

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

Jay R. Owen, Chairman
Neil Gordon, Vice Chairman
Ling Graves
Frank Guidobono
Robert Tanner
Joe Nix



Michael Lynes
Gary M. Schmidt
Robert Zinn
Chauncey Burtch
Randy May

AGENDA
Tuesday, August 25, 2015
at 5:30pm in
Benjamin M. Racusin Council Chambers

- 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 February 24, 2015
- VI. APPEARANCE BY CITIZENS ON ITEMS UNRELATED TO TODAY'S AGENDA**
- VII. UNFINISHED BUSINESS**
- VIII. NEW BUSINESS**

APPEAL

APL #: 001383-2015

Forest Beach Owners Association President Jack Daly and Xanadu unit property owners Mr. Henry Sanders and Mr. Thomas Weatherhead are appealing what they interpret is the Building Official Bob Klein's "approving Xanadu unit-splitting and separate renting of mother-in-law (lockout) suites in multi-bedroom condominium units".

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, February 24, 2015

Members Present: Neil Gordon, Joe Nix, Randy May, Jay Owen, Robert Tanner, Robert Zinn

Members Absent: Chauncey Burtch, Frank Guidobono, Ling Graves, Michael Lynes, Gary Schmidt,

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

I. Call to Order

Chairman Owens 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. Approval of Agenda. Mr. Zinn made a motion to approve the agenda as presented. Mr. Nix seconded. The motion passed unanimously.

V. Approval of Minutes. Mr. Zinn made a motion to approve the minutes of January 27, 2015 as presented. Mr. May seconded. The motion passed unanimously.

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

VII. Unfinished Business. None

VIII. New Business.

- a) **Hearing:** A hearing for the owner of 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.

Mr. Bob Klein presented photographs and gave a brief presentation to support his determination that the integrity of the building façade has been compromised and poses a danger to the general public. A notice was mailed to the owner, Mr. Ervin Langford on November 4, 2014 stating that a site visit revealed the following unsafe conditions:

- 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.

- Loose wiring hanging from the electrical fixtures installed in the canopy needs to be repaired, replaced or disconnected before the canopy is removed.

Mr. Tanner made a motion to support the Building Official's determination that a section of the façade (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 by April 7, 2015. Mr. Gordon seconded. The motion passed unanimously.

IX. Adjournment.

There being no further business, the meeting adjourned at 6:00 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
DATE: August 25, 2015
SUBJECT: APL #: 001383-2015

Appeal:

Forest Beach Owners Association President Jack Daly and Xanadu unit property owners Mr. Henry Sanders and Mr. Thomas Weatherhead are appealing what they interpret is the Building Official Bob Klein's "approving Xanadu unit-splitting and separate renting of mother-in-law (lockout) suites in multi-bedroom condominium units" (see Attachment 1). This appeal is based on a letter dated June 18, 2015 from myself, Building Official (BO) Bob Klein, which addressed issues raised by them in the past several months (see Attachment 2).

Background:

Mr. Henry Sanders submitted four complaints to the Town on May 28, 2015 (Attachments 3 & 4). Three complaints involving units #C-10, B-8, and D-20 were alleged to be separate dwelling units which would make them in violation of Town codes. These allegations were found to be unsubstantiated. The fourth complaint (unit #C-8) involved possible electrical work being completed without a building permit. Upon inspection, the complaint was verified and is currently being addressed by the Town.

Facts:

1. The complaints of Mr. Weatherhead and Mr. Sanders were fully investigated by the Building Division inspectors and the Building Official.
2. The Building Official is the 'Authority Having Jurisdiction' (AHJ) as referred to in the Electric Code.
3. The Town does not regulate short term or long term rentals of residential housing.
4. The Building Official has never made a determination related to approving/disapproving unit splitting and separate rental of lockout units, as alleged in appellants' documentation.
5. The Building Official determined that the lockout units (#C-10, B-8, and D-20) are not separate dwelling units as defined by the building and electric codes.
6. To be considered a separate dwelling unit, it must have five elements per the Codes: eating, living, sleeping, sanitation and permanent provisions for cooking.
7. None of the lockout units have what would be considered permanent provisions for cooking, and therefore are not considered separate dwelling units.
8. Xanadu condominiums were permitted, inspected and approved by Beaufort County in 1978 as a single unit in conformance with the building and electrical codes in effect at the time (see Attachment 5).
9. The electric panels are required to be readily accessible to occupants of the unit.

10. The electric panels in the three dwelling units that were investigated did not have any obstacles prohibiting ready access to the panels.
11. Unit #C-8 did not receive an electrical permit for work performed.

Opinions:

1. The lockout units investigated #C-10, B-8, and D-20 are not considered separate dwelling units under the building or electrical codes and therefore are not in violation of the building or electric codes.
2. The lockout units are part of the single unit and therefore considered to have ready access to the electric panels as long as the panels do not have prohibited obstacles in front of the boxes.

Recommendations:

That the Building Official's interpretation of building and electric codes be upheld.

The record as attached consists of the following attached documents:

- 1) Appeal Application
- 2) Letter from the Town dated June 18, 2015 determining the definition of a dwelling unit.
- 3) Three complaints dated May 28, 2015 from Mr. Sanders regarding lock out unit separation.
- 4) One complaint dated May 28, 2015 from Mr. Sanders regarding an arc fault interrupter installation.
- 5) "Exhibit B"--Typical floor plan for Xanadu from their Master Deed.

TOWN OF HILTON HEAD ISLAND
Community Development Department
1 Town Center Court
Hilton Head Island, SC 29928
843-341-4757

CONSTRUCTION BOARD OF
ADJUSTMENTS AND APPEALS

APPLICATION FOR REQUEST FOR
VARIANCES or APPEALS

Fee: \$75.00 (Make check payable to the Town of Hilton Head Island)

Meeting Date: _____

Building Permit Number: N.A.

Street Address of Property: 34 S. Forest Beach Dr., HHI 29928 (Xanadu)

Owner Name: Forest Beach Owners Association

Owner Address: P.O. Box 6442, HHI 29938-6442

Owner Phone Number: (843) 785-5565 / Henry Sanders 341-6911

Owner Representative: Jack Daly, President / Thomas Weatherhead 715-9744

Representative Address: (see above)

Representative Phone Number: (see above) Email: FBAssh@aol.com

Description of Request: *(Attach description if necessary)* CODE SECTION: _____

Appeal from Robert Klein's decision of June 18, 2015,
approving Xanadu unit-splitting and separate renting
of mother-in-law (lockout) suites in multi-bedroom
condominium units.

APPEAL NARRATIVE REGARDING JUNE 18, 2015, BUILDING OFFICIAL'S DECISION WHICH
APPROVED XANADU LOCKOUT SUITE SEPARATE RENTING

ISSUES

In multi-bedroom condominium units having a one bedroom/one bath "lockout" suite with a separate entrance and an interior door which can be locked by the owner to deny access from the lockout suite to the rest of the unit, does the lockout suite itself have to comply with all building and electrical codes when it is physically separated and rented separately long-term?

For purposes of the National Electrical Code (Section 240.24; 1978), does the locked interior door of the "lockout" suite above give "ready access" to the circuit breaker panel in the main unit when the panel is located on the other side of the locked door and the lockout's long-term tenant has no key?

FACTS

On June 18, 2015, Robert Klein, Chief Building Official and "Authority Having Jurisdiction" (AHJ) for the Town of Hilton Head Island, rendered a decision in response to various citizen complaints which alleged illegal renting of "lockout" or mother-in-law suites in certain three bedroom condominium units at Xanadu Villas, 34 S. Forest Beach Drive on Hilton Head. Specifically, the complaints stated that the lockout suites lacked ready access to the circuit breaker panel located in the main unit as required by the National Electric Code (NEC) because the lockout's interior door was locked by the owner and the lockout occupant, a long-term tenant, had no key to unlock the door. The complaints further alleged that two of the lockout units were advertised for sale as having separate "kitchenettes" in apparent violation of the Land Management Ordinance (LMO) and its limits on unit density per acre.

Although Mr. Klein submitted the complaints' issues in somewhat editorialized fashion to the National Fire Protection Association (NFPA) for resolution, the NFPA kicked the issue right back to him, stating that he first had to determine whether or not the third bedroom (lockout) area constitutes a separate dwelling unit. If so, it had to comply separately with all applicable codes; if not, it was considered merely part of the main unit and OK if the main unit was in overall compliance. Mr. Klein, consulting with other Town officials, determined that the answer depended upon whether the lockout suite constituted a "dwelling unit" as defined in the 2011 NEC (Article 100), the 2011 International Building Code (p. 26), and the 2012 International Residential Code (IRC Sections R304 and R306), without regard to the actual configuration or current use of the lockouts (see Attachments to his letter containing the actual Code sections).

Finding that none of the lockout suites qualified as a "dwelling unit" pursuant to the quoted Code requirements, he concluded that the main units had not been officially "split". Hence, the lockout suites were somehow held to be in compliance even if their interior doors had been locked, with the lockout tenant having no key and no way to unlock the door and access the breaker panel. No consideration was given as to the actual facts—whether the lockouts were physically

separated from the main unit and separately rented (they were); and whether long-term tenants were actually living in them (they are). Nor does it appear that the lockout suites were ever actually inspected.

DISCUSSION

People can never find the right answer if they do not ask the right question.

Here, the only question truly at issue is whether the lockout suites have in fact been physically separated and separately rented, with the lockout tenant barred from the main unit (and thus also barred from reaching the circuit breaker panel in the main unit). If—as is the case with these lockouts—the “facts on the ground” show that the units have indeed been separated and separately rented as separate dwelling areas, the only remaining issue for the Town is whether they comply with applicable Codes and related law.

If they do not—and Mr. Klein’s detailed analysis (June 18 letter, p. 2) clearly shows that they do not come close—they are simply not fit for human habitation, would not qualify for a Certificate of Occupancy, and cannot be legally and safely rented in their current configuration. How could they be when they lack a 50 square foot (minimum) dedicated kitchen with permanent built-in cooking facilities (including 220 volt stove power and proper breaker protection), plus a sink and separate breaker panel with properly sized conductors and outlets? Nor could they conceivably comply with NEC Section 240.24, which requires that overcurrent breaker devices be “accessible” (not guarded by locked doors, etc.); and “readily accessible” to the occupant (capable of being reached quickly for operation, renewal or inspections . . .). Breaking down a locked door is not a “quick” process, and the damage to the door could even be chargeable to the lockout tenant as malicious injury to property. Ironically, even if the lockout suites did in fact meet all these Code requirements, they would then violate the LMO and its limits on unit density per acre (Ex. A, letter from Teri Lewis 9-29-14).

Mr. Klein’s analysis puts the cart before the horse when he first consults codes to determine if the lockout suites “qualify” as “dwelling units” rather than inspecting them to see if they are actually being dwelled in, and are—or are not—actually safe and legal. There is no point in having health, safety and zoning codes—or building inspectors—at all if the inspectors do not investigate potentially dangerous or illegal uses and eliminate them rather than passing the buck and ducking their responsibilities. After all, if a lockout suite lacks any form of kitchen but has nevertheless been physically split and rented separately, the occupant will be reduced to using hotplates, toaster ovens, microwaves, etc., which are even more dangerous than an improvised kitchenette when plugged into typical light-duty bedroom outlets and breakers—surely something which should be outlawed.

Moreover, as so often happens, the past is instructive when dealing with present or future issues.

The concerns voiced in the subject complaints are not merely theoretical or academic. On October 3, 2007, a fire broke out in the lockout suite of Unit D-20 at Xanadu Villas (Ex. B). Its

origin was electrical, and the fire and smoke damage to the regime exceeded \$8000. Later, in another Xanadu unit, B-8, the lockout suite was actually walled off from the main unit, with a kitchenette so badly wired that Town inspectors immediately ordered it removed. Then, earlier this year at Ocean Walk Villas, Town inspectors responded to a complaint by a lockout tenant whose circuit breakers kept tripping and depriving her of power because the breaker panel was located in the main unit and inaccessible to her. A second Ocean Walk lockout tenant experienced shorts and sparks emanating from her wall outlet but was unable to turn off the breaker, as it was locked away from her in the main unit. Clearly, the splitting off and separate renting of lockout suites carries actual, practical dangers; and the Town's refusal to effectively deal with them is reckless and inexcusable.

Also, the proliferation of separated lockout suites due to Town permissiveness has brought related problems of financial viability for condominium regimes and increased crime. After warnings about lockouts from its previous insurance broker in November 2014 (Ex. C), Xanadu's subsequent insurance broker gave it a 30-day notice of cancellation specifically because of the fire hazards of lockout renting (Ex. D). After several extensions the regime was finally able to secure replacement coverage with another carrier.

Ocean Walk's insurance broker has warned its Board several times about the insurability of separately rented lockouts (Ex. E), with its coverage now being threatened again. The regime is also faced with significant extra costs for security to deal with lockout-related crime due to the secretive anonymity of renting these units without separate, traceable utility accounts; a situation Sheriff's Office deputies have warned against. The attached letter from Ocean Walk's Board to Mayor Bennett (Ex. F) could not be clearer about the hazards of lockout suite separation and separate renting; truly a cry of help to the Town.

Finally, the Town's current Code enforcement policy on lockout suites is a recent and total reversal of previous rulings which the officials responsible refuse to explain or justify. As long ago as October 12, 2007, Development Director Charles Cousins stated that unit splitting and separate renting at Ocean Walk violated the LMO because it increased unit density per acre beyond what was originally permitted when the complex was built (Ex. G). Similarly, Mr. Klein himself on March 28, 2013, stated in an email relating to Ocean Walk that:

. . . where the B (lockout) unit is being rented separate from the A (main) unit which contains the panel, therefore is not considered "readily accessible" to the B unit. Noting the electrical panel being located in the A unit, and the door separating the A unit from the B unit by a keyed lock on both sides of the door, makes the electrical panel for the B unit not "readily accessible" to the A unit by definition in the NEC (Ex. H).

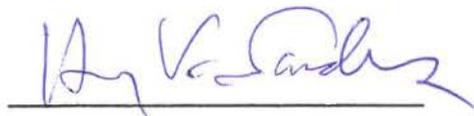
Not surprisingly, Mr. Klein concluded that this situation ". . . is a direct violation of the Electrical Code."

Clearly, the sudden reversal of Mr. Klein's previous, very sensible, finding--that a lockout suite's locked inside door violates the NEC--is inexplicable and inexcusable; and carries with it an unmistakable odor of political interference with Code enforcement professionals. Since the quoted Codes are 2011 and 2012 editions, it does not appear that textual changes, if any, can possibly justify the Town's recent reinterpretation of Code applicability to the separated lockout suites which are the subject of this appeal. Indeed, no justification for the policy reversal has ever been given--nor can there be any. It should now be beyond question that Mr. Klein and Mr. Cousins were right the first time about the illegality of structurally separating and separately renting the lockout suites, and the Town's policy on them should revert to what it used to be.

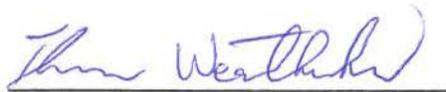
Nor does Mr. Klein's conclusion (letter, p.3) that the "Xanadu apartments in question" were permitted and approved by Beaufort County in 1978 as single units support his opinion. The problem is not how the units were originally permitted; it arose with the owners' subsequent structural alteration of them to split off the lockout suites and rent them separately without obtaining new permits for the new use (if that would even be possible under LMO density rules). The original permitting of the units as single entities, with no mention of physically splitting and separately renting the lockouts, actually supports the view that they were never intended to be split and treated separately, as they have been here.

CONCLUSION

For all the reasons stated above, the opinion of AHJ Robert Klein in his letter of June 18, 2015, finding no Code violations in the physical separation and separate renting of the Xanadu lockout suites at issue should be reversed, with directions to reinstate the Town's previous Code interpretations which prohibited them. Only "thumb-latch" door hardware should be allowed on the interior doors of condominium units having lockout suites, with the exception of deadbolt locks for owners' storage closets. The alternative to proper lockout regulation is more fires, more electrical malfunctions, more regime insurance cancellations and budget stress, and the gradual deterioration of more and more Hilton Head condominium complexes into miniature crime-infested ghettos.



Henry Sanders
34 S. Forest Beach Dr. #C-10
Hilton Head SC 29928
(843) 341-6911



Thomas Weatherhead
34 S. Forest Beach Dr. #A-17
Hilton Head SC 29928
(843) 715-9748



Jack Daly/Forest Beach Owners Association/ P.O. Box 6442, Hilton Head SC 29938/ 843-785-5565

Ex. A

TOWN OF HILTON HEAD ISLAND

One Town Center Court, Hilton Head Island, SC 29928

(843) 341-4600 Fax (843) 842-7228

September 29, 2014

Mr. Tom Weatherhead
Xanadu Villas

Mr. Weatherhead-

As we discussed earlier this week, the Xanadu development located at 34 South Forest Beach Drive (and further identified as parcel 229 on Beaufort County Tax Map #18) is currently non-conforming to the density regulations. The Xanadu development sits on approximately 3.36 acres - with 72 existing units, this property is built at 21 units/acre. The current allowable density is 8 dwelling units per acre. The Town's Land Management Ordinance (LMO) has been rewritten and is the process of being adopted. The density in the zoning district where Xanadu is located will be increased as a result of the LMO changes; however the new density will be 16 dwelling units per acre which means that Xanadu will still be nonconforming for density.

As a property with nonconforming density, nothing can be undertaken the effect of which will be to increase the density of the property. An example of this increase would be to take a 'lock-out' unit and make it a separate unit. A dwelling unit is defined in the LMO as a building or a portion of a building providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation. If any of your owners were to take one of the bedrooms and convert it to a standalone unit (which means it has all of the provisions listed in the previous sentence and is not accessed through an existing unit) they would be in violation of the LMO.

