



The Town of Hilton Head Island
Construction Board of Adjustments & Appeals

Tuesday, June 25, 2019 at 5:30 p.m.
Benjamin M. Racusin Council Chambers

AGENDA

As a courtesy to others please turn off / silence ALL mobile devices during the meeting. Thank You.

- 1. Call to Order**
- 2. FOIA Compliance** - Public notification of this meeting has been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act and the requirements of the Town of Hilton Head Island.
- 3. Approval of Minutes** – meeting of July 24, 2018
- 4. Appearance by Citizens on Items Unrelated to Today's Agenda**
- 5. Unfinished Business** - none
- 6. New Business**

PUBLIC HEARING

Show Cause: Unsafe Structure 148 William Hilton Parkway

Town staff recommends that the Construction Board of Adjustments and Appeals (CBAA) concur with the Building Official's determination that the structure known as 148 William Hilton Parkway, Hilton Head Island, SC is unsafe and that the structure be demolished or otherwise made safe.

Show Cause: Unsafe Structure 160 William Hilton Parkway

Town staff recommends that the Construction Board of Adjustments and Appeals (CBAA) concur with the Building Official's determination that the structures known as 160 William Hilton Parkway, Hilton Head Island, SC are unsafe and that the structures be demolished or otherwise made safe.

- 7. 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, July 24, 2018

Members Present: Robert Tanner, Randy May, Jay Owen, Frank Guidobono, Michael Lynes, Doug Pine

Members Absent: Marc Ellis, Neil Gordon, Ling Graves, Joe Nix, Robert Zinn

Town Staff Present: Chris Yates, *Building Official*;

1. **Call to Order**
Chairman Owen called the meeting to order at 5:35 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. **Swearing in of New and Reappointed Members.**
Mr. Chris Yates, Building Official, performed the swearing in ceremony of new member Douglas Pine, Jr. and reappointed member Randy May.
6. **Election of Officers.**
Mr. Lynes made a motion to nominate Mr. Owens to serve as Chairman. Mr. Guidobono seconded the motion. Mr. Owens accepted. The motion passed unanimously. Mr. Tanner made a motion to nominate Mr. Gordon to serve as Vice Chairman. Mr. Guidobono seconded the motion. The motion passed unanimously.
7. **Approval of Minutes.** The minutes of February 27, 2018 were approved as presented.
8. **Appearance by Citizens on Items Unrelated to Today's Agenda.** None
9. **Unfinished Business**
Mr. Tanner inquired on the status of 7 Sam Frazier Retreat. Mr. Yates replied Town staff continues to work with Mr. Ramos to ensure that project continues to meet code requirements. Mr. Ramos is receiving support from the Home Builders Association.
10. **New Business.**
 - a. **Proposed Meeting Schedule for 2019**
Mr. Lynes made a motion to approve the proposed Construction Board of Adjustment & Appeals meeting schedule for 2019. Mr. Tanner seconded the motion. The motion passed unanimously.
11. **Adjournment.**
There being no further business, the meeting adjourned at 5:50 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
VIA: Teri Lewis, *Deputy Director of Community Development*
FROM: Chris Yates, *Building Official*
CC: Shawn Colin, *Director of Community Development*
CC: Josh Gruber, *Assistant Town Manager*
DATE: June 11, 2019
SUBJECT: Unsafe Structure at 148 William Hilton Parkway

Recommendation:

Town staff recommends that the Construction Board of Adjustments and Appeals (CBAA) concur with the Building Official's determination that the structure known as 148 William Hilton Parkway, Hilton Head Island, SC is unsafe and that the structure be demolished or otherwise made safe.

Summary:

The Town of Hilton Head Island Building Division has worked extensively with the owners of this property since June 2017. The integrity of the building has been compromised and poses a danger to life and safety of the general public.

1. Structure is unsecured from entry.
2. Partially collapsed and missing structural walls and roof structure.
3. Hazardous construction debris and trash within the building and surrounding area.
4. Possible electrical hazards (hanging and improperly terminated electrical wires).
5. Inadequate maintenance, dilapidation, obsolescence and fire hazard.

Background:

June 29, 2017 - Determination was made by the Building Official that the structure is unsafe. An official notice of unsafe structure was mailed, certified return receipt. (Attachment 1).

August 24, 2017 – Received engineers report with a plan of action for securing uninhabited, unsafe portions and necessary repairs for occupied portions of the structure. (Attachment 2).

Subject: Unsafe Structure at 148 William Hilton Parkway

Date: June 11, 2019

Page 2

September 26, 2017 – Meeting with Mr. Campbell and Mr. Frazier (property owners) to discuss engineer's report and finalize a path forward.

October 4, 2017 - Building Official followed up via email with key points from the meeting:

1. List a technically feasible plan of action based on the Engineer's recommendations listed in the report.
2. Start the cleanup and debris removal that does not require a permit as soon as possible.
3. Permit and begin roof repairs for the leaks in the current unaffected portion of the structure (once an acceptable quote has been received).

