

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

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



Frank Guidobono
Ling Graves
Robert Zinn
Marc Ellis
Randy May

AGENDA

Tuesday, April 24, 2018
at 5:30pm in

Benjamin M. Racusin Council Chambers

1. Call to Order

2. 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.

3. Wireless Telephone Usage

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

4. Approval of Agenda

5. Approval of Minutes

Approval of the CBAA minutes of February 27, 2018

6. Appearance by Citizens on Items Unrelated to Today's Agenda

7. Unfinished Business

8. New Business

A formal request for a motion to Reconsider the Appeal of 7 Sam Frazier Retreat (APL-000315-2018).

APL-000315-2018

7 Sam Frazier Retreat. Mr. Josa Ramos is appealing a Notice of Violation for the unpermitted structure being used for unlawful habitation, located at 7 Sam Frazier Retreat Hilton Head Island SC 29926. The Notice of Violation was issued pursuant to section 114.1 (Unlawful Acts) of the International Building Code (IBC).

9. 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 27, 2018

Members Present: Marc Ellis, Randy May, Joe Nix, Jay Owen, Robert Zinn

Members Absent: Neil Gordon, Ling Graves, Frank Guidobono, Michael Lynes, Robert Tanner

Town Staff Present: Chris Yates, *Building Official*; Shawn Colin, *Deputy Director Community Development*

1. Call to Order

Chairman Owen called the meeting to order at 5:33 p.m.

2. 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.

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

4. Approval of Agenda. The agenda was approved by general consent.

5. Approval of Minutes. The minutes of August 22, 2017 were approved as presented.

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

7. Unfinished Business. None

8. New Business.

PUBLIC HEARING

APL-000315-2018

7 Sam Frazier Retreat. Mr. Josa Ramos is appealing a Notice of Violation for the unpermitted structure being used for unlawful habitation, located at 7 Sam Frazier Retreat Hilton Head Island SC 29926. The Notice of Violation was issued pursuant to section 114.1 (Unlawful Acts) of the International Building Code (IBC).

Mr. Patrick J.T. Kelley, P.C. presented the appeal on behalf of Mr. Ramos.

Mr. Kelley reported on the history of this property, the structure in question and the need for Mr. Ramos to remain on this property due to financial constraints.

Mr. Yates began his presentation by reading the timeline of events performed by Town Staff at this property.

After much discussion regarding flood elevation, electric meters and the building code the Chairman asked for a motion.

Mr. Nix made a motion the Board have further discussion on this appeal. Mr. Ellis seconded the motion. The motion passed unanimously.

Mr. Zinn made a motion that the Construction Board of Adjustments and Appeal concur with the Building Official's determination that the Illegal Non-Conforming structure located at 7 Sam Frazier Retreat, Hilton Head Island is an unpermitted structure that is being unlawfully used for habitation in violation of the Code. Mr. Ellis seconded the motion. The motion passed unanimously.

9. Adjournment.

There being no further business, the meeting adjourned at 6:40 p.m.

Submitted by Eileen Wilson, Senior Administrative Assistant

Approved by: _____
Jay Owen, Chairman

DRAFT

April 2, 2018

c/o: Construction Board of Appeals Chairman, Jay Owens

cc: Chris Yates

As required, please consider this letter as a formal request for a motion to reconsider in regards to the notice to vacate of my property located at 7/9 Sam Frazier Retreat. S.C. Code § 6-29-89 requires that all information regarding appeals to be forwarded to the appeals board. I have located within Hilton Head Island's permitting system permits number B1202406. As SC code requires, the Construction Review Board should have been forwarded this information in regards to my appeal. Pertinent information regarding activities conducted on my property overseen by the Town of Hilton Head Island and the Palmetto Electric utility company has been documented within the above mentioned permit number.

Thank you in advance for addressing this issue.