I hope this provides the information that you were seeking. Please contact me if you have any other questions regarding this matter.

Please contact me at (843) 341-4698 or teril@hiltonheadislandsc.gov if you have further questions.

Sincerely,



Teri B. Lewis
LMO Official

Ex. B

Hilton Head Island Fire Rescue
40 SUMMIT DRIVE
Hilton Head Island, SC 29926
843-682-5100
mail.hiltonheadislandsc.gov
Printed: 03/04/2015 12:20:38
Number of Pages: 9

Incident Report
2007-0704862 -000

Person Involved - Hubbard, Andrew	
Street Address	34 S FOREST BEACH DR
Apartment	D21
City, State Zip	Hilton Head Island, SC 29928
Phone	8435148017

Fire	
Structure Type	1 - Enclosed building
Number of Residential	1
Number of Buildings Involved	1
Area of Origin	24 - Cooking area, kitchen
Heat Source	13 - Arcing
Item First Ignited	15 - Interior wall covering excluding drapes, etc.
Type of Material	60 - Wood or paper, processed, other
Cause of Ignition	3 - Failure of equipment or heat source
Contribution To Ignition 1	12 - Heat source too close to combustibles.
Human Factors	None

Structure	
Status	2 - In normal use
Floor of Origin	5
Stories Above Grade	5
Building Length	10
Building Width	15
Total Square Feet	150
Fire Spread	2 - Confined to room of origin
No Flame Spread	1
Detector Presence	1
Detector Type	0 - Detector type, other
Detector Power	2 - Hardwire only
Detector Operation	2 - Detector operated
Detector Effectiveness	1 - Alerted occupants, occupants responded
AES Presence	3

Apparatus - E1	
Apparatus ID	E1
Response Time	0:05:41
Apparatus Dispatch Date and Time	01:35:25 Wednesday, October 3, 2007
En route to scene date and time	01:38:26 Wednesday, October 3, 2007
Apparatus Arrival Date and Time	01:41:06 Wednesday, October 3, 2007
Apparatus Clear Date and Time	03:40:58 Wednesday, October 3, 2007
Apparatus priority response	Yes
Number of People	4
Apparatus Use	1
Apparatus Action Taken 1	86 - Investigate
Apparatus Action Taken 2	12 - Salvage & overhaul
Apparatus Action Taken 3	51 - Ventilate
Apparatus Type	11 - Engine
Personnel 1	321 - Britton, David



COASTAL PLAINS
INSURANCE

Ex. C

November 3, 2014

Xanadu Horizontal Property Regime
34 S. Forest Beach
Hilton Head Island, SC 29928

Attn: Board of Directors

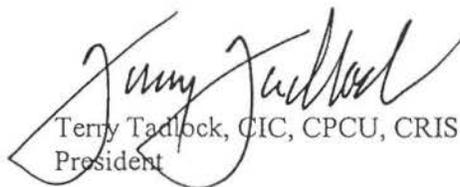
It has come to our attention that there may be units within your association that are modified certain units in a way that may affect your insurance program. If we are made aware that exposure risk has increased, we are contractually required to notify the insurance company. The company will then have opportunity to evaluate the exposure and either increase the existing rate or choose to cancel or non-renew the policy.

Also, if in fact units are utilizing hot plates, refrigerators and/or any other equipment that is not designed to be used and taking into consideration electrical capacity, access to electrical panels, etc., we will need to be advised of such.

Should there be any further questions or concerns, do not hesitate to contact us.

As always, we thank you for the opportunity to handle your insurance needs.

Sincerely,


Terry Tadlock, CIC, CPCU, CRIS
President



Ex. D

BB&T

Insurance Services
Global Resources — Client Focused

March 3, 2015

BB&T Carswell Insurance Services

1 Park Lane, Central Park (29928)
P. O. Box 5159
Hilton Head Island, SC 29938
(843) 785-5191
Fax (866) 925-7118

Xanadu HPR
c/o IMC Resort Services Inc.
2 Corpus Christi Pl, Ste. 302
Hilton Head Island, SC 29928

Attn: Board of Directors:

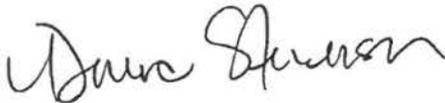
The property insurance broker has been notified of existing fire code violations as a result of modified units within Xanadu HPR. As a result of these violations, the property broker has issued a Notice of Cancellation since the violations of the fire code were not known when marketing the account. Had the violations been known at the time of the marketing process, the broker would not have written the insurance program.

The cancellation goes in to effect March 30, 2015 but it may be rescinded if the violations are corrected before the above date. Please provide any information regarding the corrections and updates. We will provide this information to the current broker, AmRisc and we will use the information in marketing your account for another property policy if needed. The fire code violations will not be looked upon favorably by the brokers and will negatively affect the overall premium and coverage availability. Along with an increased premium, carriers may impose a higher than average deductible for fire or exclude any damages resulting from the modified units.

Please let us know if you have any questions.

Thank you.

Sincerely,



L Denise Stevenson, AAI
Commercial Account Manager

EX. E

alabamabell tds.net< alabamabell@tds.net>

(no subject)

2 messages

alabamabell tds.net< alabamabell@tds.net>
 To: kdontigney@bbmarietta.com

Thu, Feb 7, 2013 at 9:57 AM

Dear Kristen,

I spoke with you earlier this week about what position your company would take upon learning of some State Electrical Code violations on a condominium complex you insured. The Town of Hilton Head is sending letters out informing all owners of this life safety violation. Each unit consists of an A and B side, commonly referred to as lockout units. There is a door between the A and the B. The electrical panel that services both the A and B side is located in the A side. Owners, against town and state safety regulations have locked the door between the A and B units and are renting each unit separately. If there is an electrical emergency in the B side, the occupant would be unable to access the electrical panel on the other side of the door. How would your insurance company address such an issue? Thanks for your time.

Bruce Bartow
 Board President
 Alabamabelle

Kristin Dontigney< kdontigney@bbmarietta.com>
 To: "alabamabell tds.net" <alabamabell@tds.net>

Thu, Feb 7, 2013 at 10:11 AM

For new business, we would probably decline to write coverage. One of the underwriting questions on a new application is are there any uncorrected fire or safety violations. If it was something we were already insuring, we would be obligated to notify the carrier if we were notified by the board or a unit owner. It would then be up to the insurance company as to what action they would take. They could inspect the property and make conditional recommendations. Or they could set the policy up for non-renewal or even mid-term cancellation depending on how severe they consider the problem to be. Conditional recommendations are typically mandatory corrective actions. They allow for time to make the corrections but if it is not done during the time frame allotted, they can then cancel the policy mid-term for conditions not meeting underwriting standards. There may be insurance companies out there that would be willing to write the coverage. But it would come at a price. And they may put conditions in the policy to exclude damage from electrical fires or something along those lines.

We have a policy for an apartment complex in FL that has aluminum wiring. Their policy excludes electrical fires.

I hope this helps.

Kristin Dontigney
 Brown & Brown, Inc. (NYSE:BRO)

Ex. F

To The Honorable Mayor David Bennett:

This letter is an urgent plea for your support in assisting Ocean Walk's Board of Directors in stopping the illegal splitting of OW's B and C units and renting them as discrete living units. It has already been determined by multiple entities that this practice creates a serious life-safety concern. Due to the limited authority granted to OW's board, we are unable to stop the renting of B and C units as independent living units.

We are in imminent danger of losing our insurance coverage due to the violations that arise out of Ocean Walk's practice of permitting units to be split between A and B and C.

We have found it necessary to substantially increase the security we currently have in force because of the fringe element that is attracted to Ocean Walk's low rents, especially the B and C units. This fringe element blatantly ignores approved policies, rules and regulations, such as:

- Drug sales and use on the OW premises;
- Rampant alcohol abuse;
- Attraction of know felons to the property;
- Prostitution;
- Perpetual disturbances of the peace;
- Destruction of Ocean Walk property;
- Smoking any place that suits one's desire, regardless of approved rules, and
- Loitering...and such disregard as urinating in the hallways and elevators

Because of the type of tenants that are attracted to the low-income rentals that OW offers, (because the apartment owners are knowingly renting their units contrary to the mandates of the National Electric Code) there is little hope of avoiding yet another significant assessment in the future that will finance the needed security (policing) that will help ensure the safety of the community as a whole.

The town has unequivocally determined that splitting of the A and B units is contrary to a number of codes already on the books, e.g. National Electric Code blatant violations, density, parking, etc.

The Ocean Walk Board of Directors strongly urges that the Town of Hilton will use its resources to correct this serious safety issue. With 40 or so tenants without access to their electrical panel, a potential catastrophe is just festering in the wings.

Sincerely,
OCEAN WALK BOARD OF DIRECTORS

Joe Stayanchi, President
Lynda Ward

Wayne Johnson
Jim Littlefield

MET-16481

October 12, 2007

Mr. Jeb Lesch

RE: Oceanwalk Villas-Staff Determination on Lock-Outs

Dear Mr. Lesch:

Following our conversation, staff investigated your question as to whether any lock-out-units can be converted to full units Oceanwalk. Our information indicates that 79 units were built. We did not find any information concerning the number of lock out units that were permitted in addition to this but believe you are correct when you state there are 79. Oceanwalk sits on 2.3 acres in the CFB (Central Forest Beach) zoning district which allows 8 units per acre (as set forth in LMO 16-4-1501). This means that Oceanwalk is allowed 18.4 units over the entire site. It currently has 34.3 units per acre, making it over the allotted density and non-conforming to density.

Since this development is non-conforming to the density regulation of the Town, no actions can occur that would increase this density. This would include converting a lock out unit to a full unit that can be rented out long term or owned separately from the owner of the attached unit. Additionally, there may be other issues based on the Town's Land Management Ordinance, such as parking, that would also prohibit such actions. Also as I believe you are aware there could be Building code issues with such actions and have discussed these building code issues with the appropriate staff in Town's Building and Fire codes Department.



Ex. H



alabamabell tds.net <alabamabell@tds.net>

OCEANWALK HELP REQUEST

Thu, Mar 28, 2013 at 11:01 AM

Klein Bob <bobk@hiltonheadislandsc.gov>
To: "alabamabell tds.net" <alabamabell@tds.net>
Cc: Fister Johaida <JohaidaF@hiltonheadislandsc.gov>, Yates Chris <chrisy@hiltonheadislandsc.gov>, Hulbert Brian <brianh@hiltonheadislandsc.gov>, Klein Bob <bobk@hiltonheadislandsc.gov>

Bruce,

I am responding to your email; consider this an official interpretation and response to your question. You are correct in your analogy; regarding the electrical panel not being "readily accessible"; based on the scenario at Oceanwalk which was constructed in 1983 through Beaufort County. In accordance with the 1981 NEC (National Electric Code) section 240.24 (b) which states "each occupant shall have ready access to all overcurrent devices protecting the conductors supplying that occupancy" directly relates to the situation at Oceanwalk.

The key verbiage in this section relating to Oceanwalk is where the B unit is being rented separate from the A unit which contains the panel, therefore is not considered "readily accessible" to the B unit. Noting the electrical panel being located in the A unit, and the door separating the A unit from the B unit, buy a keyed lock on both sides of the door; makes the electrical panel for the B unit not "readily accessible" to the A unit by definition in the NEC.

In my analysis in this interpretation is the B units do not have access to their overcurrent devices, located in the panel of the A unit and is a direct violation of the Electrical Code. This should be resolved within the Oceanwalk Homeowners Association, taking heed of this situation and resolve it within.

Respectfully,

Bob

 <p>Robert Klein CBO Town of Hilton Head Island Chief Building Official</p> <p>(843) 341-4664 Work (843) 226-0053 Mobile bobk@hiltonheadislandsc.gov One Town Center Court Hilton Head Island, SC 29928</p>

From: alabamabell tds.net [mailto:alabamabell@tds.net]
Sent: March 28, 2013 7:47 AM
To: Klein Bob
Subject: OCEANWALK HELP REQUEST

[Quoted text hidden]

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

William D. Harkins
Mayor ProTem

Council Members

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John J. McCann

Stephen G. Riley
Town Manager

June 18, 2015
Henry Sanders, Unit C-10
Tom Weatherhead, Unit A-17
Xanadu
34 South Forest Beach Drive
Hilton Head Island, SC 29928

Dear Henry and Tom:

This is in response to several concerns raised by you in the past few months, including the most recent on May 28, 2015.

- Concerns regarding accessibility to the circuit panel by occupants of the third bedroom area which serves as a lock out unit when there is a locked door between main unit and the third bedroom area, and the occupant of the lock out unit has no key.
- Concerns regarding possible density violations with suspected additions of appliances for cooking/food preparation in the third bedroom rental areas.
- Concern with an arc fault interrupter that was installed by a resident in a third bedroom area.

Town Staff has conducted further historical code research and has also contacted the National Fire Protection Association (NFPA) for their formal interpretation of the National Electrical Code (NEC) on some of these concerns. The NFPA is the authority to issue an interpretation for that particular code. (See Attachment 1-- Formal Interpretation Request Form and Attachment 2—NFPA Technical Questions Response). Please note that the NFPA term “AHJ” stands for Authority Having Jurisdiction. As the Building Official, I serve in this capacity.

In their response, the NFPA gives two scenarios, depending on the AHJ’s (Building Official) determination as to whether the third bedroom is a separate dwelling unit, as defined in Article 100 of the National Electrical Code (see Attachment 3). According to the NFPA, if the AHJ determines that the third bedroom is a separate dwelling unit, the code “requires that the occupant of that dwelling unit have ready access to all overcurrent devices supplying that occupancy. This access may be through a locked door that they physically possess a key for and there are no restrictions on when they can access their overcurrent devices.” The NFPA representative further states, “If the AHJ determines that these units are not individual units, then they are considered as a single dwelling unit and the normal rules apply.”

To determine if the third bedroom is a ‘dwelling unit,’ numerous codes were examined by Town staff. According to 1984 NEC Article 100 Definitions, a dwelling unit is defined as “one or more rooms for the use of one or more persons as a housekeeping unit with space for eating, living, and sleeping, and permanent provisions for cooking and sanitation.” (See Attachment 3). This is in line with the 2011 NEC Article 100 Definitions which state that a dwelling unit is ‘a single unit,

providing complete and independent living facilities for one or more persons, including permanent provisions for living, sleeping, cooking, and sanitation.” (See Attachment 4). The 2012 International Building Code defines a dwelling unit as “a single unit that provides living facilities for one or more persons. Dwelling units include permanent provisions for living, sleeping, eating, cooking, and sanitation, thus providing a complete independent living arrangement.” (See Attachment 5). The 2012 International Residential Code (IRC) Electrical Definitions defines it as “a single unit, providing complete and independent living facilities for one or more persons, including permanent provisions for living, sleeping, cooking, and sanitation.” (See Attachment 6).

The IRC Electrical Definitions further states that “a guest room in a hotel or motel is not a dwelling unit unless it contains permanent provisions for cooking. A portable microwave is not permanent, so even a motel room with a kitchenette is not a dwelling unit unless the cooking equipment is a built-in range or cook top.” (See Attachment 7). Attachments 8 and 9 are from the 1979 Standard Building Code and the 1983 CABO Residential Code, which also support this definition of dwelling unit.

To determine what qualifies as the five components of a dwelling unit, in particular cooking and sanitation facilities, Town staff researched several codes. The 2012 IRC R306.2 stipulates that “a dwelling unit shall be provided with a kitchen area and every kitchen area shall be provided with a sink.” (See Attachment 6). This code further defines a kitchen to be “an area with a sink and permanent provisions for food preparation and cooking.” The term ‘kitchen’ is used in numerous locations of the code and requires that “three elements be present: a sink, provisions for food preparation and provisions for cooking, all of which must be permanent.” (See Attachment 10). In addition, IRC R306.1 stipulates that “every dwelling unit shall be provided with a water closet, lavatory, and a bathtub or shower.” (See Attachment 6). The 2011 NEC Article 100 Definitions defines a kitchen as “an area with a sink and permanent provisions for food preparation and cooking.” (See Attachment 11). Finally, the 1983 CABO Section R205- Room Sizes states, “Every kitchen shall have not less than fifty (50) square feet of floor area.” (See Attachment 12). And further, Section R207- Sanitation of the 1983 CABO stipulates that “every dwelling unit shall be provided with a water closet, lavatory and a bathtub or shower. Every dwelling unit shall be provided with a kitchen area and every kitchen area shall be provided with a sink of approved nonabsorbent material.”

Moreover, Town staff also researched the minimum area for a dwelling unit. Section R304.1 Minimum Area of the 2012 IRC states, “every dwelling unit shall have at least one habitable room that shall have not less than 120 square feet of gross floor area.” It further states in Section R304.2 Other Rooms, “other habitable rooms shall have a floor area of not less than 70 square feet,” and Section R304.3 Minimum Dimensions states, “habitable rooms shall not be less than 7 feet in any horizontal dimension.” (See Attachment 6).

Page Three
Xanadu

After reviewing all of these various code sections, I, as the AHJ (per the NFPA), have determined that the third bedroom does not meet any definition of an independent dwelling unit. This is based on having:

- No evidence that the cooking area in the third bedroom, which is often referred to by realtors and residents as the kitchenette, meets the required fifty (50) square feet of floor area for a kitchen;
- No evidence of permanent kitchen stoves (that is, no built ins or re-wiring to accommodate a stove with 220 volts);
- No evidence of any third bedroom as containing all the permanent provisions for living, sleeping, eating, cooking, and sanitation; and
- No evidence that the third bedroom can function as a stand-alone independent unit with its own water heater or electrical panel.