January 31, 2018 – Building Official followed up with Mr. Campbell via email and he stated that he and Mr. Frazier were working on getting multiple quotes from contractors to perform the repairs and requested 30 to 45 days to finalize the quotes and an approach to address the path forward.

March 1, 2018 – Building Official reached out for an update and scheduled a meeting to discuss the property.

March 7, 2018 – Meeting with Mr. Campbell and Mr. Frazier to discuss moving forward now that a contractor had been obtained. The plan of action is listed below:

1. The Contractor would need to fill out a permit application with a complete scope of work to be performed (repairs, and securing the structure).
2. The first stage of the plan of action would include, but not limited to;
 - a) Boarding up all access points of the building by securely fastening plywood covers to the block wall (the occupied tenant space would need all exits left open).
 - b) Properly re-install existing doors and frames at the front of the unoccupied sections of the building and securing (locking).
 - c) Clean all debris from the roofs.
3. The second stage would be to repair the sections of roof over the occupied spaces and unoccupied spaces where the roof is still intact but leaking.
4. The third stage would be to completely rebuild the section of roof that has failed.

March 9, 2018 – Building permit BLDC-001321-2018 was issued to begin repair work on the structure. (Attachment 3)

June 1, 2018 – Building Official contacted Mr. Campbell and Mr. Frazier via email about the lack of progress and the unsafe condition the project had been left in. Several attempts to contact the contractor of record have failed. (Attachment 4)

June 19, 2018 – Meeting with Mr. Campbell and Mr. Frazier to discuss the unsafe condition the contractor had left the building in. Deadline of June 30, 2018 was given to remedy the immediate threat to life safety (partially demolished roof/soffit).

June 30, 2018 – Immediate threat to life safety (partially demolished roof/soffit) was removed.

August 7, 2018 – Building Official requested and received a follow up report from the engineer of record. (Attachment 5)

October 2, 2018 – Building Official followed up with Mr. Campbell and Mr. Frazier via email about the pending expiration date of the building permit and a progress report.

October 4, 2018 – Mr. Campbell requested an extension due to financial difficulties and an onsite meeting to discuss the project going forward.

November 5, 2018 – Onsite meeting with Mr. Campbell and Mr. Frazier to discuss what is required to make the site and structure safe.

November 14, 2018 – Building Official followed up with Mr. Campbell and Mr. Frazier about what was discussed during the onsite meeting. A 60 day re-inspection deadline was given. (Attachment 6)

February 12, 2019 – Building Official performed a site visit as a follow up to the November 14, 2018 onsite meeting. The site visit revealed the following unsafe conditions;

1. Structure is unsecured from entry.
2. Partially collapsed and missing structural walls and roof structure.
3. Hazardous construction debris and trash within the building and surrounding area.
4. Possible electrical hazards (hanging and improperly terminated electrical wires).
5. Inadequate maintenance, dilapidation, obsolescence and fire hazard.

February 27, 2019 - Determination was made by the Building Official that the structure is unsafe. An official notice of unsafe structure was mailed, certified return receipt. (Attachment 7)

March 19, 2019 – Mr. Campbell requested a meeting at Town Hall to discuss the issues. Meeting was scheduled for April 12, 2019. Mr. Campbell understood the Town's concerns with the structure and stated that they would continue to make improvements to address those concerns.

May 17, 2019 – Official notice of a show cause hearing with the Construction Board of Adjustments and Appeals was mailed, certified return receipt. (Attachment 8)

June 4, 2019 – Building Official met onsite to inspect the progress. Considerable progress has been made in the trash and debris cleanup however the structure is still unsafe.

June 10, 2019 – Owner's response to be included in the Show Cause package (Attachment 9)

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

Council Members

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

Stephen G. Riley
Town Manager

June 29, 2017

Attachment 1 (1 of 2)

Morris C. Campbell
Daniel Frazier
148 William Hilton Parkway.
Hilton Head Island, SC 29926

RE: Unsafe Structure located R511-007-000-0069-000; 148 William Hilton Parkway

Dear Sirs;

Beaufort County tax records indicate that Morris C Campbell and Daniel Frazier are the current owners of the above referenced structure and property. Pursuant to section 116 of the International Building Code, 2015 edition, this letter shall serve as Official Notice that the structure located at the above referenced location has been inspected and deemed unsafe. As discussed in the meeting at Town Hall with you both on June 6, 2017; there are mitigation measures required on your part to secure the building and ensure that further occupancy is safe for any tenants that currently occupy the structure. These are as follows:

1. A plan of action with details on how you plan to secure the structure from entry and further degradation.
2. An engineer's statement as to the structural integrity of the occupied space with any required repair and maintenance plans to ensure the structural integrity of the occupied space.

