

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

Date of Meeting: Tuesday, January 27, 2015

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

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

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

I. Call to Order

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

II. FOIA Compliance

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

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

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

V. Approval of Agenda. Agenda approved as presented.

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

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

VIII. Unfinished Business.

IX. New Business.

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

b) **A hearing for the owner of the Metropolitan Hotel at 11 Lemoyne Avenue, Hilton Head Island, SC to show cause why the rear building should not be**

demolished or otherwise made safe. Mr. Bob Klein stated that Town staff recommends that the CBAA concur with his determination that the structure known as Metropolitan (rear building) located at 11 Lemoyne Avenue, Hilton Head Island is an unsafe structure and that the structure needs to be demolished or otherwise made safe. Mr. Klein read the background information and presented photographs of this structure. In summary, the integrity of the Metropolitan (rear building) has been compromised and poses danger to the general public.

- a. The exterior guardrails show substantial signs of disrepair and have become a life safety issue.
- b. The main entrance ceiling drywall has been compromised and has become a life safety issue.
- c. There are concerns regarding the structural integrity of the roofing system and may become a life safety issue.
- d. Electrical issues have been inspected and approved by the Town.

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

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

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

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

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

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

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

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

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

X. Adjournment.

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

Submitted by Eileen Wilson, Senior Administrative Assistant

Approved by: 2/24/2015
Jay Owen, Chairman