Therefore, I have determined that the Xanadu apartments in question were permitted, inspected and approved by Beaufort County as a single unit in conformance with the codes that existed at that time (1978).

In regard to your concern about a resident installing arc fault interrupters, this is allowed in the third bedroom area as a current safety requirement and as an upgrade to their electrical system. However, an electrical permit is required, and it does not allow conversion into a separate dwelling unit. Because this work was done without a permit, we are addressing this issue with the owner.

I hope that this provides the information that you were seeking. Please contact me at (843) 341-4664 or at bobk@hiltonheadislandsc.gov if you need to discuss this further.

Sincerely,



Robert Klein
Building Official

Cc: Charles Cousins, Community Development Director
Jill Foster, Community Development Deputy Director
Brian Hulbert, Staff Attorney
Curtis Coltrane, Coltrane & Wilkins, LLC
Mr. Brad Smith, IMC Resort Services, INC
Melanie Piekutowski, President of Xanadu POA

12 Attachments

Formal Interpretation Request Form

(This information is requested in Section 6 of the Regulations Governing the Development of NFPA Standards)

Name: Robert Klein, _____

Company: Town of Hilton Head Island. _____

Address: One Town Center Court, _____

City: Hilton Head Island _____ State: SC _____ Zip: 29928 _____

Phone: (843) 341-4664 -----email address: bobk@hiltonheadislandsc.gov _____

NFPA Document No.: 70 _____ Edition: 1978 Paragraph Reference: 240.24/chapter 2 _____

NFPA Member: Yes No Member No. -

2667426 _____

Did this question arise from an actual field situation? Yes No

Please state your business interest in the matter and identify other parties involved:

The Town is requesting your input on a current issue related to the National Electric Code. We have recently been made aware of a situation related to residential lock-out units located within our Town.

In our most recent situation, several buildings were permitted in 1978 by the county before our town was incorporated. While records on the county's approval of the buildings and lock out units are somewhat sketchy, we did locate the approved floor plan. The approved floor plan for this development shows that several of the three bedroom units were designed and built to allow one of the three bedrooms with its adjoining bathroom to be locked off with a keyed deadbolt from the remainder of the unit. These three bedroom units only have one electrical panel. It is located in the main portion of the unit and not in the single bedroom lock out portion of the unit.

The second situation is for an adjacent development built in 1982 that was permitted by the Town to allow lock outs. It is the same situation with only one electrical panel in the three bedroom lock out units. It too is located in the main portion of the unit and not in the single bedroom lock out portion of the unit. In both cases these lock out rooms have a separate entrance to the exit corridor of the building.

It appears that the ability to lock these rooms off from the remainder of the main unit and rent them out separately is not uncommon in communities with resort accommodations. The internet lists numerous other properties with units for sale or rent in beach and ski communities that state they have the ability to lock out a bedroom and rent it out separately from the main unit or in conjunction with the rental of the main unit. We have been informed by a large national resort accommodations developer that they have built lock outs in other communities in a similar manner with only one electric panel located in the three bedroom lock out unit and the electric panel is located in the main unit and is not located in the lock out room.

These units have existed like this for 30 plus years. Recently, regimes for both of these developments have contacted the Town, to assist them in an effort to prohibit the separate rental of these lock out units, stating that they believe the lock out rooms violate the NEC requirements for ready access to the electrical panel. They allege that some owners have placed microwaves and/or small refrigerators in the locked out portion of the unit and that this creates a fire hazard and should require that an electrical panel be added in the locked out room. The Town's building official and Town staff attorney have reviewed NEC sections 240.24 (a), (b) and interpreted that the lack of a separate electrical panel in these lockout rooms is not a violation of the NEC. Their interpretation is that the NEC requires that the electrical panels be readily accessible to the lock out units and that the term readily accessible

is defined in the code. The code, by using the term *readily accessible*, prohibits any obstacles such as a ladder, refrigerator, or boxes are placed in front of the electrical panel box. The code does not use the term accessible in regards to lock out units and therefore the code is met even though the door leading from the locked out bedroom to the main portion of the unit where the electrical panel is located may be locked, as it remains one residential unit. In their opinion, a physical alteration such as walling off the doorway with sheet rock or blocking it with a refrigerator is a violation, as it would deny ready access, but locking the door is not, as this would incorporate the term accessible, which the NEC does not do in this particular instance.

1978 NEC Code Section:

240-24. *Location in or on Premises.*

(a) *Readily Accessible.* Overcurrent devices shall be readily accessible.

Exception No. 1: For services as provided in Section 230-91.

Exception No.2: For busways as provided in Section 364-12. I

Exception No. 3: For supplementary overcurrent protection as described in Section 240-10.

(b) *Occupant to Have Ready Access.* Each occupant shall have ready access to all

overcurrent devices protecting the conductors supplying his occupancy.

Exception: In a multiple-occupancy building where electric service and electrical maintenance are provided by the building management and where these are under continuous building management supervision, the service overcurrent devices and feeder overcurrent devices supplying more than one occupancy shall be permitted to be accessible to authorized management personnel only.

(c) *Not Exposed to Damage.* Overcurrent devices shall be located where they will not be exposed to physical damage.

(d) *Not in Vicinity of Easily Ignitable Material.* Overcurrent devices shall not be located in the vicinity of easily ignitable material.

Definitions:

Accessible: (As applied to Equipment.) Admitting close approach because not guarded by locked doors, elevation, or other effective means. (See "Readily Accessible.")

Readily Accessible: Capable of being reached quickly for operation, renewal, or inspections, without requiring those to whom ready access is requisite to climb over or

remove obstacles or to resort to portable ladders, chairs, etc. (See "Accessible.")

1. Do you support this interpretation?
2. If not, and this was determined to be a nonconformity, would this nonconformity be grandfathered since it was permitted over 30 years ago by predecessors to the current Town Building Official?

Signature:  Date: 5/21/15



TECHNICAL QUESTIONS

Dear Robert Klein,

Section 6.1.5 (a) of the NFPA Regulations Governing The Development of NFPA Standards does not permit a formal interpretation that involves the determination of compliance of a design, installation, product or equivalency of protection. However, I can provide a staff opinion.

If the determination is made by the authority having jurisdiction that the lockout bedroom is in fact a separate dwelling unit, based upon the definition of a dwelling unit in article 100, section 240.24 requires that the occupant of that dwelling unit have ready access to all overcurrent devices supplying that occupancy. This access may be through a locked door that they physically possess a key for and there are no restrictions on when they can access their overcurrent devices. Also, in the event that the AHJ determines that these are individual dwelling units, section 210.25(A) requires that branch circuits only supply loads within the unit they are associated with. If the AHJ determines that these units are not individual units, then they are considered as a single dwelling unit and the normal rules apply. This is a judgement call on the part of the AHJ based upon what these occupancies are intended to accomplish.

I hope this helps to answer your question. Thank you for your interest in the NEC.

Regards,
Derek Vigstol
Senior Electrical Specialist, NFPA

If you have a follow-up question directly related to this inquiry, please reply to this email. If you have another question on either a separate topic or different document please return to the document information pages and submit your new question by clicking on the "Technical Questions" tab.

Important Notice: Any opinion expressed in this correspondence is the personal opinion of the author and does not necessarily represent the official position of the NFPA or its Technical Committees. In addition, this correspondence is neither intended, nor should it be relied upon, to provide professional consultation or services.

Create Date: 5/26/2015
Contact: Robert Klein
Document Number: 70
Edition: 1978
Section: 240.24/Chapter 2
Subject: FI Request
Question for NFPA: See attached FI Request

DEFINITIONS—ARTICLE 100

equipment, see Part C of Article 424; for motors and controllers, see Part H of Article 430; and for air-conditioning and refrigerating equipment, see Part B of Article 440. See also references for "Disconnecting Means" in Index.

(FPN): See definition in Part B of this article for definition applying to circuits and equipment over 600 volts, nominal.

Dry Location: See under "Location."

Dust-ignitionproof: See Section 502-1.

Dustproof: So constructed or protected that dust will not interfere with its successful operation.

Dusttight: So constructed that dust will not enter the enclosing case under specified test conditions.

(FPN): For test conditions other than for rotating equipment, see ANSI/NEMA ICS6-1978, Enclosures for Industrial Controls and Systems, Paragraph ICS6-110.54.

Reference to the ANSI/NEMA Standard will permit the user to evaluate the enclosure with regard to actual conditions of use. See Section 430-91 for motor controller enclosure types.

Duty:

Continuous Duty: Operation at a substantially constant load for an indefinitely long time.

Intermittent Duty: Operation for alternate intervals of (1) load and no load; or (2) load and rest; or (3) load, no load, and rest.

Periodic Duty: Intermittent operation in which the load conditions are regularly recurrent.

Short-Time Duty: Operation at a substantially constant load for a short and definitely specified time.

Varying Duty: Operation at loads, and for intervals of time, both of which may be subject to wide variation.

(FPN): See Table 430-22(a), Exception for illustration of various types of duty.

For the protection of intermittent, periodic, short-time, and varying-duty motors against overload, see Section 430-33.

Duty Cycle (Welding): See Section 630-31(b), Fine Print Note.

Dwelling:

Dwelling Unit: One or more rooms for the use of one or more persons as a housekeeping unit with space for eating, living, and sleeping, and permanent provisions for cooking and sanitation.

Where dwelling units are referenced throughout the *Code*, it is important to note that rooms of motels, hotels, and similar occupancies may be classified as dwelling units. See Figure 100-7.

ARTICLE 100—DEFINITIONS

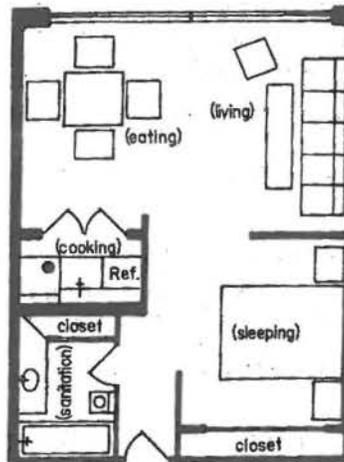


Figure 100-7. A motel or hotel room with eating, living, and sleeping areas and areas having permanent provisions for cooking and sanitation meets the definition of a "dwelling unit."

Multifamily Dwelling: A building containing three or more dwelling units.

One-Family Dwelling: A building consisting solely of one dwelling unit.

Two-Family Dwelling: A building consisting solely of two dwelling units.

Electric Sign: A fixed, stationary, or portable self-contained, electrically illuminated utilization equipment with words or symbols designed to convey information or attract attention.

Enclosed: Surrounded by a case, housing, fence, or walls which will prevent persons from accidentally contacting energized parts.

Enclosure: The case or housing of apparatus, or the fence or walls surrounding an installation to prevent personnel from accidentally contacting energized parts, or to protect the equipment from physical damage.

Equipment: A general term including material, fittings, devices, appliances, fixtures, apparatus and the like used as a part of, or in connection with, an electrical installation.

Equipment Grounding Conductor: See "Grounding Conductor, Equipment."

See Section 250-91(b) for types of equipment grounding conductors.

Explosionproof Apparatus: Apparatus enclosed in a case that is capable of withstanding explosion of a specified gas or vapor which may occur within it and of preventing the ignition of specified gas or vapor surrounding the enclosure by sparks, flashes, or explosion of the gas vapor within, and which operates at such an external temperature that a surrounding flammable atmosphere will not be ignited thereby.

Exposed: (As applied to live parts.) Capable of being inadvertently touched or approached nearer than a safe distance by a person. It is applied to parts not suitably guarded, isolated, insulated. (See "Accessible" and "Concealed.")

See Section 110-17. See also comments following definition of "Guarded."

minimum of 10 percent of the cross-sectional area of a solid conductor or each strand of a stranded conductor.

Cutout Box. An enclosure designed for surface mounting that has swinging doors or covers secured directly to and telescoping with the walls of the box proper.

Dead Front. Without live parts exposed to a person on the operating side of the equipment.

Demand Factor. The ratio of the maximum demand of a system, or part of a system, to the total connected load of a system or the part of the system under consideration.

Device. A unit of an electrical system that carries or controls electric energy as its principal function.

Disconnecting Means. A device, or group of devices, or other means by which the conductors of a circuit can be disconnected from their source of supply.

Dusttight. Constructed so that dust will not enter the enclosing case under specified test conditions.

Duty, Continuous. Operation at a substantially constant load for an indefinitely long time.

Duty, Intermittent. Operation for alternate intervals of (1) load and no load; or (2) load and rest; or (3) load, no load, and rest.

Duty, Periodic. Intermittent operation in which the load conditions are regularly recurrent.

Duty, Short-Time. Operation at a substantially constant load for a short and definite, specified time.

Duty, Varying. Operation at loads, and for intervals of time, both of which may be subject to wide variation.

Dwelling, One-Family. A building that consists solely of one dwelling unit.

Dwelling, Two-Family. A building that consists solely of two dwelling units.

Dwelling, Multifamily. A building that contains three or more dwelling units.

Dwelling Unit. ^{*in letter*} A single unit, providing complete and independent living facilities for one or more persons, including permanent provisions for living, sleeping, cooking, and sanitation.

Electric Sign. A fixed, stationary, or portable self-contained, electrically illuminated utilization equipment with words or symbols designed to convey information or attract attention.

Electric Power Production and Distribution Network. Power production, distribution, and utilization equipment and facilities, such as electric utility systems that deliver

electric power to the connected loads, that are external to and not controlled by an interactive system.

Enclosed. Surrounded by a case, housing, fence, or wall(s) that prevents persons from accidentally contacting energized parts.

Enclosure. The case or housing of apparatus, or the fence or walls surrounding an installation to prevent personnel from accidentally contacting energized parts or to protect the equipment from physical damage.

Informational Note: See Table 110.28 for examples of enclosure types.

Energized. Electrically connected to, or is, a source of voltage.

Equipment. A general term, including fittings, devices, appliances, luminaires, apparatus, machinery, and the like used as a part of, or in connection with, an electrical installation.

Explosionproof Equipment. Equipment enclosed in a case that is capable of withstanding an explosion of a specified gas or vapor that may occur within it and of preventing the ignition of a specified gas or vapor surrounding the enclosure by sparks, flashes, or explosion of the gas or vapor within, and that operates at such an external temperature that a surrounding flammable atmosphere will not be ignited thereby.

Informational Note: For further information, see ANSI/UL 1203-2006, *Explosion-Proof and Dust-Ignition-Proof Electrical Equipment for Use in Hazardous (Classified) Locations*.

Exposed (as applied to live parts). Capable of being inadvertently touched or approached nearer than a safe distance by a person. It is applied to parts that are not suitably guarded, isolated, or insulated.

Exposed (as applied to wiring methods). On or attached to the surface or behind panels designed to allow access.

Externally Operable. Capable of being operated without exposing the operator to contact with live parts.

Feeder. All circuit conductors between the service equipment, the source of a separately derived system, or other power supply source and the final branch-circuit overcurrent device.

Festoon Lighting. A string of outdoor lights that is suspended between two points.

Fitting. An accessory such as a locknut, bushing, or other part of a wiring system that is intended primarily to perform a mechanical rather than an electrical function.

Garage. A building or portion of a building in which one or more self-propelled vehicles can be kept for use, sale, storage, rental, repair, exhibition, or demonstration purposes.

Informational Note: For commercial garages, repair and storage, see Article 511.

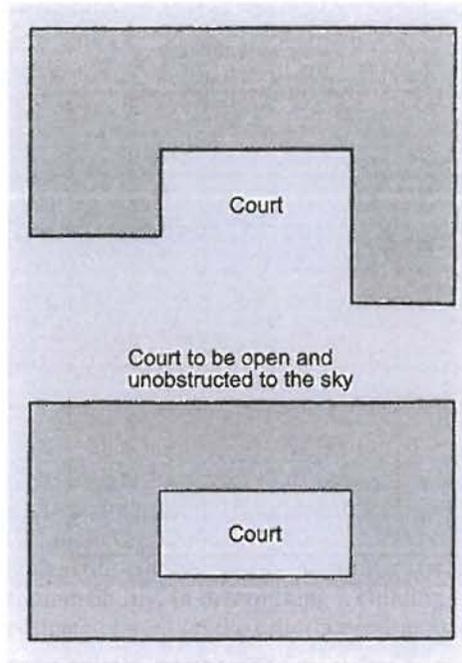


Figure 202-6
Definition of
courts.

There are a limited number of access points to a covered mall building; therefore, the tenants share a few major entrances into the mall. Although an anchor building is not to be considered a part of the covered mall building, it is possible to design an exterior perimeter building as merely another of the tenants within the covered mall building. It has become increasingly popular to create large-scale projects resembling covered mall buildings without roofs over the pedestrian circulation areas. Various “tenant space” buildings and “anchor buildings” are situated around unroofed pedestrian ways (open malls) in a manner very similar to that for covered mall buildings. The inclusion of open mall buildings in the IBC recognizes that the same benefits should be available as for enclosed structures, provided the appropriate measures are taken. Where the mall area is open to the sky, equivalent or better life safety and property protection is provided.

When one thinks of a covered mall building, its use is typically associated with retail sales and related activities. However, the provisions of Section 402 may also lend themselves to other occupancies such as office uses and transportation facilities. Recently, more attention has been given to the application of the covered mall building concept to large educational buildings. Many of the characteristics of an exciting and efficient school environment are consistent with those of a covered mall building, including spacious areas open to each other, vertical interaction between floor levels, ease of supervision, and limited points of entry. Educational facilities even have their own *anchor buildings* such as the auditorium, gymnasium, media center, and other spaces. However, because the criteria of Section 402 are more traditional in their approach, some of the provisions cannot be directly applied to an educational occupancy. It will be necessary to utilize the alternate methods and design allowance in Section 104.11 to more specifically address those issues.

