Hilton Head Island, SC to show cause why the rear building should not be demolished or otherwise made safe.** Mr. Bob Klein stated that Town staff recommends that the CBAA concur with his determination that the structure known as Metropolitan (rear building) located at 11 Lemoyne Avenue, Hilton Head Island is an unsafe structure and that the structure needs to be demolished or otherwise made safe. Mr. Klein read the background information and presented photographs of this structure. In summary, the integrity of the Metropolitan (rear building) has been compromised and poses danger to the general public.
- a. The exterior guardrails show substantial signs of disrepair and have become a life safety issue.
 - b. The main entrance ceiling drywall has been compromised and has become a life safety issue.
 - c. There are concerns regarding the structural integrity of the roofing system and may become a life safety issue.
 - d. Electrical issues have been inspected and approved by the Town.

The new owners of the Metropolitan, Hari and Sam Johl, stated that work is underway to fix these issues using a very aggressive schedule. Contractors have torn down the sagging drywall roof at the entrance to annex; work has begun on a new roof on the annex; exterior guardrails will be replaced and complete by the end of next month. Mr. Johl asked the CBAA for 30 to 45 days to resolve the above safety issues.

There was discussion that Mr. Johl must first receive approval from the North Forest Beach ARB and that process may be time consuming.

Mr. Zinn made a motion requiring the owners (Johl) of the Metropolitan Hotel (rear building) at 11 Lemoyne Avenue, Hilton Head Island to apply to the North Forest Beach ARB within a week. Once Mr. Johl receives approval from the NFB ARB, he will have 45 days to complete all three life safety issues listed above to the Town's satisfaction. Mr. Lynes seconded the motion. The motion passed unanimously.

At 6:10 p.m. Chairman Owen recused himself for Appeal # 001953-2014. Mr. Ling continued the meeting.

- c) **Appeal # 001953-2014 Hearing for the owner Vince Bountempo owner of Tennismaster Unit 103/100 Shipyard Drive, Hilton Head Island, S.C.** The appeal states that since the attic fans have been installed, Units 103 and 104 have been made "less safe" as a fire could pass between units and be escalated by the addition of the fans. Mr. Buontempo is requesting either the fans be removed or the firewall between the two units be completed.

Based on inspections by Town staff, the Building Official determined that Mr. Buontempo is correct in stating that the addition of the power actuated vents could accelerate a fire between the two units due to the lack of a code compliant firewall between units 103 and 104.

Based on inspections conducted over the entire complex, it was discovered that some firewalls are either partially constructed or not constructed at all. It was determined that all firewalls in the 12 buildings must be completed.

Tennismaster will retain an engineer and work to resolve the firewalls.

Mr. Zinn made a motion to dismiss Appeal # 001953-2014 since the Building Official is in agreement with Mr. Vince Bountempo. Mr. Lynes seconded the motion. The motion passed unanimously.

X. Adjournment.

There being no further business, the meeting adjourned at 6:30 p.m.

Submitted by Eileen Wilson, Senior Administrative Assistant

Approved by: _____
Jay Owen, Chairman

TOWN OF HILTON HEAD ISLAND

Community Development Department

TO:	Construction Board of Adjustments and Appeals
FROM:	Bob Klein, Building Official
CC:	Jill Foster, Deputy Director of Community Development
CC:	Brian Hulbert, Staff Attorney
DATE	February 24, 2015
SUBJECT:	Front Façade/Canopy 18 Cardinal Road

Recommendation:

Town staff recommends that the Construction Board of Adjustments and Appeals (CBAA) concur with the Building Official's determination that a section of the facade (the front wood canopy roof) of the structure known as 18 Cardinal Road, Hilton Head Island, SC is unsafe and that section of the structure be demolished or otherwise made safe.

Background:

June 2013 - Permit issued to repair wood rotted soffit/facade on the front of the building located at 18 Cardinal Road. The permit was applied for by Sonny Langford, the owner/contractor (*Attachment 1*).

October 2014 - Determination was made by the Building Official that the façade of the structure is unsafe.

November 2014 - First notice of unsafe structure was sent on November 4, 2014 via certified mail (*Attachment 2*).

January 2015 - A request for an extension of 60 days was made in order to allow time to complete the repairs to make the structure safe (*Attachment 3*).