Accordingly, you are now informed that you are required to commence alterations, repairs, improvements, demolition or removal of the structure within 60 days of the date of this Official Notice, on or before September 1, 2017. A permit from the Town's Community Development Department must be obtained prior to beginning any repairs, demolition, or removal of the structure.

Attachment 1 (2 of 2)

Please contact me at (843) 341-4664 or Tony Pierce at (843) 341-4675, if you have any questions or desire to discuss the issues addressed herein.

Sincerely,

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

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

#BLDC - 001321-2018

Attachment 2 (1 of 4)

CPW
ENGINEERING, LLC

5 HOBONNY PLACE
HILTON HEAD ISLAND, SC 29926

LICENSED IN:
GEORGIA

NEW JERSEY
NEW YORK

NORTH CAROLINA
SOUTH CAROLINA

TENNESSEE
TEXAS

August 24, 2017

Morris C. Campbell

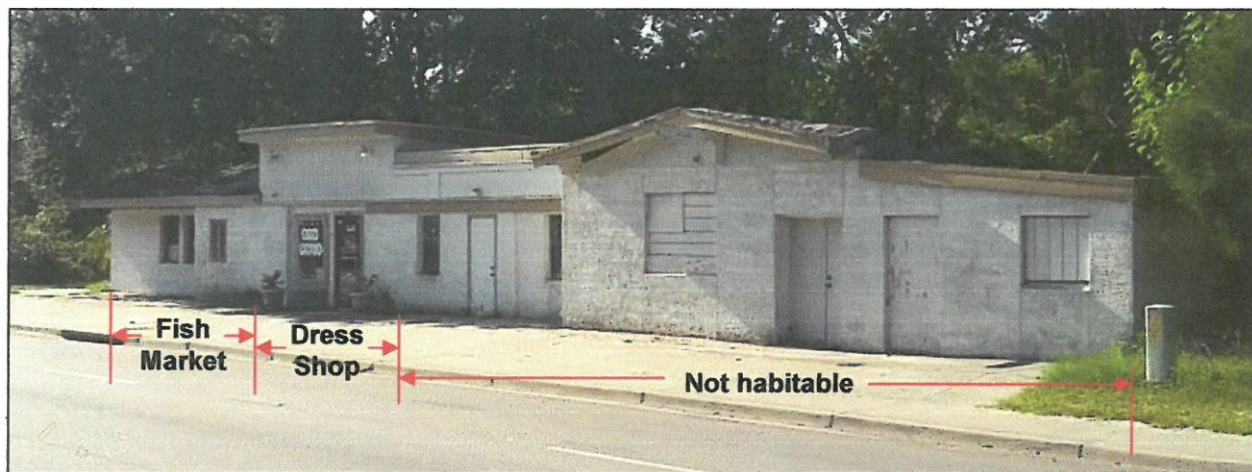
Via email only to: icam@hargray.com

Hilton Head Island, SC

Re: Concrete Block Structure (Frazier Building)
148 William Hilton Parkway
Hilton Head Island, SC

Dear Mr. Campbell:

This is to follow-up my site visit yesterday for the purpose of evaluating the above-referenced building in response to a June 29, 2017 letter from Christopher Yates, Building Official of the Town of Hilton Head Island, in which the building was deemed unsafe and you were requested to 1) develop a plan of action to secure the building from entry and further degradation and 2) obtain an engineer's statement as to the structural integrity of the occupied spaces. Below is a self-explanatory, annotated photo of the building.



An exterior inspection of the building revealed that the concrete block structure is in stable condition and that the roof is in varying degrees of deterioration. There were no visible signs of structural deficiencies within the Fish Market and the Dress Shop. However, there are signs of roof leaks in the Fish Market and upon further evaluation on the exterior (see Photo 1), lack of maintenance and significant deterioration has occurred. The roof over the Dress Shop appears to be in better condition, since there are no signs of roof leaks in this space.

The west side of the building is deemed uninhabitable since the roof has catastrophically failed (see Photos 2 & 3). In addition to this structurally deficient roof, there are breaches along the rear wall of the building (see Photos 4, 5 & 6).

TEL: 843/342-5090

EMAIL:



Photo 1 - Overhanging tree at east end of building over the Fish Market space. Much debris and lack of maintenance has caused this roof to fail allowing rainwater to enter.



Photo 2 - Interior structural damage of ceiling/roof system near center portion of the building.



Photo 3 - Collapse of roof structure near center of building, as seen from rear window.

Attachment 2 (3 of 4)

Morris C. Campbell
August 24, 2017
Page 3 of 4



Photo 4 - East side of rear of building, behind the Fish Market and the Dress Shop. Note damaged roof fascia over window.



Photo 5 - Rear center of building. Note opening to interior and damaged roof section at left.