Respectfully,



Josa Ramos

843-338-2987

7 Sam Frazier Retreat

Hilton Head Island SC



**TOWN OF HILTON HEAD ISLAND
SOUTH CAROLINA**

BUILDING PERMIT #:

B1202406

Date Issued: 09/18/2012		Parcel ID: R51001000004020000			Permit Fee:		Value of Construction \$1,500.00	
Address:	Street # & Street Name 7 Sam Frazier Retreat	Lot #		Subdivision: Not Applicable	Building #	Unit #		
Type of Construction	Electrical Conversion	Occupancy:	Residential	Flood Zone/Minimum Finished Floor Elevation:				

Scope of Work: Remove old meter can and overhead service cable from existing pole. Build new treated lumber pedestal, trench conduit and wire from pedestal to new panel location in house. Add to two ground rods and clamps.

Heated Square Ft.	0	Unheated Square Ft	0	Total Square Ft	0	Number of Units	0.00
Stories	0	Exterior Finish		Square Feet of Pool	0	Fireplaces	0
Bedrooms	0	Roofing Type		Septic Tank #		Fire Alarm System	
Bathrooms	0.0	Heating/Air		Elevators	0	Fire Sprinkler	
Total Rooms	0	Type of Fuel					

	Name	Address	City, State	ZIP Code	Phone
Contractor:	EARL'S ELECTRICAL SERVICES	83 Wildhorse Road	Hilton Head Island, SC	29926	(843) 681-5911
Applicant:	EARL'S ELECTRICAL SERVICES	83 Wildhorse Road	Hilton Head Island, SC	29926	(843) 681-5911

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

This is in a special flood hazard zone

Conditions of the Approval:

Town Staff conditions are included, additional pages may be attached.

Print Name: _____ Signature: _____ Date: _____

Expiration: Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced.

If you have questions or concerns regarding this permit, please call the Community Development Department at 843-341-4757.

PERMIT DETAILED REPORT (B1202406)

Permit Type Import	Project:	App Date: 09/18/2012
Work Class: Electrical Conversion	District: Not Applicable	Issue Date: 09/18/2012
Status: Finalized	Square Feet: 0.00	Exp Date: 03/13/2013
Description: Remove old meter can and overhead service cable from existing pole. Build new treated lumber pedestal, trench conduit and wire from pedestal to new panel location in house. Add to two ground rods and clamps.	Valuation: \$ 1,500.00	Final Date: 09/18/2012

Parcel: R51001000004020000	Main	Address: 7 Sam Frazier Retreat	Main	Zone: RM-4 (RM-4)
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Applicant	Contractor
Earl Smith (Sr)	Earl Smith (Sr)
83 Wildhorse Road	83 Wildhorse Road
Hilton Head Island, SC 29926	Hilton Head Island, SC 29926
Home:	Home:
Business: 843-681-5911	Business: 843-681-5911
Mobile:	Mobile:

Note	Created By	Date and Time Created
1. OWNER RAMOS JOSA 61 OAKVIEW DR HILTON HEAD ISLAND SC 29926	System Administrator	January 1, 1901 12:00 am
2. FEC not required. (added by script)	System Administrator	May 19, 2008 12:00 am
3. This is a C or B Zone. (added by script)	Marc Torin	January 24, 2012 12:00 am
4. This is a C or B Zone. (added by script)	Marc Torin	February 6, 2012 12:00 am
5. This is a C or B Zone. (added by script)	Marc Torin	April 17, 2012 12:00 am
6. This is a C or B Zone. (added by script)	Marc Torin	April 18, 2012 12:00 am
7. Permits Plus Other Fields: Trans Dist ID: 63 Electrical Valuation: 1500.00 User ID: MARCT User ID Approved: MLT Flood Zone: A7(14) Sub Type: Electrical conversion Overlay 1: 500 f Code Used: 2008 NEC - 7/09 Lot:	System Administrator	September 18, 2012 12:00 am
8. Case Condition: Status: Approved Condition Text: CONDITION- THIS PERMIT EXPIRES NINETY (DAYS FROM DATE OF ISSUE	Marc Torin	September 18, 2012 11:09 am

Activity Type	Activity Number	Name	User	Created On
Permit Activity	A000364808	Approval of conv estimate	Marc Torin	9/18/2012 11:01:51AM

PERMIT ACTIVITY REPORT (B1202406)

Created Date	Activity Type	Activity Name	Activity Number	Activity Comments	Created By
09/18/2012	Permit Activity	Approval of conv estimate	A000364808	Status: Approved User: mlt	Marc Torin