DOOR, BALANCED. Balanced doors are a special type of double-pivoted door in which the pivot point is located some distance in from the door edge, thus creating a counterbalancing effect.

DRAFTSTOP. Required by the code only in concealed areas of combustibile construction, draftstops are utilized in large concealed spaces to limit air movement, which is accomplished through the subdivision of such spaces. Draftstops are to be constructed of those materials or construction identified by the IBC that effectively create smaller compartments within attics and similar areas.

DWELLING UNIT AND DWELLING. A *dwelling unit* is considered a single unit that provides living facilities for one or more persons. Dwelling units include permanent provisions for living, sleeping, eating, cooking, and sanitation, thus providing a complete independent living arrangement. A dwelling unit, while typically addressed in the IBC as a portion of a Group R-2 occupancy, may also be classified as Group I-1, R-1, or R-3. A *dwelling* is a building that contains either one or two dwelling units. Dwellings are typically regulated under the provisions of the *International Residential Code*[®] (IRC[®]), as noted in the exception to Section 101.2.

R303.7.1 Light activation. Where lighting outlets are installed in interior stairways, there shall be a wall switch at each floor level to control the lighting outlet where the stairway has six or more risers. The illumination of exterior stairways shall be controlled from inside the *dwelling* unit.

Exception: Lights that are continuously illuminated or automatically controlled.

R303.8 Required glazed openings. Required glazed openings shall open directly onto a street or public alley, or a *yard* or court located on the same *lot* as the building.

Exceptions:

1. Required glazed openings may face into a roofed porch where the porch abuts a street, *yard* or court and the longer side of the porch is at least 65 percent unobstructed and the ceiling height is not less than 7 feet (2134 mm).
2. Eave projections shall not be considered as obstructing the clear open space of a *yard* or court.
3. Required glazed openings may face into the area under a deck, balcony, bay or floor cantilever provided a clear vertical space at least 36 inches (914 mm) in height is provided.

R303.8.1 Sunroom additions. Required glazed openings shall be permitted to open into sunroom *additions* or patio covers that abut a street, *yard* or court if in excess of 40 percent of the exterior sunroom walls are open, or are enclosed only by insect screening, and the ceiling height of the sunroom is not less than 7 feet (2134 mm).

R303.9 Required heating. When the winter design temperature in Table R301.2(1) is below 60°F (16°C), every *dwelling unit* shall be provided with heating facilities capable of maintaining a minimum room temperature of 68°F (20°C) at a point 3 feet (914 mm) above the floor and 2 feet (610 mm) from exterior walls in all habitable rooms at the design temperature. The installation of one or more portable space heaters shall not be used to achieve compliance with this section.

SECTION R304 MINIMUM ROOM AREAS

R304.1 Minimum area. Every *dwelling* unit shall have at least one habitable room that shall have not less than 120 square feet (11 m²) of gross floor area.

R304.2 Other rooms. Other habitable rooms shall have a floor area of not less than 70 square feet (6.5 m²).

Exception: Kitchens.

R304.3 Minimum dimensions. Habitable rooms shall not be less than 7 feet (2134 mm) in any horizontal dimension.

Exception: Kitchens.

R304.4 Height effect on room area. Portions of a room with a sloping ceiling measuring less than 5 feet (1524 mm) or a furred ceiling measuring less than 7 feet (2134 mm) from the finished floor to the finished ceiling shall not be considered

as contributing to the minimum required habitable area for that room.

SECTION R305 CEILING HEIGHT

R305.1 Minimum height. *Habitable space*, hallways, bathrooms, toilet rooms, laundry rooms and portions of *basements* containing these spaces shall have a ceiling height of not less than 7 feet (2134 mm).

Exceptions:

1. For rooms with sloped ceilings, at least 50 percent of the required floor area of the room must have a ceiling height of at least 7 feet (2134 mm) and no portion of the required floor area may have a ceiling height of less than 5 feet (1524 mm).
2. Bathrooms shall have a minimum ceiling height of 6 feet 8 inches (2032 mm) at the center of the front clearance area for fixtures as shown in Figure R307.1. The ceiling height above fixtures shall be such that the fixture is capable of being used for its intended purpose. A shower or tub equipped with a showerhead shall have a minimum ceiling height of 6 feet 8 inches (2032 mm) above a minimum area 30 inches (762 mm) by 30 inches (762 mm) at the showerhead.

R305.1.1 Basements. Portions of *basements* that do not contain *habitable space*, hallways, bathrooms, toilet rooms and laundry rooms shall have a ceiling height of not less than 6 feet 8 inches (2032 mm).

Exception: Beams, girders, ducts or other obstructions may project to within 6 feet 4 inches (1931 mm) of the finished floor.

SECTION R306 SANITATION

R306.1 Toilet facilities. Every *dwelling* unit shall be provided with a water closet, lavatory, and a bathtub or shower.

R306.2 Kitchen. Each *dwelling* unit shall be provided with a kitchen area and every kitchen area shall be provided with a sink.

R306.3 Sewage disposal. All plumbing fixtures shall be connected to a sanitary sewer or to an *approved* private sewage disposal system.

R306.4 Water supply to fixtures. All plumbing fixtures shall be connected to an *approved* water supply. Kitchen sinks, lavatories, bathtubs, showers, bidets, laundry tubs and washing machine outlets shall be provided with hot and cold water.

SECTION R307 TOILET, BATH AND SHOWER SPACES

R307.1 Space required. Fixtures shall be spaced in accordance with Figure R307.1, and in accordance with the requirements of Section P2705.1.

COOKING UNIT, COUNTER-MOUNTED. A cooking appliance designed for mounting in or on a counter and consisting of one or more heating elements, internal wiring and built-in or separately mountable controls.

❖ This definition must be considered when calculating the feeder neutral load for cooking appliances as prescribed in Section E3704.4 (see also Table E3602.2 and Section E3702.9).

COPPER-CLAD ALUMINUM CONDUCTORS. Conductors drawn from a copper-clad aluminum rod with the copper metallurgically bonded to an aluminum core. The copper forms a minimum of 10 percent of the cross-sectional area of a solid conductor or each strand of a stranded conductor.

❖ Copper-clad aluminum conductors were used in non-metallic sheathed cable in the late 1950s and early 1960s. It is important to know the terminating and splicing provisions for repair and retrofitting work that involves older dwellings that are wired with copper-clad aluminum conductors.

CUTOUT BOX. An enclosure designed for surface mounting and having swinging doors or covers secured directly to and telescoping with the walls of the box proper (see "Cabinet").

❖ This is a variation of a cabinet defined above, which is an enclosure for electrical devices and equipment such as fuses and circuit breakers, switches, current transformers, etc. A cutout box may be used for a motor disconnect switch with fuses for overcurrent protection. A junction box has a cover attached with screws or bolts, but a cutout box has a swinging door with a hinge. A cutout box is made to contain devices that may need to be worked on, inspected or maintained; the hinged cover makes it easier to get into than a junction box.

DEAD FRONT. Without live parts exposed to a person on the operating side of the equipment.

❖ The door or cover of a cabinet or cutout box is a "dead front"; the live parts within are not exposed to a person standing in front of a panelboard or equipment. This term is used in measuring the working clearances for electrical equipment. The clearance from the dead front or front of the enclosure of the cabinet for a panelboard is a minimum of 36 inches (914 mm).

DEMAND FACTOR. The ratio of the maximum demand of a system, or part of a system, to the total connected load of a system or the part of the system under consideration.

❖ Demand factors are used in the calculations for various loads such as service and feeder loads. Demand factors are expressed as a percentage of the calculated load and are used when there are multiple loads that are not likely to be used at the same time. Feeders are not sized to have the current-carrying capacity to supply the total current for all the loads at once. For example, for certain fastened-in-place appliances in a dwelling, the total nameplate rating load must be

calculated at 100 percent if the number of appliances is three or fewer. But if there are four or more, the load is calculated at 75 percent of the total load of the appliances. It is unlikely that all four of the appliances would be used at full load at the same time [see Tables E3602.2 and E3704.2(1)].

DEVICE. A unit of an electrical system that carries or controls electrical energy as its principal function.

❖ A switch, receptacle, circuit breaker, fuse, meter and thermostat are all examples of a "device" since they do not use or consume electrical energy; they just control or carry the current. This definition recognizes that some devices such as illuminated switches, timer switches, occupant sensing switches, remote control switches and GFCI receptacles do, in fact, consume some small amount of electrical power, but their primary function is still consistent with this definition.

DISCONNECTING MEANS. A device, or group of devices, or other means by which the conductors of a circuit can be disconnected from their source of supply.

❖ This term is usually used in conjunction with the service, appliances and motors. Disconnecting means can be fused or unfused enclosed switches, enclosed circuit breakers and pull-out devices. Code provisions for disconnecting means are very specific for such things as identification, location, type and ratings. The disconnection of power to a circuit is an obvious safety issue.

DWELLING

Dwelling unit. A single unit, providing complete and independent living facilities for one or more persons, including permanent provisions for living, sleeping, cooking and sanitation.

One-family dwelling. A building consisting solely of one dwelling unit.

Two-family dwelling. A building consisting solely of two dwelling units.

❖ A guest room in a hotel or motel is not a dwelling unit unless it contains permanent provisions for cooking. A portable microwave is not permanent, so even a motel room with a kitchenette is not a dwelling unit unless the cooking equipment is a built-in range or cook top. Because this code covers only one- and two-family dwellings and townhouses, the definition for a multiple-family dwelling is not included (see Section R101.2).

ENCLOSED. Surrounded by a case, housing, fence or walls that will prevent persons from accidentally contacting energized parts.

❖ This is a general term that applies to enclosing things such as devices inside a cabinet. It can also apply to equipment inside a room such as an electrical equipment room.

ENCLOSURE. The case or housing of apparatus, or the fence or walls surrounding an installation, to prevent person-

1979
Standard Building Code
Commercial

DISPLAY SIGN—means a structure that is arranged, intended, designed or used as an advertisement announcement or direction, and includes a sign, sign screen, billboard and advertising devices of every kind.

DORMITORY—is a space in a unit where group sleeping accommodations are provided with or without meals for persons not members of the same family group, in one room, or in a series of closely associated rooms under joint occupancy and single management, as in college dormitories, fraternity houses, military barracks, and ski lodges.

→ **DWELLING**—when used in this Code without other qualifications, means a structure occupied exclusively for residential purposes by not more than two (2) families.

→ **DWELLING UNIT**—is a single unit providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation.

ENGINEER—within the meaning of this Code, shall be deemed to be a duly registered and licensed engineer.

EXISTING BUILDING—(See **BUILDING—EXISTING**).

EGRESS, MEANS OF—See Definition, Section 1102.

EXIT—See Definition, Section 1102.

EXIT ACCESS—See Definition, Section 1102.

FAMILY—means one or more persons living together, whether related to each other by birth or not, and having common house-keeping facilities.

FIRE DISTRICT—(See Section 301.)

FIRE DOOR—means a door and its assembly, so constructed and assembled in place as to give the specified protection against the passage of fire.

FIRE-RESISTANCE RATING—means the time in hours that the material or construction will withstand the standard fire exposure as determined by a fire test made in conformity with the "Methods of Fire Tests of Building Construction and Materials, ASTM E119."

FIRE RETARDANT TREATED WOOD—shall be defined as any wood product which, when impregnated with chemicals by an approved pressure process, or by other approved means during manufacture shall, when tested in accordance with ASTM test designation E-84, have a flamespread equivalent to twenty-five (25) or less and show no evidence of progressive combustion when the test is continued for a period of thirty (30) minutes.

All fire retardant treated wood products shall bear identification showing the fire hazard classification thereof issued by an approved agency having a re-examination service.

1983 Cabo
Residential Code

One and Two Family Dwelling Code

Approved. Approved refers to approval by the Building Official as the result of investigation and tests conducted by him, or by reason of accepted principles or tests by nationally recognized organizations.

Approved Agency. An established and recognized agency regularly engaged in conducting tests or furnishing inspection services, when such agency has been approved by the Building Official.

Building. Building shall mean any one and two family dwelling or portion thereof, which is used, or designed or intended to be used for human habitation, for living, sleeping, cooking, or eating purposes or any combination thereof and shall include structures accessory thereto.

Building, Existing. Existing building is a building erected prior to the adoption of this Code, or one for which a legal building permit has been issued.

Building Official. Building Official is the officer or other designated authority charged with the administration and enforcement of this Code.

Ceiling Height. Ceiling heights shall be the clear vertical distance from the finished floor to the finished ceiling.

Court. Court is a space, open and unobstructed to the sky, located at or above grade level on a lot and bounded on three or more sides by walls or a building.

Dwelling. Dwelling is any building which contains one or two "Dwelling Units" used, intended, or designed to be built, used, rented, leased, let or hired out to be occupied, or which are occupied for living purposes.

Dwelling Unit. Dwelling Unit is a single unit providing complete independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation.

Family. Family is an individual or two or more person related by blood, marriage or law, or a group of not more than five persons (excluding servants), who need not be so related, living together in a dwelling unit.

Grade. The finished ground level adjoining the building at all exterior walls.

Grade Floor Window. A window located such that the sill height of the window is not more than 44 inches above or below the finished grade adjacent to the window.

Habitable Room. Habitable room shall mean any room meeting the requirements of this Code for sleeping, living, cooking or dining purposes excluding such enclosed places as closets, pantries, bath or toilet rooms, hallways, laundries, storage spaces, utility rooms, and similar spaces.

Hot Water. Hot water means water at a temperature of not less than 120° F.

Kitchen. Kitchen shall mean an area used, or designated to be used, for the preparation of food.

Listed and Listing. Terms referring to equipment which is shown in a list published by an approved testing agency qualified and equipped for experimental testing and maintaining an adequate periodic inspection of current productions and whose listing states that the equipment complies with nationally recognized standards.

Loads, Live and Dead. Dead loads are the weight of the walls, partitions, framing, floors, ceilings, roofs and all other permanent stationary construction entering into and becoming a part of the building. Live loads are all loads except dead and lateral loads.

Occupied Space. The total area of all buildings or structures on any lot or

INTERSYSTEM BONDING TERMINATION. A device that provides a means for connecting bonding conductors for communications systems to the grounding electrode system.

- ❖ Such devices provide a convenient place for bonding of communications and entertainment systems. All systems serving a dwelling are required to be bonded together. Without the convenience of such bonding devices, bonding is more likely to be overlooked by the installers of the systems. One type of device clamps onto a service enclosure such as a meter box and provides terminals for bonding conductors from telephone, cable and other utilities (see Section E3609.3).

ISOLATED. (As applied to location.) Not readily accessible to persons unless special means for access are used.

- ❖ This term may be used to refer to some wiring method or equipment that is not readily accessible.

Switches or devices could be considered isolated if they are located inside a locked cabinet. This term is related to location and does not relate to usage such as isolated grounding receptacles.

KITCHEN. An area with a sink and permanent provisions for food preparation and cooking.

- ❖ This term is used in many locations in the code and requires that three elements be present: a sink, provisions for food preparation and provisions for cooking, all of which must be permanent.

LABELED. Equipment or materials to which has been attached a label, symbol or other identifying mark of an organization acceptable to the authority having jurisdiction and concerned with product evaluation that maintains periodic inspection of production of labeled equipment or materials and by whose labeling the manufacturer indicates compliance with appropriate standards or performance in a specified manner.

- ❖ The code official must approve the materials and equipment installed in an electrical wiring system. A label of a nationally recognized testing laboratory (NRTL) identifies a product or material and provides other information that the code official uses to determine compliance with the code. Equipment and products that have been labeled have been tested for conformance to a standard and subject to third-party inspection, which verifies that the minimum level of quality required by the applicable standard is maintained. The labeling agency performing the third-party inspection must be approved by the code official, and the basis for this approval may include, but is not necessarily limited to, the capacity and capability of the agency to perform the specific testing and inspection.

The label will have the name and/or symbol of the NRTL and will contain the product category and type of the equipment or product, which has its proper use and application described in the listing publication from the NRTL. The applicable reference standard often states the minimum identifying information that must be on a label. Labels or marks are applied to the tested product by stamping, molding, affixing a

sticker, affixing a printed decal or other similar means. If the product is too small or has a shape, texture or is of a material that makes the attachment of a label difficult, the product container will have the label or mark. For this purpose, the installer should make available the product container for the inspector if requested. The product container might have, in addition to the label, installation instructions for the product.

LIGHTING OUTLET. An outlet intended for the direct connection of a lampholder or luminaire.

- ❖ An outlet box designed for the attachment of a lamp holder, a lighting fixture or a pendant cord terminating in a lamp holder is installed at a lighting outlet, which is an opening in the wiring system. The word "opening" is not defined in the code but is commonly used in the trade. It is the point where junction boxes, device boxes or boxes for the attachment of lighting fixtures are installed. Lighting outlets are required in specific locations in a dwelling as covered in Section E3903.1.

LISTED. Equipment, materials or services included in a list published by an organization that is acceptable to the authority having jurisdiction and concerned with evaluation of products or services, that maintains periodic inspection of production of listed equipment or materials or periodic evaluation of services, and whose listing states either that the equipment, material or services meets identified standards or has been tested and found suitable for a specified purpose.