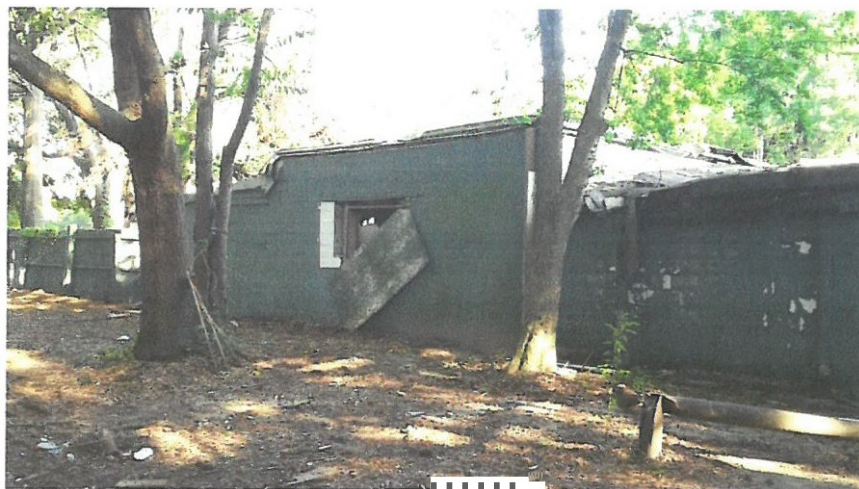


Photo 6 - West side of rear of building. Roof structure has collapsed.

Based upon the above, the following is in response to the aforementioned Town letter:

Plan of Action

1. The building shall be secured to prevent entry into those areas deemed unsafe and uninhabitable. This shall include:
 - a. Boarding-up all access points along the rear of the building by securely fastening plywood covers to the concrete block wall with the use of drilled-in , Hilti-type expansion bolts.
 - b. Installing ¼" screws of sufficient length and quantity to connect the doors to their frames along the front of the uninhabitable section of the building, thereby preventing entry.
2. Make repairs to the roofs over the Fish Market and Dress Shop, as follows:
 - a. Clean all debris from these roofs.
 - b. Remove existing roofing materials and make repairs to the sheathing and roof structure, as necessary.
 - c. Install a new roofing system.
3. Plan for a future complete rebuild on the failed roofing structure over the westerly portion of the building.

Statement - At the time of inspection, the interior spaces of the Fish Market and Dress Shop were seen to be in satisfactory structural condition. However, roof leak evidence was seen in the Fish Market and therefore, it is recommended that the roof over both these areas be rehabilitated, as describe in Item 2 above, before they are reoccupied.

Sincerely,

CPW Engineering, LLC

Charles P. Walczak, PE
President



Attachment 3



TOWN OF HILTON HEAD ISLAND
SOUTH CAROLINA

BUILDING PERMIT #:

BLDC-001321-2018

Date Issued:	03/09/2018	Parcel ID:	R511 007 000 0069 0000	Permit Fee:	\$86.00	Value of Construction	\$4,000.00
Address:	Street # & Street Name 148 William Hilton Parkway	Lot #		Subdivision:	Not Applicable	Building #	Unit #
Type of Construction	Renovation - Commercial	Occupancy:	Residential	Flood Zone/Minimum Finished Floor Elevation:	A7(14)		

Scope of Work: SECURE BUILDING STRUCTURE OF DAMAGE BY REMOVING DAMAGED ROOFING, ALSO GUTTING THE INTERIOR STRUCTURE OF THE BUILDING BY TEARING DOWN WALLS.

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

	Name	Address	City, State	ZIP Code	Phone
Owner:	CAMPBELL LIVING TRUST - DANIEL FRAZIER IV	540 Spanish Wells Rd	Hilton Head Island, SC	29925	(843) 684-7884
Contractor:	G & T MARINE CONSTRUCTION INC	Tim Singleton 79 Red Tip View	Hilton Head Island Sc	29925	(843) 681-2704
Applicant:	G & T MARINE CONSTRUCTION INC	Tim Singleton 79 Red Tip View	Hilton Head Island Sc	29925	(843) 681-2704

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: _____

Attachment 4 (1 of 3)

June 1, 2018

Mr. Frazier, Mr. Campbell;

I would like to follow up with you both on a concern that I have in reference to building permit BLDC-001321-2018. The permit was issued to secure the structure located at 148 William Hilton Parkway. It appears that the progress towards securing the structure has stopped. The structure has now been left in a dangerous condition. Part of the roof is hanging unattached over the front of the building adjacent to the sidewalk. This partially demolished roof section is an unsafe condition which needs to be addressed as soon as possible. Several phone calls to the Contactor of record, G and T Marine Construction have gone unanswered and unreturned. I am notifying you to remedy this unsafe condition as soon as possible. The permitted work to secure the structure also needs to be completed and inspected within the next 30 days. I thank you for your understanding and immediate action to remedy this time sensitive concern.