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Construction Board of Adjustments and Appeals
FROM: Chris Yates, *Building Official*
CC: Shawn Colin, *Deputy Director of Community Development*
CC: Brian Hulbert, *Staff Attorney*
DATE: February 19, 2018
SUBJECT: Illegal Non-Conforming Structure located at 7 Sam Frazier Retreat

Recommendation:

Town staff recommends that the Construction Board of Adjustments and Appeals (CBAA) concur with the Building Official's determination that the Illegal Non-Conforming structure located at 7 Sam Frazier Retreat, Hilton Head Island is an unpermitted structure that is being unlawfully used for habitation in violation of the Code.

Background:

April 29, 2016 – Staff received a complaint from Hilton Head Fire and Rescue of someone living in a shed behind a mobile home located at 7 Sam Frazier Retreat.

May 2, 2016 – Staff investigated the complaint and found that there were two electrical meters on the property one for the structure in question and one for a manufactured home located on the property. Josa Ramos was questioned by staff if the structure was being lived in and Mr. Ramos stated no. Mr. Ramos then let staff see the inside of the structure. There was a bed, refrigerator and stove.

December 19, 2017 – Fire Chief Brad Tadlock, Rochelle Williams and Building Official Chris Yates met to discuss a 911 addressing issue at 7 Sam Frazier Retreat. Mrs. Williams expressed concerns that a storage shed she built without a permit in 1999 was now addressed as 9 Sam Frazier Retreat and the address of the property had been changed from 7 to 9 Sam Frazier Retreat. Mrs. Williams also stated that the storage shed was being lived in by her brother Josa Ramos.

December 20, 2017 Staff met onsite and confirmed that the shed was being occupied and that since May 2, 2016 had doubled in size, all done without a building permit from the Town. Staff also noted that there was a waste drain pipe going to a septic tank. To date there is no DHEC permit for the septic tank connection. DHEC has started an investigation into this matter.

January 25, 2018 Town staff posted the structure with a Notice of Violation, a Notice of Violation Letter was hand delivered to Mr. Ramos and copies of the Notice of Violation Letter were mailed certified delivery to all the property owners of 7 Sam Frazier Retreat. The notice gave Mr. Ramos 30 days to relocate all occupants and their belongings, and to acquire a demolition permit to demolish the building, or as an alternative apply for a building permit to make the structure useable as a storage shed, or if the necessary documentation is submitted, into a dwelling unit. (Please see Attachment 1)

January 29, 2018 Josa Ramos, Taiwan Scott and Malek Abraheim met with Building Official, Chris Yates to discuss the Notice of Violation Letter. The discussion was centered around a overhead to underground electrical conversion that was performed in 2014. In 2014 the Town converted the existing overhead electrical service that fed power to the shed to an underground electrical service. Mr. Ramos assumed that the electrical conversion was the Town's approval of occupancy for the storage shed. It was explained to Mr. Ramos that the overhead to underground conversion permit was in no way an approval to occupy the storage shed. The appeal process was then explained to Mr. Ramos.

February 5, 2018 Josa Ramos, Taiwan Scott and Building Official, Chris Yates met to discuss a letter from a local Architect, James (Jim) Robinson. The letter addressed some of the visible deficiencies observed after a site visit of the storage shed. The letter did not address the requirements to be legally occupied as a habitable dwelling unit. A request was made to have Mr. Robinson give the Building Official a phone call to discuss the requirements of a habitable dwelling unit. (Please see Attachment 2)

February 7, 2018 Local Architect, Jim Robinson contacted Town Building Official, Chris Yates to discuss the storage shed. Mr. Robinson stated that he only evaluated the newly constructed addition to the storage shed and that he had no idea that the original storage shed was an illegal non-conforming structure. He stated that his letter was only meant for the new construction that was done to increase the size of the original structure. Mr. Robinson did not feel like he wanted to take on the design requirements to bring the storage shed up to the habitability standards of the code. He stated that he would contact Mr. Ramos and talk to him about his options moving forward.