- ❖ Nationally recognized testing laboratories (NRTLs) publish lists of electrical materials, components, devices, fixtures and equipment that they have subjected to standardized tests and found suitable for installation and use in a specific manner. The listing information is necessary if there is a question as to the suitability of the product or material for a specific installation. Section E3403.3 requires the listing and labeling of electrical materials, components, devices, fixtures and equipment.

LIVE PARTS. Energized conductive components.

- ❖ Live parts must be enclosed or guarded to prevent people from receiving electric shock. For example, live parts should not be left exposed during the construction of the dwelling. When the cover (dead front) of a panelboard is removed, live parts will be exposed if the panelboard is energized. Cabinet doors and junction box covers are usually not installed until the finish phase of the project, but means should be taken where necessary to enclose or guard live parts.

LOCATION, DAMP. Location protected from weather and not subject to saturation with water or other liquids but subject to moderate degrees of moisture. Examples of such locations include partially protected locations under canopies, marquees, roofed open porches and like locations, and interior locations subject to moderate degrees of moisture, such as some basements, some barns and some cold-storage warehouses.

Ground. The earth.

Ground Fault. An unintentional, electrically conducting connection between an ungrounded conductor of an electrical circuit and the normally non-current-carrying conductors, metallic enclosures, metallic raceways, metallic equipment, or earth.

Grounded (Grounding). Connected (connecting) to ground or to a conductive body that extends the ground connection.

Grounded, Solidly. Connected to ground without inserting any resistor or impedance device.

Grounded Conductor. A system or circuit conductor that is intentionally grounded.

Ground-Fault Circuit Interrupter (GFCI). A device intended for the protection of personnel that functions to de-energize a circuit or portion thereof within an established period of time when a current to ground exceeds the values established for a Class A device.

Informational Note: Class A ground-fault circuit interrupters trip when the current to ground is 6 mA or higher and do not trip when the current to ground is less than 4 mA. For further information, see UL 943, *Standard for Ground-Fault Circuit Interrupters*.

Ground-Fault Protection of Equipment. A system intended to provide protection of equipment from damaging line-to-ground fault currents by operating to cause a disconnecting means to open all ungrounded conductors of the faulted circuit. This protection is provided at current levels less than those required to protect conductors from damage through the operation of a supply circuit overcurrent device.

Grounding Conductor, Equipment (EGC). The conductive path(s) installed to connect normally non-current-carrying metal parts of equipment together and to the system grounded conductor or to the grounding electrode conductor, or both.

Informational Note No. 1: It is recognized that the equipment grounding conductor also performs bonding.

Informational Note No. 2: See 250.118 for a list of acceptable equipment grounding conductors.

Grounding Electrode. A conducting object through which a direct connection to earth is established.

Grounding Electrode Conductor. A conductor used to connect the system grounded conductor or the equipment to a grounding electrode or to a point on the grounding electrode system.

Guarded. Covered, shielded, fenced, enclosed, or otherwise protected by means of suitable covers, casings, barriers, rails, screens, mats, or platforms to remove the likeli-

hood of approach or contact by persons or objects to a point of danger.

Guest Room. An accommodation combining living, sleeping, sanitary, and storage facilities within a compartment.

Guest Suite. An accommodation with two or more contiguous rooms comprising a compartment, with or without doors between such rooms, that provides living, sleeping, sanitary, and storage facilities.

Handhole Enclosure. An enclosure for use in underground systems, provided with an open or closed bottom, and sized to allow personnel to reach into, but not enter, for the purpose of installing, operating, or maintaining equipment or wiring or both.

Hoistway. Any shaftway, hatchway, well hole, or other vertical opening or space in which an elevator or dumbwaiter is designed to operate.

Identified (as applied to equipment). Recognizable as suitable for the specific purpose, function, use, environment, application, and so forth, where described in a particular Code requirement.

Informational Note: Some examples of ways to determine suitability of equipment for a specific purpose, environment, or application include investigations by a qualified testing laboratory (listing and labeling), an inspection agency, or other organizations concerned with product evaluation.

In Sight From (Within Sight From, Within Sight). Where this Code specifies that one equipment shall be "in sight from," "within sight from," or "within sight of," and so forth, another equipment, the specified equipment is to be visible and not more than 15 m (50 ft) distant from the other.

Interactive System. An electric power production system that is operating in parallel with and capable of delivering energy to an electric primary source supply system.

Interrupting Rating. The highest current at rated voltage that a device is identified to interrupt under standard test conditions.

Informational Note: Equipment intended to interrupt current at other than fault levels may have its interrupting rating implied in other ratings, such as horsepower or locked rotor current.

Intersystem Bonding Termination. A device that provides a means for connecting bonding conductors for communications systems to the grounding electrode system.

Isolated (as applied to location). Not readily accessible to persons unless special means for access are used.

Kitchen. An area with a sink and permanent provisions for food preparation and cooking.

Building Planning

R-204.3—Bathrooms. Bathrooms, water-closet compartments and other similar rooms shall be provided with aggregate glazing area in windows of not less than three (3) square feet, one-half (½) of which must be openable.

EXCEPTION:

The glazed areas are not required where artificial light and an approved mechanical ventilation system is provided capable of producing a change of air every twelve (12) minutes.

R-204.4—Required Glazed Openings. Required glazed openings shall open directly onto a street or public alley, or a yard or court located on the same lot as the building.

Required glazed openings may face into a roofed porch where the porch abuts a street, yard or court and the longer side of the porch is at least sixty-five (65) percent open and unobstructed and the ceiling height is not less than seven (7) feet.

Section R-205—Room Sizes

Every dwelling unit shall have at least one habitable room which shall have not less than one hundred fifty (150) square feet of floor area. Other habitable rooms shall have an area of not less than seventy (70) square feet. Every kitchen shall have not less than fifty (50) square feet of floor area.

Habitable rooms except kitchens shall be not less than seven (7) feet in any horizontal dimension.

Section R-206—Ceiling Height

Habitable rooms, except kitchens, shall have a ceiling height of not less than seven (7) feet six (6) inches for at least 50% of their required areas. Not more than 50% of the required area may have a sloped ceiling less than seven (7) feet six (6) inches in height with no portion of the required areas less than five (5) feet in height.

Portions of a room with a sloping ceiling measuring less than 5'-0" from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required habitable area for that room.

EXCEPTIONS:

Beams and girders spaced not less than four (4) feet on center may project not more than six (6) inches below the required ceiling height.

All other rooms including kitchens, baths and hallways shall have a ceiling height of not less than seven (7) feet measured to the lowest projection from the ceiling.

Ceiling height in basements without habitable spaces shall not be less than six (6) feet eight (8) inches clear except for under beams, girders, ducts or other obstructions where the clear height shall be six (6) feet four (4) inches.

Section R-207—Sanitation

Every dwelling unit shall be provided with a water closet, lavatory and a bathtub or shower.

Each dwelling unit shall be provided with a kitchen area and every kitchen area shall be provided with a sink of approved nonabsorbent material.

All plumbing fixtures shall be connected to a sanitary sewer or to an approved private sewage disposal system. All plumbing fixtures shall be connected to an



Initial Complaint

CUSTOMER COMMENT FORM

GNI-2015-000105

DATE: 5-28-15
CUSTOMER NAME: Henry Sanders
ADDRESS: 34 S. Forest Beach Dr. # C-10 Hilton Head SC 29928
TELEPHONE #: 843-341-6911

BRIEF DESCRIPTION OF COMMENT

Unit was advertised for sale (see attached) as having a third bedroom lockout with kitchenette. By creating a physically separated suite with its own kitchen, the owner has violated the LMO's unit density limits & Xanadu's original zoning criteria. This needs to be investigated & we've had one lockout fire already (D-20, Oct 2007) & this unit was cited previously. Possible NEC issues in lockout as well.

JOB ADDRESS: 34 S. Forest Beach Dr. # B-8

Permit 7/8/2014 ELSCC-001062-2014
PERRY BLACK 1/22/14 DID INITIAL INVESTIGATION

NAME OF BUSINESS OR INDIVIDUAL IN QUESTION

Owners - Jerry & Karen Shorb (269) 665-9532

RESULTS:

Called owner - hear message 7/6/15 @ 11:54 am

Sony Huntley - Chapter 1 (916-1681) - Left message 6/11/15 - 11:00 am

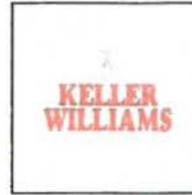
ASSIGNED TO:

RECEIVED BY:

JPK 6/17/2015

Agent Information

Name: Valerie Keating
Phone: 843-816-5545
Cell: 843-816-5545
Fax:
EMail: valeriekeating101@yahoo.com
Web: n

Office Information

Keller Williams Realty
 8 Lafayette Place, Ste 203
 Hilton Head
 SC 29926

www.kwlowcountry.com

VILLA/CONDO**XANADU VILLAS****ML #: 336480**

LP: ↓ \$189,999
List Type:
Area: Forest Beach
Sub Area: South Forest Beach
St Add: 34 S. FOREST BEACH DR.
Lgl Add: 8B XANADU VILLAS
Sold Date:
Cty Tax Rec Liv Area: 1270
Approx Htd SqFt: 1,270
Regime Fee: \$540
POA Fee: No Fee Reported

Status: Active
[Virtual Tour](#)

Tn/Cm: HILTON HEAD ISLAND
County: Beaufort
Zip: 29928

Sold Date: **DOM:**
Reg Fee Per Owner: \$614.31
Transfer Fee: Not on File
Foreclosure: N
Short Sale: N

Public/Internet Remarks

Great location. Close to beach. Lockout for 3rd bedroom with kitchenette.

General Information

Bdrm: 3	FBths: 3	HBths: 0	Furnished: No	Property Faces: East
Yr Built: 1975	Yr Remod:	Type: Flat	Loc: OceanOrient	View: Lagoon
Rental: Yes	Own Land: N	Short Term:	Long Term:	Trades: Not Applicable
Parking: Unassigned Parking			Paved Road: Yes	Possession: At Closing
Pool Type: Free Form			Row: 2	Finance: Cash-AllCash, Conventional
Restrictions: No RVs/Boat				
Not Included in Sale:				

Property Features

Appliances: Dishwasher, Disposal, Range

Interior Features: Smoke Alarm

Exterior Features: Balcony

Exterior Type: Synthetic Stucco
Windows: Unknown
Rooms: Dining Room, Kitchen, Living Room

Attic: No Attic
Pool: Community

Amenities: Elevator, Villa Tennis, Villa Pool
Style: Flat
Roof: Asphalt
Floors: Carpet, Vinyl

Utility Information

Water: City PSD
Sewer: City PSD
Heat: Central Heat, Electric Heat, Heat Pump
AC: Central, Electric, Heat Pump
Other Utilities:

Thursday, May 28, 2015

8:44 AM

Prepared By: Valerie Keating

INFORMATION IS BELIEVED TO BE ACCURATE BUT IS NOT GUARANTEED

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CITIZEN REQUEST DETAILED REPORT (GNI-2015-000105)

Request Type: Inquiry	Project:	Date Entered: 06/11/2015
Source: Walk-in	District: S Forest Beach	Deadline Date: 06/16/2015
Status: Closed	Priority: Medium	Complete Date: 07/17/2015
Description: Advertised unit with third bedroom lockout, Violates LMO for Density	Assigned To: Sills, Jim	Emergency: No

Parcel:	Address: 34 S South Forest Beach Drive , B8 Main Hilton Head, SC 29928
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Owner	Complainant
Jerry Shorb	Henry Sanders
34 South Forest Beach Drive	34 South Forest Beach
Suite: B8	Suite: C-10
Hilton Head Island, SC 29928	Hilton Head, SC 29928
Home: 2696659532	Home: 8433416911
Business:	Business:
Mobile:	Mobile:



Town of Hilton Head Island
Community Development Department

B-8
Revised
complaint

CUSTOMER COMMENT FORM Closed

July 17, 2015

JLS
2 3/4 hrs

DATE:	6-11-15
CUSTOMER NAME:	Henry Sanders
ADDRESS:	34 S. Forest Beach Dr # C-10 Hilton Head SC 29928
TELEPHONE #:	843-341-6911

BRIEF DESCRIPTION OF COMMENT

This is an update to my complaint about Unit B-8 at Xanadu Villas. Owner has converted it into 2 separate units, one a physically separated lockout with its own kitchenette which probably violates the LMO + NEC. This unit was previously cited by Town inspectors for the above violations & is apparently still out of compliance, as it's being advertised as a lockout in this issue of Island Real Estate.

JOB ADDRESS:	34 S. Forest Beach Dr # B-8
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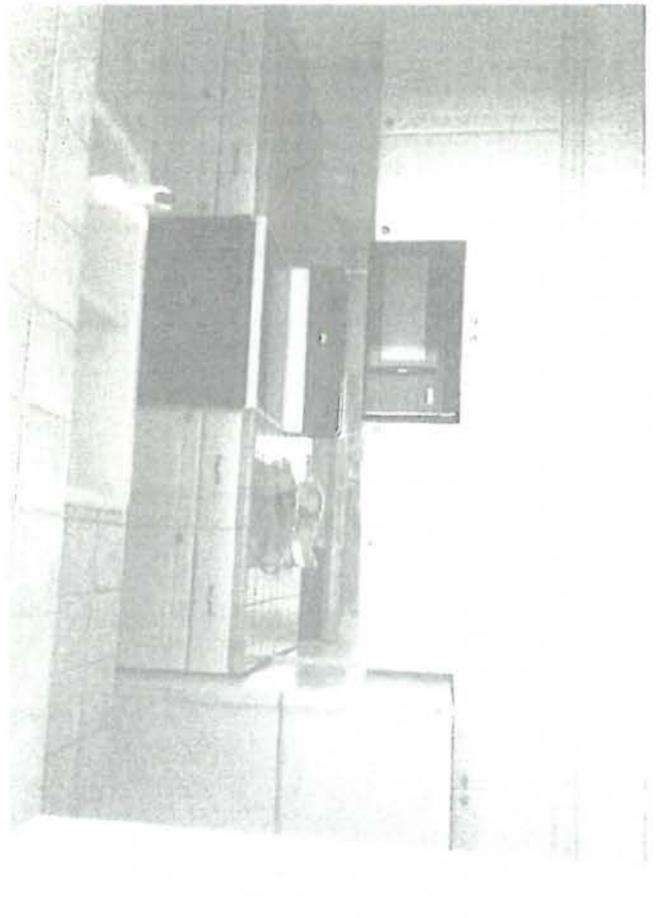
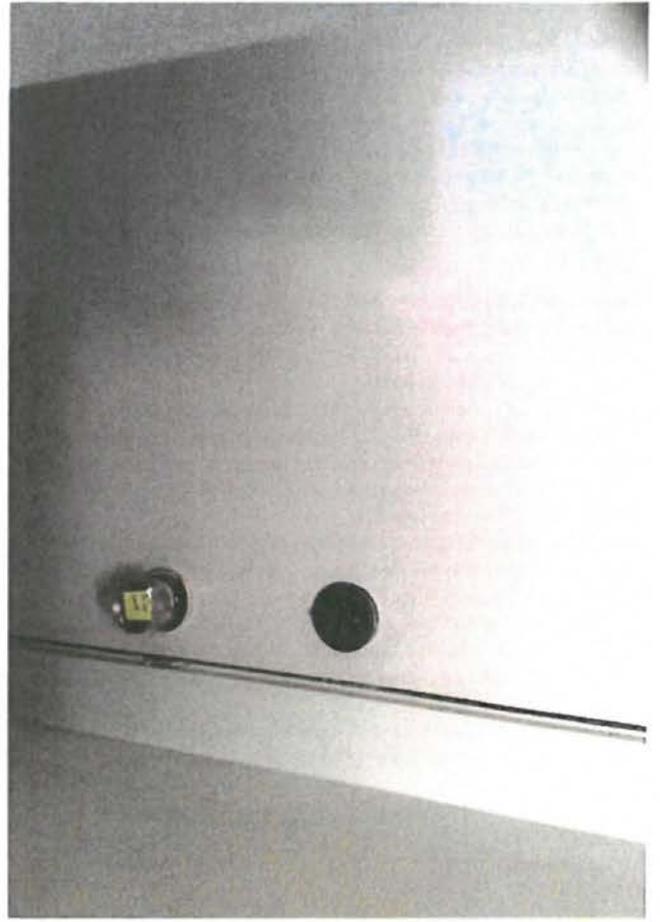
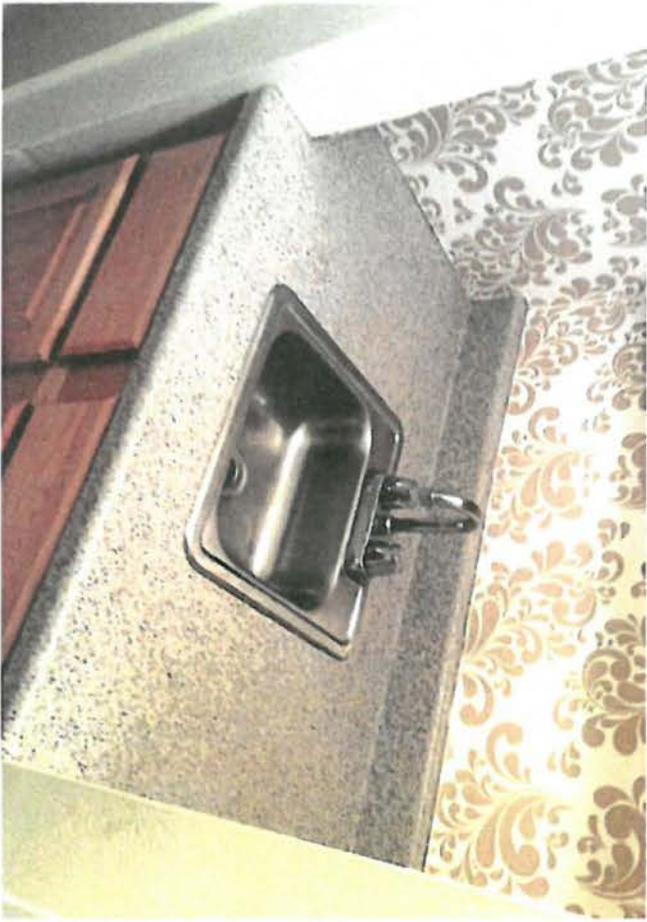
NAME OF BUSINESS OR INDIVIDUAL IN QUESTION	Jerry Shorb
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RESULTS:	7/17/2015 @ 3:34 PM - Received call from Mrs Shorb - will be in town next week Talked to Mrs Shorb - will meet @ 0820 on 7/17/15 No changes to original construction - Investigation closed 7/17/15
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@
0800
hr