Thank you,

Christopher D Yates
Building Official
Town of Hilton Head Island
Building Division
Office number 843-341-4664
Cell number 843-247-2853
chrisdy@hiltonheadislandsc.gov



Attachment 4 (2 of 3)

Attachment 4 (3 of 3)



Attachment 4 (3 of 3b)



From: cpwengr@hargray.com
To: [Yates Chris](#)
Subject: 148 Wm. Hilton Pkwy.
Date: Tuesday, August 7, 2018 9:40:44 AM
Attachments: [image001.jpg](#)
[148 Wm. Hilton Pkwy \(1\).jpg](#)
[148 Wm. Hilton Pkwy \(2\).jpg](#)
[148 Wm. Hilton Pkwy \(3\).jpg](#)
[148 Wm. Hilton Pkwy \(4\).jpg](#)

Chris,

I had a chance to stop there yesterday to look at the CMU walls that remain. Attached are a few photos.

You can see cracks in Photo 1, loose blocks in Photo 2, and the general poor condition in Photos 3 & 4.

In my report to the owner, I stated the following:

Plan of Action

1. The building shall be secured to prevent entry into those areas deemed unsafe and uninhabitable. This shall include:
 - a. Boarding-up all access points along the rear of the building by securely fastening plywood covers to the concrete block wall with the use of drilled-in, Hilti-type expansion bolts.
 - b. Installing ¼" screws of sufficient length and quantity to connect the doors to their frames along the front of the uninhabitable section of the building, thereby preventing entry.
2. Make repairs to the roofs over the Fish Market and Dress Shop, as follows:
 - a. Clean all debris from these roofs.
 - b. Remove existing roofing materials and make repairs to the sheathing and roof structure, as necessary.
 - c. Install a new roofing system.
3. Plan for a future complete rebuild on the failed roofing structure over the westerly portion of the building.

As you can see, my recommendation #3 was to rebuild the failed roofing structure, not just remove it. You asked if that by now having the roof removed, are the walls in imminent danger of collapse or are they safe to remain without the roof? The failed roof structure was so bad at the time, that I doubt that it provided any stability to the CMU walls before it was removed. The only way the walls could probably collapse would be under extreme wind conditions. The building sustained two recent hurricanes. Right now, it is a derelict structure, open to trespass and vandalism. I think the owner should be made to either rehabilitate and rebuild the structure or fully demolish the portion in question, since there is the possibility the walls could be blown over in extreme conditions. In the meantime, a substantial fence should be erected around it to prevent access.

If there is anything else, just let me know.

Charles P. Walczak, PE



5 Hobonny Place
Hilton Head Island, SC 29926
843-342-5090 (O)
843-368-0013 (C)
cpwengr@hargray.com

Attachment 5 (2 of 3)



Attachment 5 (2 of 3)



Attachment 5 (3 of 3)



Attachment 5 (3 of 3)



Attachment 6

November 14, 2018

Dear, Mr. Campbell and Mr. Frazier,

I want to thank you for taking time out of your busy schedules to meet with Wendy Conant and I onsite to discuss the remaining issues regarding the securing of the unoccupied portions of structure located at 148 William Hilton Parkway. First let me congratulate you on the amount of progress that has been made. With that being said there is more that still needs to be done. Wendy and I would like to see the remaining trash, debris and abandoned vehicles be removed. The structure in its current state needs to be secured against entry and made safe. The removal of all hazardous construction debris and trash located inside the structure. The addition of no trespassing signs and securing of existing doors and openings to prohibit entry. All of these items need to be addressed and re-inspected within 60 days. The securing of this structure is a temporary fix and a more long term solution will need to be considered for example; finish the demolition of the remaining un-occupied portions or rehabilitation of the complete structure. I look forward to working with you and whatever route you decide to take. Please note that failure to secure the unoccupied portions of the structure from entry will result in an official letter declaring the structure unsafe and a show cause hearing with the Construction Board of Adjustments and Appeals as to why the structure should not be demolished or otherwise made safe.

Respectfully,

Christopher D Yates
Building Official
Town of Hilton Head Island
Building Division
Office number 843-341-4664
Cell number 843-247-2853
chrisdy@hiltonheadislandsc.gov

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

Attachment 7 (1 of 2)

John J. McCann
Mayor

February 27, 2019

William D. Harkins
Mayor ProTem

Morris C. Campbell
540 Spanish Wells Road.
Hilton Head Island, SC 29925

Council Members

David Ames
Tamara Becker
Marc A. Grant
Thomas W. Lennox

Daniel Frazier IV
9838 Old Baymeadows Road Suite 97
Jacksonville, FL 32256

Stephen G. Riley
Town Manager

RE: OFFICIAL NOTICE OF UNSAFE STRUCTURE

Description: 148 William Hilton Parkway Hilton Head Island SC 29926:
AKA: 9 Darling Road Hilton Head Island SC 29926
Parcel ID: R511-007-000-0069-0000

Dear Mr. Campbell and Mr. Frazier;

Beaufort County tax records indicate that Morris C. Campbell and Daniel Frazier IV are the current owners of the commercial business structure located at 148 William Hilton Parkway, Hilton Head Island, SC 29926 aka: 9 Darling Road, Hilton Head Island, SC 29926. You are each hereby officially notified that the uninhabited portions of the structure have been declared to be an unsafe structure as defined in Section 9-8-10 of the Municipal Code of the Town of Hilton Head Island and Section 116.1 of the International Building Code, 2015 Edition. Additionally, pursuant to Sections 9-8-10 and 9-8-30 of the Municipal Code of the Town of Hilton Head Island, the structure is determined to be unsafe and a public nuisance.