January 2015 - To date they have failed to start or complete the work to make the building façade safe or be demolished. A second notice of show cause hearing was sent on January 27, 2015 via certified mail (*Attachment 4*).

Summary:

The integrity of the building façade has been compromised and poses danger to the general public.

1. A section of the facade on the front of the building has rotted and termite infestation is evident. The facade could collapse at any time and should either be repaired or removed until such time replacement or repairs can be made to render it safe.
2. Wiring hanging from the electrical fixtures installed in the canopy needs to be repaired, replaced or disconnected before the facade is removed.

Attachment 1

ATTACHMENT 1

*Town of
Hilton Head Island
Beaufort County South Carolina*

PERMIT B1301615

510 8-291

Issued:	06/17/2013	Parcel ID:	R51000800002910009	Fee:	\$77.00	Value:	\$3,000.00
Address:	18 CARDINAL ROAD	Lot:		Subdivision:	UNKNOWN	Building #:	Unit# C & D
Permit Type:	Renovation Commercial	Occupancy:	Business	FL Zone/Min Finished Floor Elevation:			C

Description: UNITS C & D REPLACE ROTTED WOOD AND BEAMS, REPL. E SOFFIT PL. WOOD PATCH ST. 3-36

Heated Square Ft	0	Unheated Square Ft	0	Total Square Feet	0	Number of Units	0
Number of Stories	0	Type of Exterior		Type of Construction	RCOM	Number of Fireplaces	0
Number of Bedrooms	0	Type Roofing		Type Sewage		Fire Alarm System	
Number of Bathrooms	0	Type of Heating/Air		Septic Tank #		Sprinklered	
Total Residential Rooms	0	Type of Fuel		Number of Elevators	0	Square Feet of Pool	0

Owner:	LARRY OGD ERVIN	PO BOX 8137 HILTON HEAD ISLAND SC			29928 9127
Contractor:	OWNER CONTRACTOR		18 CARDINAL ROAD	HILTON HEAD ISLAND, SC	29928
Applicant:	WALK PIRANDELLI		1888 MAIN STREET	HILTON HEAD ISLAND, SC	29928
Architect:	GROUP 3 ARCHITECTURE INTERIORS PLANNING				
Engineer:					
Business:					

I acknowledge the following: All work must comply with Town of Hilton Head Island adopted codes.

Print Name: _____ Signature: _____ Date: _____
Owner or Authorized Agent of Owner

No actions to recover damages based upon or arising out of the defective or unsafe condition of an improvement to real property may be brought more than eight years after substantial completion of the improvement. An owner has a right to extend this period by entering into a contractual agreement for extended liability under Section 15-3-640 of the South Carolina state code.

Attachment 2

TOWN OF HILTON HEAD ISLAND

One Town Center Court, Hilton Head Island, S.C. 29928

(843) 341-4600 Fax (843) 842-7728

www.hiltonheadislandsc.gov

Drew A. Laughlin
Mayor

William D. Harkins
Mayor ProTem

Council Members

Wm. Lee Edwards
Marc A. Grant
Kimberly W. Likins
John J. McCann
George W. Williams, Jr.

Stephen G. Riley
Town Manager

Mr. Ervin Langford
P.O. Box 5127
Hilton Head Island, SC 29938-5127

November 4, 2014

RE: Building/Structure located at Tax District
R510-008-000-291A-0000

Street Address: 18 Cardinal Road
Hilton Head Island, South Carolina

Dear Ervin:

Beaufort County tax records indicate that you are the current owner of the above referenced building. Pursuant to Section 116 of the International Building Code, 2012 Edition, this letter shall serve as Official Notice that the above listed structure is declared unsafe.

An Official Notice identifying the structure as unsafe is posted on the building. The Town became concerned about the safeness of this structure during a site visit conducted by Town inspectors on October 27, 2014. The site visit revealed the following unsafe conditions:

1. The wood canopy roof on the front of the building is in a rotted and termite damaged condition. The canopy could collapse at any time. The canopy needs to be repaired or removed until such time replacement or repairs can be made to render it safe.
2. Loose wiring hanging from the electrical fixtures installed in the canopy needs to be repaired, replaced or disconnected before the canopy is removed.

This letter shall serve as Official Notice that you have been notified and are now required to commence alterations, repairs, improvements, demolition or removal of the structure within sixty (60) days of the date of this notice, on or before January 4, 2015. A permit from the Town's Community Development Department must be obtained prior to beginning any repairs, demolition, or removal of the building. The work on this structure must be completed within sixty (60) days of obtaining the permit.