February 8, 2018 Josa Ramos filed an appeal with the Construction Board of Adjustments and Appeals. The appeal was based on the Building Official's decision and notice of violation for the illegal occupancy of an illegal non-conforming structure. Mr. Ramos also dropped off a permit application to install a window in the illegal non-conforming structure. The application was denied and Mr. Ramos was refunded his permit fees.

Summary:

The structure located at 7 Sam Frazier Retreat is an unpermitted structure unlawfully being used for habitation in violation of the building code.

1. There have been no building permits issued to construct the structure. The structure has doubled in size since first investigated in May 2016.
2. The structure is not built to code, is not habitable and cannot be occupied as a dwelling unit.

3. The structure is located in a A7 (14) flood zone. The structure is below flood and in violation of the Town's flood control ordinance.
4. DHEC has not issued a septic tank permit for the structure, and is investigating.



Subject: Illegal Non-Conforming Structure located at 7 Sam Frazier Retreat

Date: February 19, 2018

Page 4









Subject: Illegal Non-Conforming Structure located at 7 Sam Frazier Retreat

Date: February 19, 2018

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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

Kim W. Likins
Mayor ProTem

Attachment 1

January 25, 2018

Council Members

David Ames
Marc A. Grant
William D. Harkins
Thomas W. Lennox
John J. McCann

Jose Ramos, Rochelle Williams,
Karen Smalls, and Samantha Ramos
7 Sam Frazier Retreat
Hilton Head Island, SC 29926

Stephen G. Riley
Town Manager

RE: **Notice of Violation** related to the Structure located on 7 Sam Frazier Retreat, Tax District R510-010-000-0402-0000, AKA 7B or 9 Sam Frazier Retreat, Hilton Head Island, SC 29926

Dear Property Owners:

A search of the Beaufort County tax records indicates that the parties listed above are the current owners of the above referenced property. Pursuant to section 114.1 of the International Building Code, 2015 edition, this letter shall serve as notice that the storage structure located on the above referenced property appears to be an unpermitted structure and to be unlawfully used for unlawful habitation in violation of this Code.

A Town of Hilton Head Island building inspector inspected the site and has observed that the structure is being used as a dwelling unit. This is in violation of the building code in as much as the structure has not been constructed pursuant to a building permit; there have been no building plans drawn and submitted by a South Carolina licensed Design Professional for review and approval by the Town; the structure has not received any Department of Health and Environmental Control (DHEC) septic tank permit and approval; a flood elevation certificate has not been provided to the Town; and all required inspections by the Town of Hilton Head Island have not been conducted. Therefore, this is considered by the Town to be an illegal non-conforming structure.

Pursuant to Section 114.2 of the International Building Code, 2015 edition, you are hereby ordered to immediately discontinue the unlawful occupancy of the above referenced structure.

You have 30 days from the date of this letter to relocate all occupants and their belongings, and to acquire a demolition permit to demolish the building. In the alternative, you may apply for a building permit to make the structure useable as a storage shed, or if the necessary documentation is submitted, into a dwelling unit.

Attachment 1

All work related to the permit must be completed within 60 days of receipt of a permit. If a building permit is applied for and provided, a Certificate of Occupancy may be issued at such time that all noted violations have been corrected, construction is completed and properly inspected by Town building inspectors.

If you have any questions, I may be reached at 843 341-4664.

Sincerely,



Christopher D. Yates, Building Official
Town of Hilton Head Island
843-341-4664 office
chrisdy@hiltonheadislandsc.gov

cc: DHEC
Charles Cousins, Director
Shawn Colin, Deputy Director
Nancy Stephens, Applications/Records Manager
Brian Hulbert, Staff Attorney

Attachment 1

SCOPE AND ADMINISTRATION

pass on matters pertaining to building construction and are not employees of the jurisdiction.

SECTION 114 VIOLATIONS

[A] 114.1 Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, *repair*, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

[A] 114.2 Notice of violation. The *building official* is authorized to serve a notice of violation or order on the person responsible for the erection, construction, *alteration*, extension, *repair*, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a *permit* or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

[A] 114.3 Prosecution of violation. If the notice of violation is not complied with promptly, the *building official* is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

[A] 114.4 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the *approved construction documents* or directive of the *building official*, or of a *permit* or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law.