The Town recently conducted a site visit on February 12, 2019 as a follow up to the November 7, 2018 onsite meeting. The site visit revealed the following unsafe conditions:

1. Structure is unsecured from entry.
2. Partially collapsed and missing structural walls and roof structure.
3. Hazardous construction debris and trash within the building and surrounding area.
4. Possible electrical hazards (hanging and improperly terminated electrical wires).
5. Inadequate maintenance, dilapidation, obsolescence and fire hazard.

Accordingly, you are required to commence either alterations, repairs, improvements, demolition or removal of the structure within 60 days of the date of this Official Notice.

Attachment 7 (2 of 2)

A permit from the Town's Community Development Department must be obtained prior to beginning any repairs, demolition, or removal of the structure.

Please find enclosed pictures and other pertinent information related to the subject property, to include an attachment of the above referenced sections of the Municipal Code 9-8-10, 9-8-30 and 116.1 of the International Building Code, 2015 Edition. You may also view this Municipal Code Section at www.hiltonheadislandsc.gov. If you have any questions concerning this Official Notice, please contact me at 843-341-4664.

Sincerely,

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

cc: Shawn Colin, Director of Community Development
Teri Lewis, Deputy Director of Community Development
Nancy Stephens, Applications/Records Manager
Brian Hulbert, Staff Attorney

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

Attachment 8 (1 of 2)

John J. McCann
Mayor

May 17, 2019

William D. Harkins
Mayor ProTem

Morris C. Campbell
540 Spanish Wells Road.
Hilton Head Island, SC 29925

Council Members

David Ames
Tamara Becker
Marc A. Grant
Thomas W. Lennox
Glenn Stanford

Daniel Frazier IV
9838 Old Baymeadows Road Suite 97
Jacksonville, FL 32256

RE: OFFICIAL NOTICE OF SHOW CAUSE HEARING

Stephen G. Riley
Town Manager

Description: 148 William Hilton Parkway Hilton Head Island SC 29926:
AKA: 9 Darling Road Hilton Head Island SC 29926
Parcel ID: R511-007-000-0069-0000

Dear Mr. Campbell and Mr. Frazier;

On February 27, 2019 the Town provided you Official Notice, by way of written correspondence delivered by certified mail, that the uninhabited portions of the structure have been declared to be an unsafe structure as defined in Section 9-8-10 of the Municipal Code of the Town of Hilton Head Island and Section 116.1 of the International Building Code, 2015 Edition. Additionally, pursuant to Section 9-8-30 of the Municipal Code of the Town of Hilton Head Island, the structure was determined to be a public nuisance. You were given 60 days to commence either alterations, repairs, improvements, demolition or removal of the structure. A permit from the Town's Community Development Department was to be obtained prior to beginning any repairs, demolition, or removal of the structure. As of the date of this letter nothing has been submitted to my office.

This letter shall serve as an Official Notice that a hearing with the Construction Board of Adjustments and Appeals will be held on Tuesday June 25, 2019 at 5:30pm in the Benjamin Racusin Council Chambers, One Town Center Court, Hilton Head Island, South Carolina. This hearing is to provide you, as the owner, the opportunity to show cause as to why the building or structure should not be demolished or otherwise made safe. You are invited to attend and may appear at the hearing in person or through an attorney or other designated representative.

In accordance with section 9-8-100 of the Municipal Code of the Town of Hilton Head Island, you may submit a response to the determination by the Building Official that the building is unsafe and that it must be made safe or demolished. Any answer should be submitted on or before June 11, 2019 in order to ensure it is included with the agenda

Attachment 8 (2 of 2)

package I shall submit to the Board. This will not prohibit your providing additional matters or materials to the Board at the hearing, if you so desire.

Please contact me at (843) 341- 4664 or Tony Pierce at (843) 341-4675, if you have any questions or desire to discuss the issues addressed herein.