Attached are pictures and other pertinent information related to this structure including an attachment of Section 116 of the International Building Code, 2012 edition. Please contact me or Chris Yates at (843) 341-4675 if you have any questions or if you wish to discuss the issues included in this notice.

Sincerely,



Robert Klein

Building Official

843-341-4664 office

Copy to: Jill Foster, Deputy Director of Community Services
Brian E. Hulbert, Esquire
Nancy Heath, Town Applications/Records Manager
Chris Yates, Chief Building Inspector

Attachment 3

Attn: Nancy Reed 1/12/15

January 7, 2015

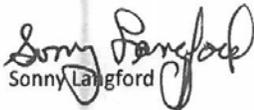
TO:

TOWN OF HILTON HEAD ISLAND
COMMUNITY DEVELOPMENT DEPARTMENT

RE: B1301615 – 18 CARDINAL ROAD

PLEASE EXTEND PERMIT #B1301615 FOR 90 DAYS. THE WORK ON THIS PERMIT WILL BEGIN JANUARY 8, 2015 AND SHOULD BE COMPLETED BY FEBRUARY 28, 2015. RAUL PIERANDREI WILL BE PERFORMING THE WORK.

Thank you,


Sonny Langford

Attachment 4

TOWN OF HILTON HEAD ISLAND

One Town Center Court, Hilton Head Island, S.C. 29928

(843) 341-4600 Fax (843) 842-7728

www.hiltonheadislandsc.gov

David Bennett
Mayor

January 16, 2015

William D. Harkins
Mayor Pro Tem

Mr. Ervin Langford
P.O. Box 5127
Hilton Head Island, SC 29938-5127

Council Members

Wm. Lee Edwards
Marc A. Grant
Thomas W. Lennox
Kim W. Likins
John J. McCann

**RE: Building/Structure located at Tax District
R510-008-000-291A-0000**

Street Address: 18 Cardinal Road
Hilton Head Island, South Carolina

Dear Mr. Langford:

Stephen G. Riley
Town Manager

On November 4, 2014 the Town provided you Official Notice, by way of written correspondence delivered by certified mail, that the building or structure located at the above address has been declared unsafe and was therefore declared to be a public nuisance. Permit B1301615 was pulled to replace rotted wood, beams, soffit plywood and to patch the stucco on the front canopy. The permitted work was never started and the permit has subsequently expired. Temporary shoring has been done, however the extent of the shoring does not make the entry safe to the occupants or the general public. Beaufort County tax records indicate that you are the current owner of the above referenced building.

In the official notice, I requested that you commence alterations, repairs, improvements, demolition or removal of the building or structure within 60 days of that Official Notice. I detailed specific items which required action to make the structure safe. The 60 day time period ended on January 4, 2015. The property was re-inspected by the Town on January 6, 2015. It was observed that none of the issues were addressed in the November 4, 2014 Official Notice have been addressed in the time frame given. In addition no action plan to commence alterations, repairs, improvements, demolition or removal of the building or structure, or otherwise abate the public nuisance has been submitted.

This letter shall serve as an **Official Notice that a hearing with the Construction Board of adjustments and Appeals will be held on, February 24, 2015 at 5:30pm** in Benjamin Racussin Council Chambers, One Town Center Court, Hilton Head Island, South Carolina. This hearing is to provide you, as the owner, the opportunity to show cause as to why the building or structure should not be demolished or otherwise made safe. You are invited to attend and may appear at the hearing in person or through an attorney or other designated representative.

In accordance with section 9-8-100 of the Municipal Code of the Town of Hilton Head Island, you may submit a response to the determination by the Building Official that the building is unsafe and that it must be made safe or demolished. Any answer should be submitted on or before February 10, 2015 in order to ensure it is included with the Agenda package I shall submit to the board. This will not prohibit your providing additional matters or materials to the board at the hearing, if you so desire.

If you have any questions concerning this Official Notice, please contact me at 843-341-4664.

Sincerely,


Robert Klein
Building Official

Copy to: Jill Foster, Deputy Director of Community Services
Brian E. Hulbert, Esquire
Nancy Heath, Town Applications/Records Manager
Chris Yates, Chief Building Inspector