JLS

ASSIGNED TO:	
RECEIVED BY:	



Note	Created By	Date and Time Created
<p>1. Created Inquiry in Energov. Thru research of previous code cases and permitting, it was discovered that this unit had already been researched and investigated for a similar complaint the year before. Electrical Permit ELECC-001062-2014 was issued on 7/8/2014 for this unit. wayne adams did the inspection for the electrical work performed in unit. (1 hour 5 minutes for data entry, code case investigation, permit investigations) Assigned to Wayne Adams per Chris Yates / Bob Klein</p>	Jim Sills	6/11/2015 2:40:32PM
<p>2. Inquiry GNI-2015-000105 July 17,2015 Date report written and inquiry established in Energov</p>	Jim Sills	7/17/2015 3:17:37PM
<p>Meeting July 17,2012 @ 0845. I, James L. Sills, met Mr. Shorb at the entrance gate leading to the entrance of Building B at Xanadu at 08:45 hrs. on July 17, 2015. I introduced myself and provided a copy of the complaint for him to read. After he read the permit, he allowed me to accompany him to their unit B-8. He led me on a brief guided tour of the unit. He led me into the main unit where I saw the living room, a breakfast nook, and a kitchen. Leading away from the Living room/kitchen area is an hallway leading to two bedrooms and a bath. About 2/3 of the way down the hallway was the door leading to the lockout unit. The door was open and I was able to briefly survey the lockout unit. I took several pictures of the unit including the wet bar nook, the lock out door viewed from lock out, and Lockout door viewed from main unit. Based upon the five criteria given to me verbally by the building official (Bob Klein) –</p> <ol style="list-style-type: none"> 1. sanitation, 2. sleeping, 3. kitchen (defined as having permanent provisions for cooking ,food prep area, and a sink) , 4. living area, and 5. Eating area. <p>The Lock out unit does not contain the five criteria needed to establish a separate dwelling unit. The construction in the unit remains the same as original construction documents obtained for permitting and constructing Xanadu. Xanadu was permitted, inspected, and given a Certificate of Occupancy by Beaufort County. Without any changes to original floor layout and the Lockout unit not meeting the five criteria for a dwelling unit, the complaint is unsubstantiated. I have closed this inquiry.</p> <p>Jim Sills Combination Commercial Inspector Community Development Town of Hilton Head .</p>		
<p>(30 Minutes Site Visit, 1.5 hours entering data into entergov, writing reports, and transferring pictures)</p>		
<p>Total Hours _ 2 3/4 hours</p>		
<p>3. Contacted Jerry Shorb on July 16,2017. Established a time to meet to perform inspection on unit for complaint. Time established was July 17, 2015 @ 0830 hours.</p>	Jim Sills	7/17/2015 3:26:52PM
<p>4. Attempted to contact Realtor Sonny Huntley of Charter 1 816-1681 on 6/9/2015@ 11:00 am - left message</p>	Jim Sills	6/11/2015 2:45:40PM
<p>5. Investigation closed</p>	Jim Sills	7/17/2015 3:27:59PM

CODE DETAILED REPORT (000237-2014)

Case Type: Stop Work (Building)

Project: Xanadu B8

Opened Date: 07/23/2014

Status: Closed

District: S Forest Beach

Closed Date: 09/02/2014

Description: Xanadu code issues

Assigned To: Wayne Adams

Address:	34 South Forest Beach Drive	Main
	Suite: B8	
	Hilton Head Island, SC	

Note	Created By	Date and Time Created
1. on 8/6/2014 Inspector of record will need to import all photos and documentation and contacts with information also determine if the issue is completed. BK	Chris Yates	8/21/2014 11:10 am
2. On 8/7/2014 Waiting on the Building Official about the key hooked to the door, if that is ok. WA	Chris Yates	8/21/2014 11:14 am
3. On 8/18/2014 Any required use of a key, which is not integral to the locking device is not considered readily accessible. for example a thumb latch attached to a dead bolt would be considered readily accessible, only from the thumb latch side. BK	Chris Yates	8/21/2014 11:15 am
4. On 8/19/2014 See notes on readily accessible for deadbolts. BK	Chris Yates	8/21/2014 11:23 am
5. On 8/22/2014 Contacted the Owner and he stated that the tenant is moving out at the end of September and he would make the current lock a thumb latch type and we could re inspect it at that time. WA	Chris Yates	8/22/2014 12:33 pm
6. On 9/2/2014, Wayne Adams met with the renter who let him in. Thumb latch was in place so the next door unit is accessible.	Jill Foster	9/2/2014 3:49 pm
7. closed 9-05-14 BK	Bob Klein	9/5/2014 3:14 pm

Invoice No.	Fee	Fee Amount	Amount Paid
			\$0.00
		Total for Invoice	\$0.00
		Grand Total for Permit	\$0.00

InspectionEndDate: 08/07/2014

ComplianceDate:

Code Status: Failed

ResolvedDate:

Violation Code:

CitationIssuedDate:

See notes on Readily Accessable for deadbolts. BK Waiting on building official about key hook to door if that is ok talk to Chris Kdoboszynski the care taker of the unit he will contact the owner and change the lock at end of month and call to come take a look at it

CODE DETAILED REPORT (000217-2014)

Case Type: Stop Work (Building)

Project: Xanadu B8

Opened Date: 06/27/2014

Status: Closed

District: S Forest Beach

Closed Date: 09/02/2014

Description: Xanadu south forest beach unit B-8 the lock out unit has been permanently sealed off from the main unit and the electrical panel is not longer accessible to the lock out unit. on 9/2/2014now the the door has a thumb lock on lock out side of door so now the electrical panel is readily accessible

Assigned To Wayne Adams

Parcel: R553 018 000 0229 00B8 Main	Address: 34 South Forest Beach Drive Main Suite: B8 Hilton Head Island, SC 29928	
---	--	--

Owner
Jerry Shorb
34 South Forest Beach Drive
Suite: B8
Hilton Head Island, SC 29928
Home: 2696659532

Note	Created By	Date and Time Created
1. please call Tom Weatherhead at 715-9748 for access code	Chris Yates	6/27/2014 2:28 pm
2. Regarding Xanadu unit B8 on July 1, 2014 i was able to get into the lock out unit the door was in place. the electrical problems that were noted by the fire inspector were not present it appears someone has repaired the electrical problems. I dont know who it was due to the new management company that has takenover the building. at this time i could not get into the main part of unit B8. WA 45mins	Chris Yates	8/21/2014 12:09 pm
3. On 7/8/2014 I was able to meet with the electrician Phil Irwin of Dedicated Electric and he informed me that he did not know that a permit was required for the maintenance repairs that he made and would be coming into the office to pull a permit ASAP. WA 10mins	Chris Yates	8/21/2014 12:16 pm
4. On7/9/2014 permit number ELECC-001062-2014 was issued and an inspection was made. double permit fees were paid and the final inspection was approved.WA 30 mins	Chris Yates	8/21/2014 12:20 pm
5. On 8/22/2014 contacted the owner and he stated that he would change the lock to a thumb latch lock after the Current tenant moves out at the end of September and we could inspect it at that time. WA 5mins	Chris Yates	8/22/2014 12:15 pm
6. on 9/2/2014 I met with the Owner and the lock issue has been resolved. WA 30mins	Chris Yates	9/2/2014 1:52 pm

Invoice No.	Fee	Fee Amount	Amount Paid
			\$0.00
	Total for Invoice		\$0.00
	Grand Total for Permit		\$0.00

InspectionEndDate: 07/01/2014
Code Status: Failed
Violation Code:

ComplianceDate:
ResolvedDate:
CitationIssuedDate:

CODE DETAILED REPORT (000217-2014)

Regarding Xanadu unit B8 on July 1/2014 I was able to get in the lock out unit the door was in place. The electrical problems that were noted by the fire inspector were not there now it appears that someone has repaired the electrical at this time. I do not now who because there is a new management company that has taken over the building. At this time I could not get in the main part of unit B8.



Hilton Head Island Fire Rescue
 40 SUMMIT DRIVE
 Hilton Head Island, SC 29926

Unit B-8

01. Initial inspection Assigned To BLACK, James on 01/22/2014

Start Date: _____ **Finish Date:** _____
Business Name: Xanadu Condo Community **Occupancy ID:** 02319
Address: 34 South Forest Beach DR **Station No.:** Station 1
 Hilton Head Island, SC 29926 **Business Phone:** _____

<u>Complex Info</u>	<u>Main Floor</u>	<u>Stories</u>	<u>Estimated Values</u>
Commercial Units: 0	Length: 0	Above Grade: 0	Property: \$0.00
Residential Units: 4	Width: 0	Below Grade: 0	Content: \$0.00
Complex Type: 1	Area: 0	Upper Construction: -	
Complex: Xanadu Condo Co	Construction: -		

Occupancy Use: R1 - Residential - Transient (Hotels, Motel)	Roof Type: -
Property Uses: 429 - Multifamily dwellings	Roof Material: -
Building Style: -	Roof Const.: -
Building Status: 2 - In normal use	Roof Access: -
Construction Type: -	Interior Walls: -
Detector Type: -	Exterior Walls: -
Power Supply: -	
Auto. Extinguisher: -	
Year of Construction: 0	

Next Re-inspection: 17. Documentation Received Scheduled on Jan 17 2014 12:00AM

<u>Violations</u>	<u>Date Found</u>	<u>Date Cleared</u>	<u>Fee</u>
MISCELLANEOUS			
Comment	01/22/2014		\$0.00
Standard: :			
Comments: Asked by property management company to complete a Courtesy Inspection regarding concern for a possible electrical issue within a unit.			
ELECTRICAL			
IFC 605.1	01/22/2014		\$0.00
Standard: :			
Long Desc: ABATEMENT OF ELECTRICAL HAZARDS - Identified electrical hazards shall be abated. Identified hazardous electrical conditions in permanent wiring shall be brought to the attention of the code official responsible for enforcement of the ICC Electrical Code. Electrical wiring, devices, appliances and other equipment that is modified or damaged and constitutes an electrical shock or fire hazard shall not be used.			



*Resident
Complaint*

CUSTOMER COMMENT FORM

DATE: 6-11-15
CUSTOMER NAME: Henry Sanders
ADDRESS: 34 S. Forest Beach Dr. # C-10
 Hilton Head SC 29928
TELEPHONE #: 843-341-6911

BRIEF DESCRIPTION OF COMMENT
 This is an update to my complaint about Unit B-8 at Xanadu Villas. Owner has converted it into a separate unit, and a physical demarcation lockout with its own kitchenette which probably violates the Local VEC. This unit was previously cited by Town inspectors for the above violations and is apparently still out of compliance, as it's being advertised as a lockout in the listing of Island Real Estate.

JOB ADDRESS: 34 S. Forest Beach Dr. # B-8

NAME OF BUSINESS OR INDIVIDUAL IN QUESTION
 Jerry Shorb

RESULTS: 7/7/2015 @ 3:54 PM - Received call from Mrs. Shorb - will be in town next week. Tabled to see Shorb will meet @ 0820 on 7/17/15

ASSIGNED TO:

RECEIVED BY:

01. Initial inspection Assigned To BLACK, James on 01/22/2014

Start Date:
Business Name: Xanadu Condo Community
Address: 34 South Forest Beach DR
Hilton Head Island, SC 29926

Finish Date:
Occupancy ID: 02319
Station No.: Station 1
Business Phone:

Steve Herron
Vacation Time Property Management
3 Lemoyne Ave Hilton Head Island SC 29928
843-785-5151
Steve@vthhi.com

From: jerryshorb.ps@gmail.com [mailto:jerryshorb.ps@gmail.com] On Behalf Of Jerry Shorb
Sent: Friday, January 17, 2014 12:50 PM
To: Steve Herron
Subject: Re: Xanadu B 8

Steve

Regarding our lock out at Zanadu, please let us know what we need to meet any codes. You have our permission to follow up with the Fire Marshall/building inspectors as we want to fix what ever is required. That unit is empty 90 % of the time. We normally only use it for ourselves when we visit or for friends and family.

Thanks for your help.

Jerry Shorb
1-269-382-6402
cell 1-269-208-2126

On Fri, Jan 17, 2014 at 11:49 AM, Steve Herron <steve@vthhi.com> wrote:

Jerry, nice to talk with you this morning, we will get this resolved for you soon. Please send a return Email covering our conversation.

Thank You

Steve Herron
Vacation Time Property Management
3 Lemoyne Ave Hilton Head Island SC 29928
843-785-5151
Steve@vthhi.com

Recipient Signature

Recipient:

Mr. Chris Yates, Chief Codes Inspector for ToHHI Build

Report & PICS were emailed to Mr. Yates, Mr. Herron
and Mr. Fons.

chrisy@hiltonheadislandsc.gov

steve@vthhi.com

gwfghi@hotmail.com

01. Initial inspection Assigned To BLACK, James on 01/22/2014

Start Date:
Business Name: Xanadu Condo Community
Address: 34 South Forest Beach DR
Hilton Head Island, SC 29926

Finish Date:
Occupancy ID: 02319
Station No.: Station 1
Business Phone:

Comments: I was contacted by Steve Herron of Vacation Time Property Rentals.

He had a concern about an electrical issue in the B Building, Unit 8.

There is a power tap issue within the "Mother-In-Law" suite side of unit 8.

Mr. Herron asked my to complete a courtesey inspection in order to try and find a way to mitigate the matter.

There was a similiar problem with a unit in Building D in the past; ultimately ending up with a fire inside the unit.

This unit in question has a main suite that also has a door way (that has since been blocked by solid wall material (FRP)) into the "Mother-In-Law" suite.

There is only one main electrical service panel, serving both sides of the unit; inside the main unit 's area.

The main unit is considered a long term rental, tenant space and has a long term-tenant leasing the tenent space. The Mother-In-Law suite is considered a short-term rental tenant space and has just recently had someone move into that side.

The Board Of Directors for Xanadu were actually assisting the new short term renter with moving in; when the electrical and door way issue were discovered.

*This is where the complaint originated.

With permission from the property manager/agent, Mr. Steve Herron - accompanied by him, I investigated the electrical issue in question within the Mother-In-Law suite.

I also met the tenant of the long-term rental side of unit 8 (Chris). Mr. Herron and I were granted permission from him to look at take photos of the electrical service panel and the now blocked door way (from that side of the unit).

Photos were also taken of the electrical issues inside the Mother-In-law suite.

Due to this being a residential issue inside a villa unit, I explained to Mr. Herron that the Town Building Codes Office would have to get involved. I continued by letting Mr. Herron know that I would follow up with Chief Codes Inspector, Chris Yates; then get back with him; on the follow up.

I then phoned Chris Yates and also met with him at his office to put into place , a POA for mitigation.

Once my findings were presented to Inspector Yates, it was decided that it would be best to have the property management company (Vacation Time) contact the unit owner and bring the matter to their attention.

From there, the issue would be presented and then a CI be assigned to a ToHHI BC Inspector and permission for follow up mitigation asked.

Since the completion of the courtesey inspection, the owners of the unit were contacted and gave vacation Time Property Management permission to mitigate the matter -

Perry, from the owner of Xanadu B 8

Thank You

Steve

Regarding our lock out at Zanadu, please let us know what we need to meet any codes. You have our permission to follow up with the Fire Marshall/building inspectors as we want to fix what ever is required. That unit is empty 90 % of the time. We normally only use it for ourselves when we visit or for friends and family.

Thanks for your help.

Jerry Shorb

1-269-382-6402

cell 1-269-208-2126

On Fri, Jan 17, 2014 at 11:49 AM, Steve Herron <steve@vthhi.com> wrote:

Jerry, nice to talk with you this morning, we will get this resolved for you soon. Please send a return Email covering our conversation.

Thank You

Steve Herron

Vacation Time Property Management

3 Lemoyne Ave Hilton Head Island SC 29928

[843-785-5151](tel:843-785-5151)

Steve@vthhi.com

Yates Chris

From: Black Perry
Sent: Friday, January 17, 2014 3:40 PM
To: Yates Chris
Cc: Adams Wayne
Subject: FW: Xanadu B 8

Chris:

FYI...

I am steady working on the one from this morning.

I will get you all of my findings for this one as soon as I can.

Tx,

PB



From: Steve Herron [mailto:steve@vthhi.com]
Sent: Friday, January 17, 2014 3:15 PM
To: Black Perry
Cc: gwfhhi@hotmail.com
Subject: FW: Xanadu B 8

Perry, from the owner of Xanadu B 8

Thank You

Steve Herron
Vacation Time Property Management
3 Lemoyne Ave Hilton Head Island SC 29928
843-785-5151
Steve@vthhi.com

From: jerryshorb.ps@gmail.com [mailto:jerryshorb.ps@gmail.com] **On Behalf Of** Jerry Shorb
Sent: Friday, January 17, 2014 12:50 PM
To: Steve Herron
Subject: Re: Xanadu B 8



Perry Black

Hilton Head Island Fire & Rescue
Fire Inspector

(843) 682-5144 Work

(843) 247-3747 Mobile

(843) 682-3945 Fax

PerryB@hiltonheadislandsc.gov

40 Summit Drive

Hilton Head Island, SC 29926

Yates Chris

From: Black Perry
Sent: Thursday, January 23, 2014 2:54 PM
To: Yates Chris
Subject: RE: Xanadu

Chris:

Yes, please follow up with Steve Herron at Vacation Time.