Sincerely,

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

cc: Shawn Colin, Director of Community Development
Teri Lewis, Deputy Director of Community Development
Nancy Stephens, Applications/Records Manager
Brian Hulbert, Staff Attorney

Attachment 9

Morris C. Campbell

540 Spanish Wells Road
Hilton Head Island, SC 29926

Daniel Frazier IV

9838 Old Baymeadows Road Suite 97
Jacksonville, FL 32256

June 10, 2019

Christopher D. Yates, CBO
Building Official
Town of Hilton Head Island
One Town Center Court
Hilton Head Island, SC 29928

RE: OFFICIAL NOTICE OF UNSAFE STRUCTURE AT 148 WILLIAM HILTON PARKWAY

Dear Mr. Yates:

This is in response to your letter, dated May 17, 2019, informing us that we have the right to appear or be represented before the Town's Construction Board of Adjustments and Appeals to address the "unsafe conditions" of property we owned at 148 William Hilton Parkway on the Island.

In the recent June 4 2019 meeting at the site you acknowledged that we had done much to address the "unsafe conditions". However, you concluded that our efforts were not enough to satisfy the requirements of the codes; therefore, you were going to move forward with the hearing before the Town Construction Board of Adjustments and Appeals with some recommendations for their consideration. Honestly, we did our best with the limited resources we had available to us to respond to the situation.

We recognize that your team's evaluation of the property is appropriate and within the Town's building codes requirements for us to take some prescribed steps for corrective action. However, there are a number of factors that we plea be considered during the deliberation of the Board as we continue to try to respond responsibly. We respectfully ask that the Board allow us to:

- 1) Salvage the portion of the structure where a women's boutique currently is located along with the vacant adjacent space left of it. We currently have a couple folks interested in using the space.
- 2) Retain the right to use the entire property as if it was being fully used in its present footprint for business ventures today. In our opinion a number of extenuating external factors beyond our control have also really negatively contributed to the viability of former businesses at the location. We will explain further at the hearing.

Attachment 9

Christopher Yates, Town Building Official

June 10, 2019

Page2

3) Continue the legacy of the Native Island businessman who was the original owner of this "historic" property who developed it and contributed immensely to life on the island from prior to the first bridge to the 1990's. If time permits, we would like to share more on this aspect of the property during the hearing.

In closing, thank you for meeting with us in the past to discuss the situation and possible ways of remedying the "unsafe conditions" you outlined in your letter. As discussed with you on numerous occasions before, we are not in this situation because it is our desire to be here. We hope that the Board will be reasonable in allowing us to continue our efforts to make the property safer and more important, useful to us, the owners. Thank you.



Morris C. Campbell



Daniel Prazier IV



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Construction Board of Adjustments and Appeals
VIA: Teri Lewis, *Deputy Director of Community Development*
FROM: Chris Yates, *Building Official*
CC: Shawn Colin, *Director of Community Development*
CC: Josh Gruber, *Assistant Town Manager*
DATE: June 11, 2019
SUBJECT: Unsafe Structures at 160 William Hilton Parkway

Recommendation:

Town staff recommends that the Construction Board of Adjustments and Appeals (CBAA) concur with the Building Official's determination that the structures known as 160 William Hilton Parkway, Hilton Head Island, SC are unsafe and that the structures be demolished or otherwise made safe.

Summary:

The integrity of the building has been compromised and poses a danger to life and safety of the general public.

1. Structure(s) is unsecured from entry at multiple locations.
2. The roof has collapsed in multiple areas and the structure is unstable.
3. Trash and construction debris in and around the structure.
4. Interior is exposed to the elements and further degradation.
5. Inadequate maintenance, dilapidation, obsolescence, and a fire hazard.

Background:

October, 2014 - Determination was made by the Building Official that the structure is unsafe due to a structure fire. Building was posted unsafe and the owner boarded up the structure at that time to secure from entry.

September 4, 2018 – Received complaint from Hilton Head Fire and Rescue that the structure was no longer secured due to open doors and a broken window. Owner was notified by phone and stated that they would re-secure the structure.

Subject: Unsafe Structure at 160 William Hilton Parkway

June 11, 2019

Page 2

February 12, 2019 – Building Division re-inspected the structures and found them unsecured.

February 27, 2019 - Determination was made by the Building Official that the structures are unsafe. An official notice of unsafe structure was mailed, certified return receipt. (Attachment 1)

March 27, 2019 – Owner was contacted by the Building Official via phone. The Owner stated that they would come up with a plan of action.

May 17, 2019 - Official notice of a show cause hearing with the Construction Board of Adjustments and Appeals was mailed, certified return receipt. (Attachment 2)

June 4, 2019 – Owner was contacted by the Building Official via phone. The Owner stated that they had received three quotes to demolish the structure. Owner requested 90 days to secure the funding.