SECTION 115 STOP WORK ORDER

[A] 115.1 Authority. Where the *building official* finds any work regulated by this code being performed in a manner either contrary to the provisions of this code or dangerous or unsafe, the *building official* is authorized to issue a stop work order.

[A] 115.2 Issuance. The stop work order shall be in writing and shall be given to the *owner* of the property involved, the *owner's* authorized agent or the person performing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work will be permitted to resume.

[A] 115.3 Unlawful continuance. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

SECTION 116 UNSAFE STRUCTURES AND EQUIPMENT

[A] 116.1 Conditions. Structures or existing equipment that are or hereafter become unsafe, insanitary or deficient because of inadequate *means of egress* facilities, inadequate light and ventilation, or that constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the *building official* deems necessary and as provided for in this section. A vacant structure that is not secured against entry shall be deemed unsafe.

[A] 116.2 Record. The *building official* shall cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.

[A] 116.3 Notice. If an unsafe condition is found, the *building official* shall serve on the *owner*, agent or person in control of the structure, a written notice that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires the unsafe structure to be demolished within a stipulated time. Such notice shall require the person thus notified to declare immediately to the *building official* acceptance or rejection of the terms of the order.

[A] 116.4 Method of service. Such notice shall be deemed properly served if a copy thereof is (a) delivered to the *owner* personally; (b) sent by certified or registered mail addressed to the *owner* at the last known address with the return receipt requested; or (c) delivered in any other manner as prescribed by local law. If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the *owner's* agent or upon the person responsible for the structure shall constitute service of notice upon the *owner*.

[A] 116.5 Restoration. Where the structure or equipment determined to be unsafe by the *building official* is restored to a safe condition, to the extent that repairs, *alterations* or *additions* are made or a change of occupancy occurs during the restoration of the structure, such *repairs*, *alterations*, *additions* and change of occupancy shall comply with the requirements of Section 105.2.2 and the *International Existing Building Code*.

Attachment 2

Chris, attached is the letter you requested for the Ramos Appeal hearing.

Please understand that my inspection of the structure was limited to the recent addition and not to the original structure. After learning that the original structure was never permitted it is unlikely that any certification could be granted or repairs made that would bring that into a certifiable condition.

I advised Mr Ramos to get a used trailer and install it in their yard and that he should work with the Town to get the trailer permitted and permanently installed.

Sorry if there were any misunderstandings.

Respectfully,

Jim R

James Y. Robinson, Jr. AIA
JYR Architect, PC
20 Willow Oak West Road
Hilton Head Island, SC 29928
B (843) 368-5641
jyrarchitect@gmail.com

Attachment 2

February 5, 2018

Inspection Date 2/1/2018

Report on Unit 9 at 7 Sam Frazier Retreat

The building is currently being used as a single family, 1 bedroom unit. The building is an “L” shaped structure 14’ on one side 32’ down the adjacent side, 20’ on the back side 16’ on the adjacent side, 6’ along the top of the L and 16’ along the side to the point of origin for a total of 544SF of conditioned space. There is a 4’ x 20’ utility shed along the 20’ side of the home. The home has a great room which has a sitting area, dining area and kitchenette unit. There is a closet and bathroom off the great room. The home has on bedroom which is also off the great room and is approximately 16’ x 14’. This section of the home was a late addition and the writer was asked to review the construction and determine what if any changes needed to be made to bring the structure into compliance with current codes.

The structure is one story frame structure on pressure treated wood foundations. The floor system is 2x10 joists at 16” OC , spanning from the perimeter double 2x10 perimeter girder to a double 2x10 girder down the center. All Girders are bolted to the foundation posts with two (2) ½” diameter galvanized through bolts The span of the Girders is approximately 8’. The joists span approximately 6’8” and are more than adequate for the loads. The walls are 2x4 studs at 16” OC approximately 8’ high with a single plate at the floor and a double plate at the top. The 2x 10 roof rafters are 16 “ OC and are spanning about 13’ 4” with approximately a 12” overhang on each side of the home The home has a metal roof. The roof slopes at about a 1” per foot and is for load calculations considered flat. The mean roof height is about 11’6”.