His number is 290-8039.

He is expecting your call.

Then, let me know what you decide and I will clear the report from my end.

Thanks,

PB

	<p>Perry Black Hilton Head Island Fire & Rescue Fire Inspector</p> <p>(843) 682-5144 Work (843) 247-3747 Mobile (843) 682-3945 Fax PerryB@hiltonheadislandsc.gov 40 Summit Drive Hilton Head Island, SC 29926</p>
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From: Yates Chris
Sent: Thursday, January 23, 2014 2:51 PM
To: Black Perry
Subject: RE: Xanadu

Got it read through it looks good. Do I need to call anyone there to talk about a permit?

From: Black Perry
Sent: Thursday, January 23, 2014 2:24 PM
To: Yates Chris
Subject: Xanadu

Did you get the report?

pb

















DANGER ELECTRICAL
CORDS CAN BE HAZARDOUS
If you are not properly trained,
do not touch electrical wires,
cables, or electrical equipment.
Please Read the Instructions.

BEFORE USE

- Read the User's Manual for the product.
- Read the Safety Precautions section of the User's Manual.
- Read the Safety Precautions section of the User's Manual.

DO NOT USE IF DAMAGED

- Do not use if the power cord is damaged.
- Do not use if the power cord is frayed, cracked, or otherwise damaged.
- Do not use if the power cord is plugged into a damaged outlet.

SEE PRODUCT WARNING LABEL

- See the product warning label for the product.
- See the product warning label for the product.
- See the product warning label for the product.

NUMBER OF WATTS

- Do not exceed the number of watts listed on the label.
- Do not exceed the number of watts listed on the label.
- Do not exceed the number of watts listed on the label.

FULLY INSERT THE PLUG INTO THE WALL

- Fully insert the plug into the wall outlet.
- Fully insert the plug into the wall outlet.
- Fully insert the plug into the wall outlet.

THIS IS A POLARIZED CORD





QO LOAD CENTER

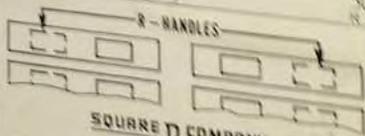
CAT. NO. QOC-30

Manufactured by
SQUARE D COMPANY
 11111
 11111
 11111

ON *01/18/11*
 OFF *01/18/11*

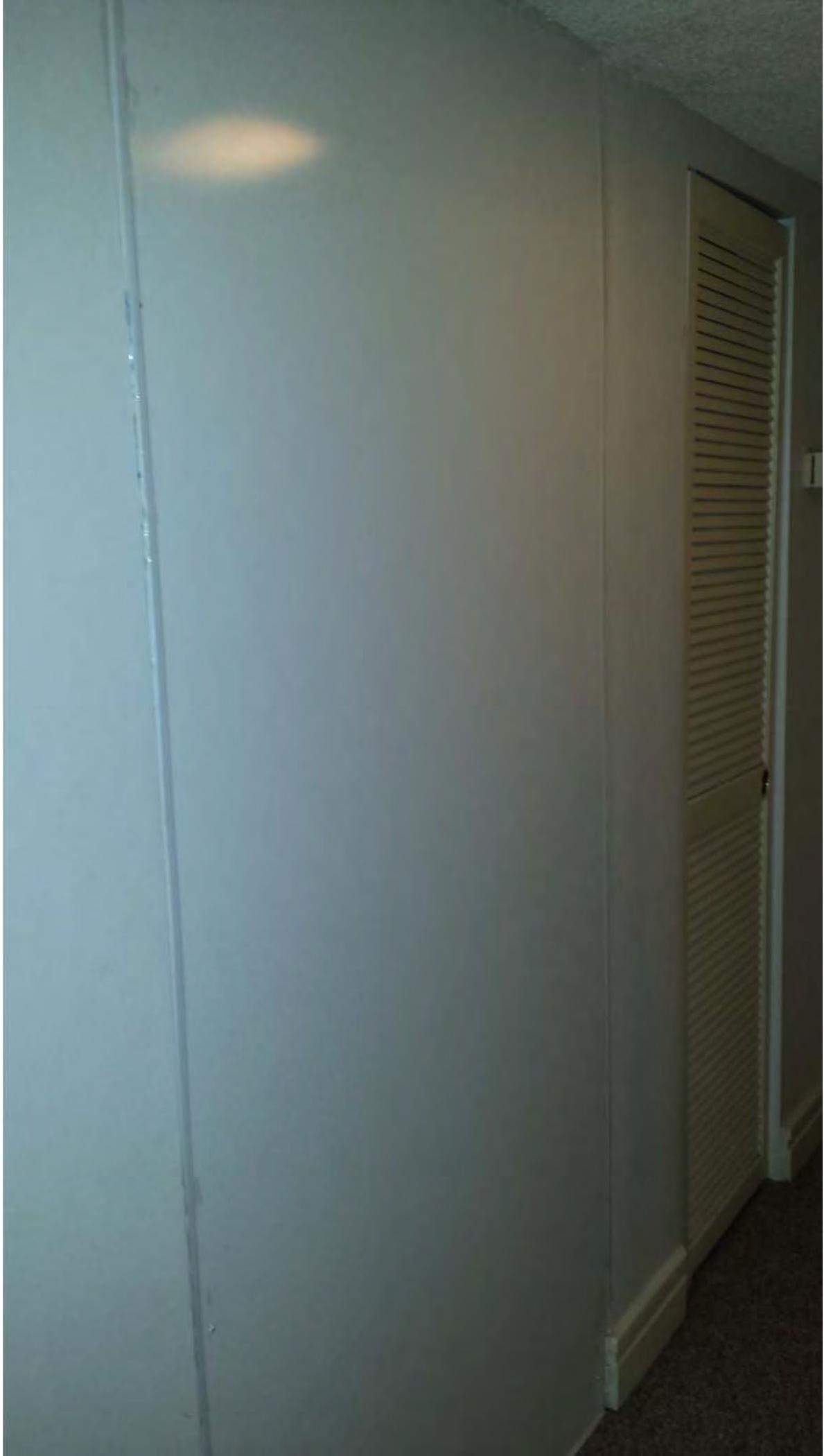
TRIPPED *01/18/11*

1	30A	BED Rm	2
3	LIV Rm	BATH Rm	4
5	KITCHEN REFRIG	BED Rm	6
7	BED Rm	GARAGE DISP	8
9	LIGHTING	DISHWASHER	10
11	LIGHTING	KITCHEN REFRIG	12
13	HEATER		14
15			16
17	RANGE	WATER HEATER	18
19			20
21	CONDENSING UNIT	HEATER	22
23			24
25	CONDENSING UNIT	REFRIG	26
27			28
29			30



SQUARE D COMPANY

11111
 11111
 11111





ORIGINAL

Town of Hilton Head Island
Community Development Department

D-20
K. Saunders

Closed

2 3/4 hrs

CUSTOMER COMMENT FORM

GNI 2015-103

DATE:	5-28-15
CUSTOMER NAME:	Henry Sanders
ADDRESS:	34 S. Forest Beach Dr. # C-10 Hilton Head SC 29928
TELEPHONE #:	843-341-6911

BRIEF DESCRIPTION OF COMMENT

Unit was advertised for sale as having a self-contained lockout bedroom with separate bathroom & kitchenette & separate entrance. By creating a physically separated suite with its own kitchen, the owner has violated the Lmo's unit density limits & Xanadu's original zoning authorization. This needs to be investigated & there was a fire in this lockout in October 2007. (ad copy attached)
Possible NEC issues in lockout as well.

JOB ADDRESS:	34 S. Forest Beach Dr # D-20

NAME OF BUSINESS OR INDIVIDUAL IN QUESTION	Owner - Eve Harkins (843) 683-0301

RESULTS:	6/9/15 @ 11:00 am

ASSIGNED TO:	
RECEIVED BY:	

→ will call to set up meeting - 6/9/15 @ 160 hrs

Eveharkins @ gmail.com 6/17/2015

2379

Units for Sale - Xanadu Villas

Sort by: Last Update

Unit Number : D-06



\$ 136,500

1 Bed | 1 Bath

+ Show/Hide Details:

Contact Info

John R Nicholson
jrnrn17@aol.com
203-4195909

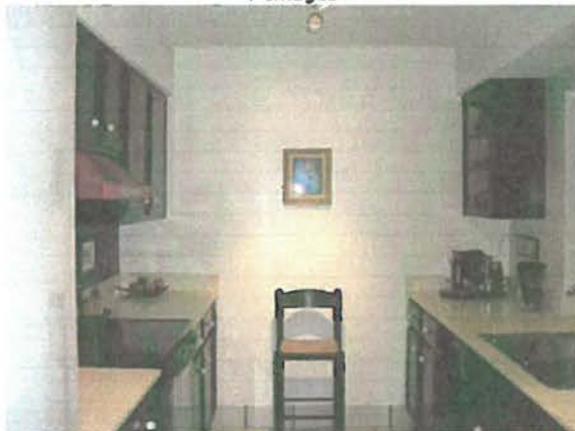
Click Image Above for Slideshow
View Details

Further Information: <http://>

Posted: 12/18/2010
Revised: 02/05/2015

Unit Number : D-20

7 Images



\$ 239,000

3 Bed | 3 Bath

- Show/Hide Details:

1270 square feet. Three bedrooms, three full bath and three balconies. This makes it a Deluxe. And so is the regime fee (589/month). The unit is up to date: fresh paint on ceilings and walls, brand new carpet. New or newish appliances: Marathon water heater with up to code plumbing, Carrier air and heat. Dishwasher, stove and refrigerator have all been recently replaced. The third bedroom is self contained with a kitchenette, its own entrance and air and heat system.

Contact Info

Eve Harkins
eveharkins@gmail.com
843 683-0301

Click Image Above for Slideshow
View Details

Further Information: <http://>

Posted: 06/23/2014
Revised: 08/09/2014

Unit Number : D-14



\$ 188,000

1 Bed | 1 Bath

+ Show/Hide Details:

Contact Info

Marilyn Wenz
mjwatt@verizon.net
631-585-0364

Click Image Above for Slideshow
View Details

Further Information: <http://>

Posted: 04/12/2011
Revised: 04/13/2011

Click on a Unit Number for details!

Add Listing

For questions regarding management or policy issues for the association, etc:

Email Xanadu Villas

This is a CondoConduit web site



For questions regarding Web Site Issues, both technical and administrative:

Email Web Site Support



D-20

CITIZEN REQUEST DETAILED REPORT (GNI-2015-000103)

Request Type: Inquiry	Project:	Date Entered: 06/11/2015
Source: Walk-in	District: S Forest Beach	Deadline Date: 06/16/2015
Status: Closed	Priority: Medium	Complete Date: 06/11/2015
Description: Written Complaint for Unit D-20 , Self Contained Lockout Bedroom with seperate bathroom, kitchenette, and separate entrance. Violates LMO and density limits per original zoning.	Assigned To: Sills, Jim	Emergency: No

Parcel:	Address: 34 S South Forest Beach Drive , D20 Main Hilton Head, SC 29928
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Complainant	Owner
Henry Sanders	Eve Harkins
34 South Forest Beach	34 South Forest Beach
Suite: C-10	Suite: D-20
Hilton Head, SC 29928	Hilton Head, SC 29928
Home: 8433416911	Home: 8436830301
Business:	Business:
Mobile:	Mobile:

Note	Created By	Date and Time Created
1. Phoned Eve Harkins @ 683-0301 and left message 6/9/2015@10:50 am (5 minutes)	Jim Sills	6/11/2015 8:47:26AM
2. Missed call on 6/9/2015 @ 2:45 PM , Mrs. Harkins left message requesting that I call back after 4:00 pm (5 Min)	Jim Sills	6/11/2015 8:48:36AM
3. Eve Harkings called at 3:31 pm (6/9/2015) She asked what was the complaint? Explain the brief concerns stated about the lock out unit with a separate kitchen. She stated that she wanted to talk to the board prior to scheduling an inspection and she would be getting back in touch with me. (10 min)	Jim Sills	6/11/2015 8:49:32AM
4. Inquiry GNI-2015-000103 June 11,2015 Date report written and inquiry established in Energov	Jim Sills	6/11/2015 8:53:54AM

Meeting June 10,2015 @ 0900 hrs.

I, James L. Sills, met Mrs. Harkings at the pedestrian gate leading to the entrance of Building D at Xanadu at 09:00 hrs. on June 10, 2015. I introduced myself and provided a copy of the complaint for her to read. After she read the permit, she allowed me to accompany her to their unit D-20. Before entering the unit, I requested permission to take pictures and would she prefer me to remove my shoes while walking in her unit.

She indicated that pictures would be fine and if I wouldn't mind removing my shoes while in the unit. She led me on a brief guide tour of the unit after I indicated I had never been in Xanadu. She led me into the main unit where I saw the living room, a breakfast nook, and a kitchen. Leading away from the Living room/kitchen area is an hallway leading to two bedrooms and a bath. About 2/3 of the way down the hallway was the door leading to the lockout unit. The door was open and I was able to briefly survey the lockout unit.

I took several pictures of the unit including the electrical panel and the wet bar location in the lockout unit.

Based upon the five criteria given to me verbally by the building official (Bob Klein) –

1. sanitation,
2. sleeping,
3. kitchen (defined as having permanent provisions for cooking ,food prep area, and a sink) ,
4. living area, and
5. Eating area.

The Lock out unit does not contain the five criteria needed to establish a separate dwelling unit. The construction in the unit remains the same as original construction documents obtained for permitting and constructing Xanadu. Xanadu was permitted, inspected, and given a Certificate of Occupancy by Beaufort County.

Without any changes to original floor layout and the Lockout unit not meeting the five criteria for a dwelling unit, the complaint is unfounded.

I have closed this inquiry.

Jim Sills
 Combination Commercial Inspector
 Community Development
 Town of Hilton Head.

(30 Minutes Site Visit, 1.5 hours entering data into entergov, writing reports, and transferring pictures)

Total Hours _ 2 3/4 hours

5. 6/9/2015 @4:25 PM, Mrs. Harkins called and requested that the inspection be performed as soon as it was convient for us. I indicated that we were working around her schedule and I was open for whatever was best for her. We set the time for the inspection at 09:00 am on 6/10/2015 (10 Min)	Jim Sills	6/11/2015 8:51:30AM
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Rick Holbeck

Town of Hilton Head Island
Community Development Department

Revised D-8 unbound

CUSTOMER COMMENT FORM

Rick

Closed

DATE: 5-28-15
CUSTOMER NAME: Henry Sanders
ADDRESS: 34 S. Forest Beach Dr # C-10 Hilton Head SC 29928
TELEPHONE #: (843) 341-6911

GNI-2015-001104
2 hrs 35 min

BRIEF DESCRIPTION OF COMMENT

Unit was advertised for sale as having a 3rd bedroom lockout unit. By creating a physically separate suite the owner has violated the LMO's unit density limits, + Xanadu's original zoning criteria. May or may not have separate kitchenette.

This needs to be investigated; we've had one lockout fire already (D-20, October 2009). Possible NEC issues in lockout also. Ad copy attached

JOB ADDRESS: 34 S. Forest Beach Dr # D-8

NAME OF BUSINESS OR INDIVIDUAL IN QUESTION
Owner unknown (just sold)

RESULTS: Dorcas Silver Re-MAA
Left message - 6/9/15 @ 1043 am
Not the result - [unclear]
[unclear]
(Realty)

ASSIGNED TO: New owner - Jeswald, ~~Matt~~ - Partial
Nicklaus OHR

RECEIVED BY: Rick Holbeck (signature) 757-7710



8415-224-422-5748

6/11/2015 Rick Holbeck - called & left message
email
JOS 6/17/2015

Personalized Real Estate Site for Henry Sanders

Property 7 of 31

34 S. FOREST BEACH DR. Select Report: **Emailed Report** ▼

OFF Market


Images(18)


Tour


Map


Showing


Save


Email


Delete


Print

Agent Information



Name: Doreen Shaw
Phone: 843-384-2939
Cell: 843-384-2939
Fax: 843-342-7582
Email: doreenshaw@remax.net
Web: <http://www.doreenshaw.remax.net>

Office Information



RE/MAX Island Realty
 99 Main Street
 Hilton Head Island
 SC 29926
www.hiltonheadexperts.com

VILLA/CONDO



XANADU VILLAS

ML #: 333297

LP: \$198,000
List Type: Exclusive Right w/MLS Agreement
Area: Forest Beach
Sub Area: South Forest Beach

Status: Pending
[Virtual Tour](#)

St Add: 34 S. FOREST BEACH DR.
Lgl Add: 8D XANADU VILLAS

Tn/Cm: HILTON HEAD ISLAND
County: Beaufort
Zip: 29928

Sell Price:
Sold Date: DOM: 158
Cty Tax Rec Liv Area: 1270
Approx Htd SqFt: 1,270
Regime Fee: \$540 **Reg Fee Per Owner:** \$614.31
POA Fee: No Fee Reported

Transfer Fee: Not on File
Foreclosure: Y
Short Sale: N

Public/Internet Remarks

3 Bedroom, 3 Bath lock-out unit. Updated kitchen and master bath. Great investment or vacation property. Bank Foreclosure. Sold 'As-Is'.