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

Attachment 1 (1 of 2)

John J. McCann
Mayor

February 27, 2019

William D. Harkins
Mayor ProTem

Council Members

David Ames
Tamara Becker
Marc A. Grant
Thomas W. Lennox

FAIRFIELD SQUARE HILTON HEAD LLC
C/O MINA G BHAKTA
200 MUSEUM ST
HILTON HEAD ISLAND SC 29926

Stephen G. Riley
Town Manager

RE: **OFFICIAL NOTICE #1 OF AN UNSAFE STRUCTURE AND PUBLIC NUISANCE**

Description: 160 William Hilton Parkway, Hilton Head Island:
Parcel ID: R511 007 000 072A 0000

Dear Mina G Bhakta,

Beaufort County tax records indicate that Fairfield Square Hilton Head LLC is the current owner of the commercial business structure(s) identified as the Fairfield Square at 160 William Hilton Parkway, Hilton Head Island, SC 29926. I understand that Mina G Bhakta is the registered agent for the property. You are each hereby officially notified that the structure has been declared to be an unsafe structure as defined in Section 9-8-10 of the Municipal Code of the Town of Hilton Head Island and Section 116.1 of the International Building Code, 2015 Edition. Additionally, pursuant to Sections 9-8-10 and 9-8-30 of the Municipal Code of the Town of Hilton Head Island, the structure is determined to be unsafe and a public nuisance.

The Town became concerned about the safeness of the uninhabited structure from a site visit conducted by Town inspectors on February 12, 2019. The site visit revealed the following unsafe conditions:

1. Structure(s) is unsecured from entry at multiple locations.
2. The roof has collapsed in multiple areas and the structure is unstable.
3. Trash and construction debris in and around the structure.
4. Interior is exposed to the elements and further degradation.
5. Inadequate maintenance, dilapidation, obsolescence, and a fire hazard.

Accordingly, you are required to commence either alterations, repairs, improvements, demolition or removal of the structure within 60 days of the date of this Official Notice.

Attachment 1 (2 of 2)

A permit from the Town's Community Development Department must be obtained prior to beginning any repairs, demolition, or removal of the structure. Once the permit is approved by the Town, the work must be completed within 90 days of obtaining the permit.

Please find enclosed pictures and other pertinent information related to the subject property, to include an attachment of the above referenced sections of the Municipal Code 9-8-10, 9-8-30 and 116.1 International Building Code, 2015 edition. You may also view this Municipal Code Section at www.hiltonheadislandsc.gov. If you have any questions concerning this Official Notice, please contact me at 843-341-4664.

Sincerely,

Christopher D Yates
Building Official
Town of Hilton Head Island

Cc: Shawn Colin, Director Community Development
Teri Lewis, Deputy Director Community Development
Nancy Stephens, Applications/Records Manager
Brian Hulbert, Staff Attorney

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

Attachment 2 (1 of 2)

John J. McCann
Mayor

May 17, 2019

William D. Harkins
Mayor ProTem

FAIRFIELD SQUARE HILTON HEAD LLC

C/O MINA G BHAKTA

200 MUSEUM ST

Council Members

HILTON HEAD ISLAND SC 29926

David Ames
Tamara Becker
Marc A. Grant
Thomas W. Lennox
Glenn Stanford

RE: OFFICIAL NOTICE OF SHOW CAUSE HEARING

Description: 160 William Hilton Parkway, Hilton Head Island:

Parcel ID: R511 007 000 072A 0000

Stephen G. Riley
Town Manager

Dear Mina G Bhakta,

On February 27, 2019 the Town provided you Official Notice, by way of written correspondence delivered by certified mail, that the structure has been declared to be an unsafe structure as defined in Section 9-8-10 of the Municipal Code of the Town of Hilton Head Island and Section 116.1 of the International Building Code, 2015 Edition. Additionally, pursuant to Section 9-8-30 of the Municipal Code of the Town of Hilton Head Island, the structure was determined to be a public nuisance. You were given 60 days to commence either alterations, repairs, improvements, demolition or removal of the structure. A permit from the Town's Community Development Department was to be obtained prior to beginning any repairs, demolition, or removal of the structure. As of the date of this letter nothing has been submitted to my office.

This letter shall serve as an Official Notice that a hearing with the Construction Board of Adjustments and Appeals will be held on Tuesday June 25, 2019 at 5:30pm in the Benjamin Racusin Council Chambers, One Town Center Court, Hilton Head Island, South Carolina. This hearing is to provide you, as the owner, the opportunity to show cause as to why the building or structure should not be demolished or otherwise made safe. You are invited to attend and may appear at the hearing in person or through an attorney or other designated representative.

In accordance with section 9-8-100 of the Municipal Code of the Town of Hilton Head Island, you may submit a response to the determination by the Building Official that the building is unsafe and that it must be made safe or demolished. Any answer should be submitted on or before June 11, 2019 in order to ensure it is included with the agenda package I shall submit to the Board. This will not prohibit your providing additional matters or materials to the Board at the hearing, if you so desire.

Please contact me at (843) 341- 4664 or Tony Pierce at (843) 341-4675, if you have any questions or desire to discuss the issues addressed herein.

Attachment 2 (2 of 2)

Sincerely,

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

cc: Shawn Colin, Director of Community Development
Teri Lewis, Deputy Director of Community Development
Nancy Stephens, Applications/Records Manager
Brian Hulbert, Staff Attorney