From photographs taken at the time of construction, discussions with the owner builder and personal observations it was determined that the home is insulated with R 19 batt insulation in the ceiling, R 13 batt insulation in the walls and R 11 insulation in the floor.

The roof rafters are clipped with Simpson H2.5A clips at each Rafter. The sheathing is ½ “ OSB board on both walls. The sheathing overlaps the top wall plate and the bottom Rim Joists. The home has 3/8” Texture 1-11 siding. The roof is “V”groove aluminum roofing.

The writer was requested to inspect the facility to develop a list of improvements needed to address the buildings code deficiencies. The following items were noted:

1. The bedroom has no exit window. It is recommended that the chest that sits under the high window be moved to the wall opposite the bed and that an escape window be added below the existing window. There is room below the existing window header to get one 3’0” by 4’6”

Attachment 2

Double hung window with metal straps either side. As an alternative the new escape window could be located in the window opposite the bed. Then the chest could remain under the window.

2. It is recommended that the home be termite treated either with a temiticide or with a termite baiting system that attracts the termites away from the structure.

3. A 6 mil poly vinyl vapor barrier be installed on the underside of the structure would keep ground moisture from seeping up into the living space.

4. It is further recommended that Simpson straps MSTI be run from the top plate of the wall to lap the perimeter girders. Use two Simpson MST 72”straps at each corner one from the top plate down and one from the perimeter girder up with an overlap in the middle. The straps should be added on the outside of the sheathing and siding and painted to match the siding.

5 Smoke alarms need to be added to the ceiling of the bedroom and another to the ceiling of the great room within 3’ either side of the door way between the two spaces.

It is believed that with these modifications, the home will be structurally sound and meet the requirements of RBC 2015. It should be noted that this home is a “Tiny Home” and this unit and others like it could be one possible solution for work force housing on the Island.

This report addresses the observed code deficiencies and when corrected will make a safe, simple, and clean home for Mr Ramos.

If there are questions or concerns, please contact the writer.

Respectfully,

James Y. Robinson, Jr. AIA
For JYR Architect, PC
20 W Willow Oak Rd.
Hilton Head Island, SC 29928



Town of Hilton Head Island
 Community Development Department
 One Town Center Court
 Hilton Head Island, SC 29928
 Phone: 843-341-4757 Fax: 843-842-8908
www.hiltonheadislandsc.gov

FOR OFFICIAL USE ONLY	
Date Received:	2-8-18
Accepted by:	Sally W.
App. #:	APL-000385-2018
Meeting Date:	

Applicant/Agent Name: Josa Ramos Company: _____
 Mailing Address: 9 Sam Frazier Retreat City: HHI State: SC Zip: 29926
 Telephone: 843-338-2987 Fax: _____ E-mail: _____

Owner Name: Josa Ramos Company: _____
 Mailing Address: 9 Sam Frazier Retreat City: HHI State: SC Zip: 29926
 Telephone: 843-338-2987 Fax: _____ E-mail: _____

Street Address of Property in Question: 9 Sam Frazier Permit #: _____

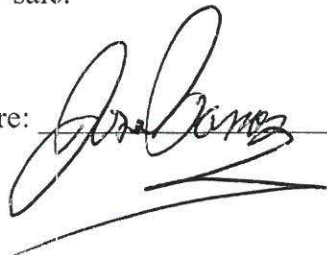
APPEAL (APL) SUBMITTAL REQUIREMENTS

If you are interested in submitting your appeal electronically please call 843-341-4757 for more information.

The following items must be attached in order for this application to be complete:

- A detailed narrative stating the Town Official or Body who made the decision, the date of the decision being appealed, the decision being appealed, the basis for the right to appeal, the grounds of the appeal, cite any Code Section numbers relied upon; **and** a statement of the specific decision requested of the review body.
- Any other documentation used to support the facts surrounding the decision.
- Filing Fee - \$75.00 cash or check made payable to the Town of Hilton Head Island.

To the best of my knowledge, the information on this application and all additional documentation is true, factual, and complete. I hereby agree to abide by all conditions of any approvals granted by the Town of Hilton Head Island. I understand that such conditions shall apply to the subject property only and are a right or obligation transferable by sale.