General Information

Bdrm: 3 **FBths:** 3 **HBths:** 0
Yr Built: 1975 **Yr Remod:** **Type:** Flat
Rental: No **Own Land:** N **Short Term:**
Parking: Unassigned Parking
Pool Type: Free Form
Restrictions: Community Covs and Restricts Apply
Not Included in Sale:

Furnished: No
Loc:
Long Term:
Paved Road: Yes
Row:

Property Faces: Unknown
View: Landscape, Wooded
Trades: Not Applicable
Possession: At Closing
Finance: Cash-AllCash, Conventional

Property Features

Appliances: Refrigerator, Oven

Gateway Realty

Your Lowcountry Specialists

ABOUT GATEWAY PROPERTY SEARCH BUYERS SELLERS LOWCOUNTRY INFO BLOG

CONTACT US

Ric Hollifield



Sales Agent, Team Leader

The Hilton Head Life Team

Office: (843) 681-3131

Cell: (843) 422-5748

ric@thehiltonheadlife.com

thehiltonheadlife.com

Founded by Ric Hollifield, long-time real estate professional, the HILTON HEAD LIFE real estate group, a division of Gateway Realty, takes great pride in the relationships we've created with our clients and are blessed to now call them friends.

While searching for the perfect coastal town to raise their children, Ric and his wife Jeri rediscovered Hilton Head Island. Their boys, Cody and Connor, grew up along our shoreline, on our ball fields, and in our schools. Ric has successfully assisted hundreds of families and investors with their real estate needs. From helping young couples find the perfect place to start a family, finding a family a larger home now that their children are teenagers, helping families design and build their dream homes, or working with investors to build their real estate portfolio, Ric's vast knowledge of the Lowcountry along with his background in finance and as a coach and trainer for top Realtor and Lenders across the country creates a strong advantage for his clients.

The HILTON HEAD LIFE real estate group is:

2
12
15
15
10
25

2 3 5
06/11/2014

Sills, Jim

To: ric@thehiltonheadlife.com
Subject: 34 South Forest Beach, Unit D-8
Attachments: Jim Sills.vcf

Ric,
Please advise on the status of the brief summary requested concerning this unit.

Look forward to hearing from you.

Jim Sills
Town of Hilton Head Island
Commercial Combination Inspector

(843) 341-4679 Work
(843) 247-2848 Mobile
jims@hiltonheadislandsc.gov
One Town Center Court
Hilton head Island, SC 29928

Jim Sills

Commercial Combination Inspector
Town of Hilton Head Island
One Town Center Court
Hilton Head Island, SC 29928
Office: 843.341.4679
jims@hiltonheadislandsc.gov

Sills, Jim

From: ric@thehiltonheadlife.com
Sent: Thursday, June 11, 2015 10:00 AM
To: Sills, Jim
Subject: RE: 34 South Forest Beach, Unit D-8

Jim-

Thanks for your note and sorry for the delayed reply.

My clients, Greg and Phyllis Jeswald, have purchased this property and are doing basic updating to the property (painting, flooring, updating appliances in the kitchen and refreshing a couple bathrooms. This property does have the lock-out bedroom. My clients have no plans to change plumbing or electrical systems within the villa, or to change any structural element within the villa. They do not plan on adding a kitchen to the lock-out bedroom, only include items found in a typical private bedroom environment such as a mini/dorm refrigerator, microwave, etc...

I hope this information is helpful. Contact me with any additional questions. My clients will return later this month the enjoy their property.

Best regards, -RIC



RIC L. HOLLIFIELD

Realtor / Founder

A proud partner of Gateway Realty, LLC.

843.422.5748 c. | 843.757.7710 o.

843.757.7711 f. | thehiltonheadlife.com

A forward thinking group of real estate professional who are committed, smart and connected to the local Hilton Head Island and Bluffton market.

----- Original Message -----

Subject: 34 South Forest Beach, Unit D-8

From: "Sills, Jim" <jims@hiltonheadislandsc.gov>

Date: Thu, June 11, 2015 9:19 am

To: "ric@thehiltonheadlife.com" <ric@thehiltonheadlife.com>

Ric,

Please advise on the status of the brief summary requested concerning this unit.

Look forward to hearing from you.

Jim Sills
Commercial Combination Inspector
Town of Hilton Head Island
One Town Center Court
Hilton Head Island, SC 29928
Office: 843.341.4679
jims@hiltonheadislandsc.gov

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the originator of the message. Any views expressed in this message are those of the individual sender. This message has been scanned for viruses and spam by McAfee.

CITIZEN REQUEST DETAILED REPORT (GNI-2015-000104)

Request Type: Inquiry	Project:	Date Entered: 06/11/2015
Source: Walk-in	District: S Forest Beach	Deadline Date: 06/16/2015
Status: Closed	Priority: Medium	Complete Date: 06/11/2015
Description: Unit is advertised with third lockout unit and may violate LMO density. Unit may or may not have a kitchenette.	Assigned To: Sills, Jim	Emergency: No

Parcel: R553 018 000 0229 00D8 Main	Address: 34 S South Forest Beach Drive , D8 Main Hilton Head, SC 29928
--	--

Owner
Nick Jeswald
3455 Hummingbird Hill
Portland, OH 44514
Home:
Business:
Mobile:

Note	Created By	Date and Time Created
1. Called Doreen Shaw of Remax on 6/9/15 at 1043 am Left Message (5 min)	Jim Sills	6/11/2015 2:16:35PM
2. Closed Inquiry as Unfounded	Jim Sills	6/11/2015 2:24:54PM
3. Recieved call from Larry page who informed me that the realtor who handled the transaction for this unit was Ric Hollifield of Gateway Realty. Mr. Page was nice enough to give me Gateway Realty office number. (10 minutes)	Jim Sills	6/11/2015 2:21:04PM
4. Recieved Phone call from Dorren Shaw of Remax (June 9,2015 @ 11:15), advised was not realtor and that she had looked up the information for Mr. Sanders and given it to him. When she printed the report it attached her realtor info. She dis look up the MLS file and found a realtor Larry Page 843.384.7542 Whom I called and left a message (15 minutes)	Jim Sills	6/11/2015 2:18:58PM
5. Called Gateway realty at 843.681.3131 and spoke to the receptionist (june 10, 2015 @ 08:53 am), She transferred the call to Ric Hollifield cell phone. We talked for a few minutes about the complaint and asked if he would provide the contact number for the new owners. He stated that he had talked in depth to the new owenrs about their plans for the unit. I asked if he (the realtor) would mind providing an e-mail about the intentions of the new owners for the new units. Please see the first note with the writtten response via e-mail from Ric Hollifield. the e-mail is also attached as a scanned PDF for the file (25 minutes)	Jim Sills	6/11/2015 2:22:40PM
Time for data entry and scanning files, etc. (1.25 hours)		
Total time for this Inquiry (2 hours 35 minutes)		
6. Jim-	Jim Sills	6/11/2015 2:12:13PM
Thanks for your note and sorry for the delayed reply.		
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I hope this information is helpful. Contact me with any additional questions. My clients will return later this month the enjoy their property.		
Best regards, -RIC		
E-mail response from Realtor who sold the unit to the New Owners Greg and Phyllis Jeswald of Portland, Ohio (15 minutes to print, scan, and attach to Energov records)		

CITIZEN REQUEST DETAILED REPORT (GNI-2015-000104)

Request Type: Inquiry	Project:	Date Entered: 06/11/2015
Source: Walk-in	District: S Forest Beach	Deadline Date: 06/16/2015
Status: Closed	Priority: Medium	Complete Date: 06/11/2015
Description: Unit is advertised with third lockout unit and may violate LMO density. Unit may or may not have a kitchenette.	Assigned To: Sills, Jim	Emergency: No

Parcel: R553 018 000 0229 00D8 Main	Address: 34 S South Forest Beach Drive , D8 Main Hilton Head, SC 29928
--	--

Owner

Nick Jeswald
3455 Hummingbird Hill
Portland, OH 44514
Home:
Business:
Mobile:

Note	Created By	Date and Time Created
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4. Recieved Phone call from Dorren Shaw of Remax (June 9,2015 @ 11:15), advised was not realtor and that she had looked up the information for Mr. Sanders and given it to him. When she printed the report it attached her realtor info. She dis look up the MLS file and found a realtor Larry Page 843.384.7542 Whom I called and left a message (15 minutes)	Jim Sills	6/11/2015 2:18:58PM
5. Called Gateway realty at 843.681.3131 and spoke to the receptionist (june 10, 2015 @ 08:53 am), She transferred the call to Ric Hollifield cell phone. We talked for a few minutes about the complaint and asked if he would provide the contact number for the new owners. He stated that he had talked in depth to the new owenrs about their plans for the unit. I asked if he (the realtor) would mind providing an e-mail about the intentions of the new owners for the new units. Please see the first note with the writtten response via e-mail from Ric Hollifield. the e-mail is also attached as a scanned PDF for the file (25 minutes)	Jim Sills	6/11/2015 2:22:40PM
Time for data entry and scanning files, etc. (1.25 hours)		
Total time for this Inquiry (2 hours 35 minutes)		
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<p>Thanks for your note and sorry for the delayed reply.</p> <p>My clients, Greg and Phyllis Jeswald, have purchased this property and are doing basic updating to the property (painting, flooring, updating appliances in the kitchen and refreshing a couple bathrooms. This property does have the lock-out bedroom. My clients have no plans to change plumbing or electrical systems within the villa, or to change any structural element within the villa. They do not plan on adding a kitchen to the lock-out bedroom, only include items found in a typical private bedroom environment such as a mini/dorm refrigerator, microwave, etc...</p> <p>I hope this information is helpful. Contact me with any additional questions. My clients will return later this month the enjoy their property.</p> <p>Best regards, -RIC</p> <p>E-mail response from Realtor who sold the unit to the New Owners Greg and Phyllis Jeswald of Portland, Ohio (15 minutes to print, scan, and attach to Energov records)</p>		



Town of Hilton Head Island
Community Development Department

owner not responsible for call

CUSTOMER COMMENT FORM

GNE-2015-00106

DATE: 5-28-15
CUSTOMER NAME: Henry Sanders
ADDRESS: 34 S. Forest Beach Dr # C-10 Hilton Head SC 29928
TELEPHONE #: (843) 341-6911

BRIEF DESCRIPTION OF COMMENT

Unit has 3rd bedroom lockout suite which is physically separated from the main unit & separately rented. Owner, started before witnesses at last Xanadu Board meeting that he had installed an arc fault interrupter or breaker for the lockout himself, did not obtain a Town permit, & did not need a permit (retired electrical engineer).

This needs to be investigated forth with; we've already had an electrical fire in a lockout (D-2p, October 2007), possible danger.

JOB ADDRESS: 34 S. Forest Beach Dr # C-8

NAME OF BUSINESS OR INDIVIDUAL IN QUESTION

Frank M. Boykin	(843) 785-6064
Nancy W-Hoffman	(704) 663-0855

RESULTS:

Called 6/11/2015 - 9:13AM - NO Answer Frank

ASSIGNED TO:

RECEIVED BY:

CITIZEN REQUEST DETAILED REPORT (GNI-2015-000106)

Request Type: Inquiry	Project:	Date Entered: 06/11/2015
Source: Walk-in	District: S Forest Beach	Deadline Date: 06/16/2015
Status: Open	Priority: Medium	Complete Date:
Description: Advertised	Assigned To: Sills, Jim	Emergency: No

Parcel: R553 018 000 0229 00C8 Main	Address: 34 S South Forest Beach Drive , C8 Main Hilton Head, SC 29928	
--	--	--

Complainant	Owner
Henry Sanders	Frank Boykin
34 South Forest Beach	34 South Forest Beach
Suite: C-10	Suite: C-8
Hilton Head, SC 29928	Hilton Head, SC 29928
Home: 8433416911	Home:
Business:	Business:
Mobile:	Mobile:

Note	Created By	Date and Time Created
1. 7/22/2015 A building permit will be required to change out a receptacle to an Arc fault receptacle. This is a new requirement of the code for replacement receptacles. This is a maintenance issue. Doing this does not change the use of the unit in any way.	Chris Yates	7/22/2015 10:02:08AM
2. 6/9/2015@ 10:41 Called Frank Boykin at 843.785.6064 , No answer - no answer machine to leave message (5 Min)	Jim Sills	6/11/2015 3:01:08PM
3. talked to Frank Boykin on July 7,2015, They will not be back in town until September 10, 2015	Jim Sills	7/17/2015 9:10:03AM
4. 6/11/2015@ 09:13 Called Frank Boykin at 843.785.6064 , No answer - no answer machine to leave message (5 Min)	Jim Sills	6/11/2015 3:02:17PM

26p187
1 of 18

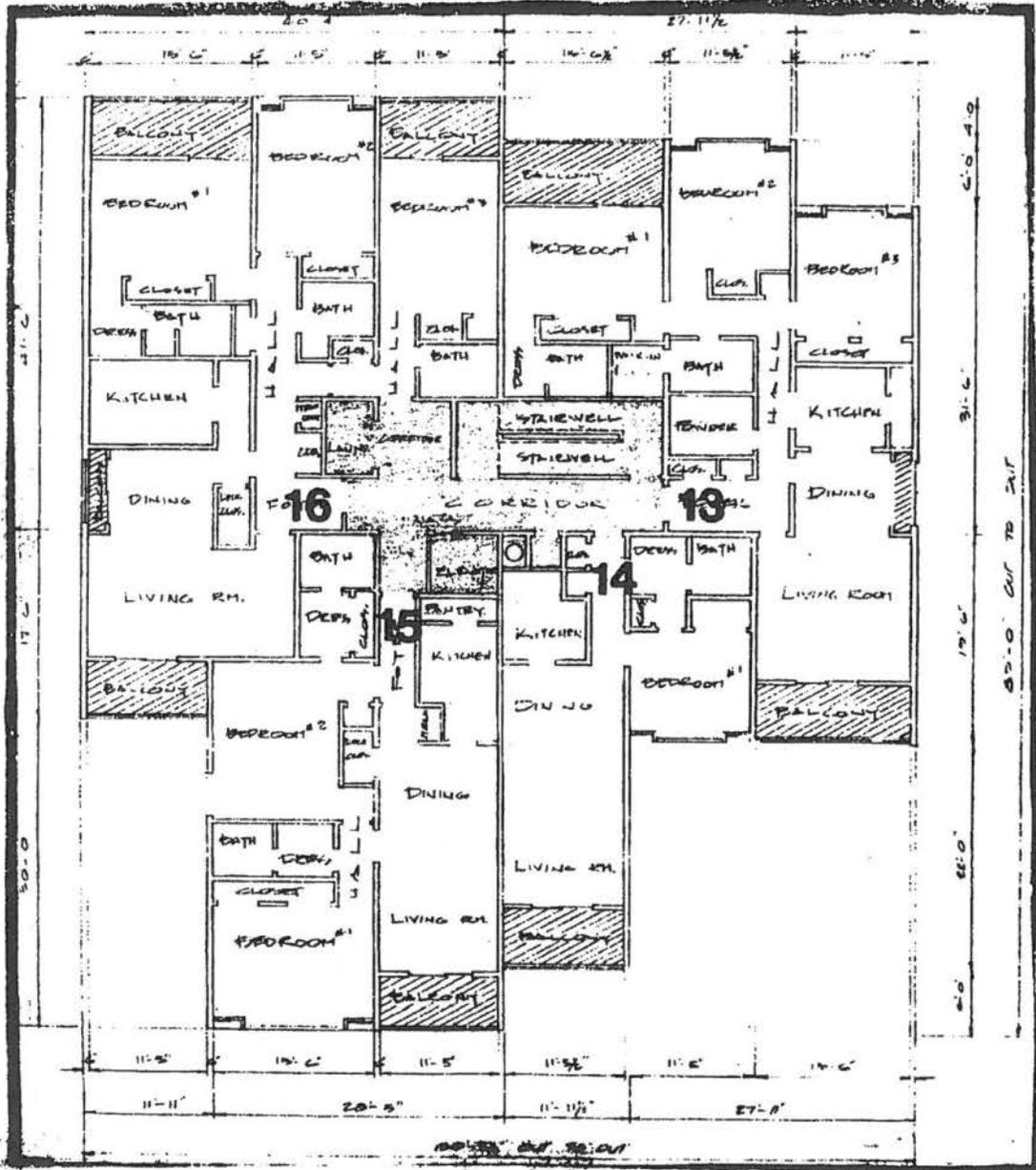


EXHIBIT "B" Page 4
Fourth Floor Plan of Building "A"
Annexed to and Made a part of the Master
Deed for Xanadu Horizontal Property Regime.

ELEV. (from U.S.C. & G.S. Datum)
FL. ELEV. 86.00'
CLO. ELEV. 44.66'

LEGEND

-  GENERAL COMMON ELEMENTS
(a) All lands, buildings, corridors, stairwells and lobbies
-  LIMITED COMMON ELEMENTS
(a) Balconies
-  APARTMENTS

The undersigned Engineer hereby certifies that these plans are true and correct to the best of his knowledge.
This 10 day of *September* 1978
E.H. Friedleben
E.H. FRIEDELSEN P.E. & L.D. 4524



E.H. FRIEDELSEN CONSULTING P.E. & L.D.	
P.O. DRAWER 1688	
MILTON HEAD ISLAND, S.C. 29928	
SCALE: 1/8" = 1'-0"	DATE: 10-30-78
APPROVED BY: <i>[Signature]</i>	DATE: _____
Page _____	

ATTACHMENT 5