Applicant/Agent Signature:  Date: 2-5-2018

To whom it may concern,

Please consider this letter as a written request to appeal the notice of violation which was issued to 7 Sam Fraizier Retreat on 1-25-2018. This appeal is in regards to an "unpermitted structure" being used for unlawful habitation. The history of the property is as follows:

1. In August 2012 Hilton Head Island Town officials along with Palmetto Electric officials came out to this property and disconnected an electric line from the mobile home located at 9 Sam Frazier Retreat which was feeding the "unpermitted structure".
2. Palmetto electric along with the town installed a new meter to the home, at absolutely no cost to the property owner. As required, through town codes, as you all are aware of, an inspection had to be conducted in order for approval of the newly installed meter.
3. Because of ongoing family issues, this was the best proposed solution to their problem. This solution was totally supported, implemented, and preformed with direct supervision of the Town of Hilton Head Island officials.
4. Because of the family issues regarding this property and this home, On March 19, 2014 an order was rendered by the Honorable Marvin H. Dukes, III Master in Equity and Special Circuit Court Judge for Beaufort County. Order Attached
5. In January 2017 the Hilton Head Island fire department issued the home a 911 address

It is very apparent that back in 2012 the town of Hilton Head Island Officials went out of their way to help this family. Fast forward to today and they have inadvertently been placed into a difficult position, this is understood. However, because of family issues once again arising, a burden of proof has been placed upon Josa Ramos. A proof which the town themselves cannot provide and conveniently enough don't have any records of. We do understand the difficult position which the board is being placed in however there must be a level of accountability from this local government as well. This Gullah native island property owner is once again being placed into a stressful situation, a situation which was believed to have been resolved years ago.

Our hope will be for this board to honor the order rendered by Judge Dukes which states that Mr. Ramos will continue to live in the House. We would like for this board reverse the decision rendered in the Notice of Violation which will allow him to continue to live peacefully on his property as stated in the order.

STATE OF SOUTH CAROLINA)
COUNTY OF BEAUFORT)

IN THE COURT OF COMMON PLEAS

CASE NO: 2013-CP-07-00286

Rochelle Koehnen,)

Plaintiff(s),)

vs.)

Jose Ramos,)

Defendant(s).)

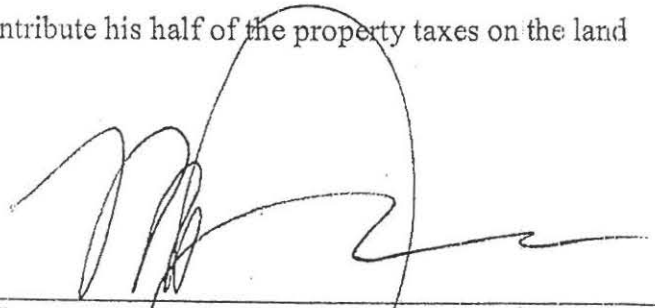
ORDER

2014 MAR 19 AM 10:29
BENJAMIN ROSENEAU
BEAUFORT COUNTY, S.C.
CLERK OF COURT

This came before me on March 19, 2013. Both the Plaintiff and Defendant appeared pro-se. The parties were able to come to a resolution during the hearing and the agreement is as follows:

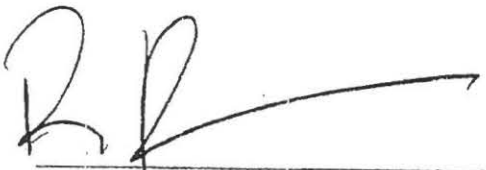
1. To allow each other to live peaceably and not to disturb or harass the other.
2. The house that Mr. Ramos lives in is in his possession, but is a fixture on heirs property.
3. As replacement for his half of the past 3 years property taxes, Mr. Ramos shall pay \$50.00 per month on the 15th of each month, beginning April 15, 2014 for 12 months.
4. Every year Mr. Ramos shall contribute his half of the property taxes on the land only within 30 days of the bill.

IT IS SO ORDERED:

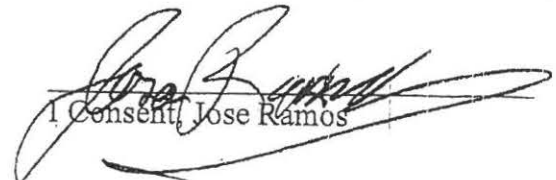


Honorable Marvin H. Dukes, III
Master in Equity and Special Circuit Court
Judge for Beaufort County

March 19, 2014
Beaufort, South Carolina



I Consent, Rochelle Koehnen



I Consent, Jose Ramos

JYR Architect, pc

Architecture, Planning, Entitlement

February 5, 2018
Inspection Date 2/1/2018

Report on Unit 9 at 7 Sam Frazier Retreat

The building is currently being used as a single family, 1 bedroom unit. The building is an "L" shaped structure 14' on one side 32' down the adjacent side, 20' on the back side 16' on the adjacent side, 6' along the top of the L and 16' along the side to the point of origin for a total of 544SF of conditioned space. There is a 4' x 20' utility shed along the 20' side of the home. The home has a great room which has a sitting area, dining area and kitchenette unit. There is a closet and bathroom off the great room. The home has on bedroom which is also off the great room and is approximately 16' x 14'. This section of the home was a late addition and the writer was asked to review the construction and determine what if any changes needed to be made to bring the structure into compliance with current codes.

The structure is one story frame structure on pressure treated wood foundations. The floor system is 2x10 joists at 16" OC , spanning from the perimeter double 2x10 perimeter girder to a double 2x10 girder down the center. All Girders are bolted to the foundation posts with two (2) 1/2" diameter galvanized through bolts. The span of the Girders is approximately 8'. The joists span approximately 6'8" and are more than adequate for the loads. The walls are 2x4 studs at 16" OC approximately 8' high with a single plate at the floor and a double plate at the top. The 2x 10 roof rafters are 16 " OC and are spanning about 13' 4" with approximately a 12" overhang on each side of the home. The home has a metal roof. The roof slopes at about a 1" per foot and is for load calculations considered flat. The mean roof height is about 11'6".

From photographs taken at the time of construction, discussions with the owner builder and personal observations it was determined that the home is insulated with R 19 batt insulation in the ceiling, R 13 batt insulation in the walls and R 11 insulation in the floor.

The roof rafters are clipped with Simpson H2.5A clips at each Rafter. The sheathing is 1/2 " OSB board on both walls. The sheathing overlaps the top wall plate and the bottom Rim Joists. The home has 3/8" Texture 1-11 siding. The roof is "V" groove aluminum roofing.

The writer was requested to inspect the facility to develop a list of improvements needed to address the buildings code deficiencies. The following items were noted:

1. The bedroom has no exit window. It is recommended that the chest that sits under the high window be moved to the wall opposite the bed and that an escape window be added below the existing window. There is room below the existing window header to get one 3'0" by 4'6"

Double hung window with metal straps either side. As an alternative the new escape window could be located in the window opposite the bed. Then the chest could remain under the window.

2. It is recommended that the home be termite treated either with a temiticide or with a termite baiting system that attracts the termites away from the structure.

3. A 6 mil poly vinyl vapor barrier be installed on the underside of the structure would keep ground moisture from seeping up into the living space.

4. It is further recommended that Simpson straps MSTI be run from the top plate of the wall to lap the perimeter girders. Use two Simpson MST 72" straps at each corner one from the top plate down and one from the perimeter girder up with an overlap in the middle. The straps should be added on the outside of the sheathing and siding and painted to match the siding.

5 Smoke alarms need to be added to the ceiling of the bedroom and another to the ceiling of the great room within 3' either side of the door way between the two spaces.

It is believed that with these modifications, the home will be structurally sound and meet the requirements of RBC 2015. It should be noted that this home is a "Tiny Home" and this unit and others like it could be one possible solution for work force housing on the Island.

This report addresses the observed code deficiencies and when corrected will make a safe, simple, and clean home for Mr Ramos.

If there are questions or concerns, please contact the writer.

Respectfully,

James Y. Roy
For JYR Architect, PC
20 W Willow Oaks Rd.
Hilton Head Island, SC 29928

