BOARD OF ZONING APPEALS

IN ACCORDANCE WITH ***ZONING ORDINANCE SECTION 21-175,***

I Mark Volkmann HAVE SUBMITTED A COMPLETED BOARD OF ZONING APPEALS APPLICATION, FOR THE MEETING DATE OF December 10, 2020, WHICH WILL BE HELD AT SULLIVAN'S ISLAND TOWN HALL LOCATED AT **2056 MIDDLE STREET, SULLIVAN'S ISLAND, SOUTH CAROLINA.**

ADDITIONALLY, I UNDERSTAND THAT THE BOARD MAY POSTPONE OR PROCEED TO DISPOSE OF A MATTER ON THE RECORD BEFORE IT IN THE ABSENCE OF AN APPEARANCE ON BEHALF OF AN APPLICANT.

APPLICANT SIGNATURE

11/12/2020

DATE

P.O. BOX 427 • SULLIVAN'S ISLAND, SC 29482
(843) 883-3198 • FAX (843) 883-3009 • WWW.SULLIVANSISLAND-SC.CONI

Notice of Appeal - Form 1
Board of Zoning Appeals

Date Filed: 10/14/2020 Permit ~~Application~~ No. P20-0757 Appeal No. 1

Instructions

This form must be completed for a hearing on **appeal** from action of a zoning official, application for a **variance** or application for **special exception.** Entries must be printed or typewritten. If the application is on behalf of the property owner(s), all owners must sign. If the applicant is not an owner, the owner(s) must sign the Designation of Agent. An accurate, legible plot plan showing property dimensions and locations of structures and improvements must be attached to an application for variance or special exception.

THE APPLICANT HEREBY APPEALS [indicate one]:

- ☑ from action of a zoning official as stated on attached Form 2
- ☐ for a variance as stated on attached Form 3.
- ☐ for a special exception as stated on attached Form 4.

December 10, 2020

APPLICANT(S) [print] Mark Volkmann
Address: 1616 Atlantic Ave, Sullivans Islandm, SC 29482
Telephone: 843-312-2735 [work] _____ [home]
Interest: _____ Owner(s): 2029 Wambaw Creek LLC Adjacent Owner(s); Other: _____
OWNER(S) [if other than Applicant(s)]: 2029 Wambaw Creek LLC
Address: 1659 Atlantic Ave, Sullivans Island, SC 29482
Telephone: (843)312-2735 [work] _____ home]

[Use reverse side if more space is needed.]

PROPERTY ADDRESS: 1659 Atlantic Ave, Sullivans Island, SC 29482
Lot 8 Block E Subdivision _____
Tax Map No. 5231200008 Plat Book H Page 12
Lot Dimensions: 264' x 90' Area: (approx 0.50 acres)
Zoning District: VE Zoning Map Page: 002

DESIGNATION OF AGENT [complete only if owner is not applicant]: I (we) hereby appoint the person named as Applicant as my (our) agent to represent me (us) in this application.

Date: _____

Owner signature(s)

I (we) certify that the information in this application and the attached Form 2, 3 or 4 is correct.

Date: 11/12/2020

Applicant signature(s)

Appeal from Action of Zoning Official - Form 2
Board of Zoning Appeals

Date Filed: 10/15/2020 Permit ~~Application~~ No. P20-0757 Appeal No. 1

1. Applicant hereby appeals to the board of zoning appeals from the action of the zoning official affecting the property described in the Notice of Appeal [Form 1] on the grounds that:

   ☐ granting ☐ denial of an application for a permit to fill excavated pool with fill dirt was erroneous and contrary to provisions of the zoning ordinance in Section 21-13; or other action or decision of the zoning official was erroneous as follows:

   Permit # P20-0757 (attached) was issued in order to fill the volume of a hole left from a pool excavation with fill dirt.

2. Applicant is aggrieved by the action or decision in that:
   Zoning official put a halt to fill work after only 24 cubic yards (2 truck loads) of the calculated 141 cubic yards required to fully fill the excavated pool were delivered. (Volume calculations attached along with pool plans/dimensions)

3. Applicant contends that the correct interpretation of the zoning ordinance as applied to the property is:
   The effect of only partially filling the pool void is to reduce the natural grade level of the property, which is strictly prohibited by zoning ordinance 21-13. The reduction of natural grade is easily visible on the property now.

4. Applicant requests the following relief:
   To be permitted to perform the work approved by the issued permit and replace the missing volume of the excavated pool cavity with fill dirt in order to maintain the natural grade of the property.

Date: 11/12/2020

Applicant signature

Town of Sullivan's Island

2056 Middle Street P.O. Box 427 Sullivan's Island SC 29482

Phone: (843) 883-3198 Fax: (843) 883-3009

P20-0757

Change of Design Permit

Issued: 10/15/2020

Expires: 10/15/2021

Type of Construction: Change of Design

LOCATION	OWNER	APPLICANT
1659 Atlantic Avenue	2029 Wambaw Creek, LLC	2029 WAMBAW CREEK, LLC

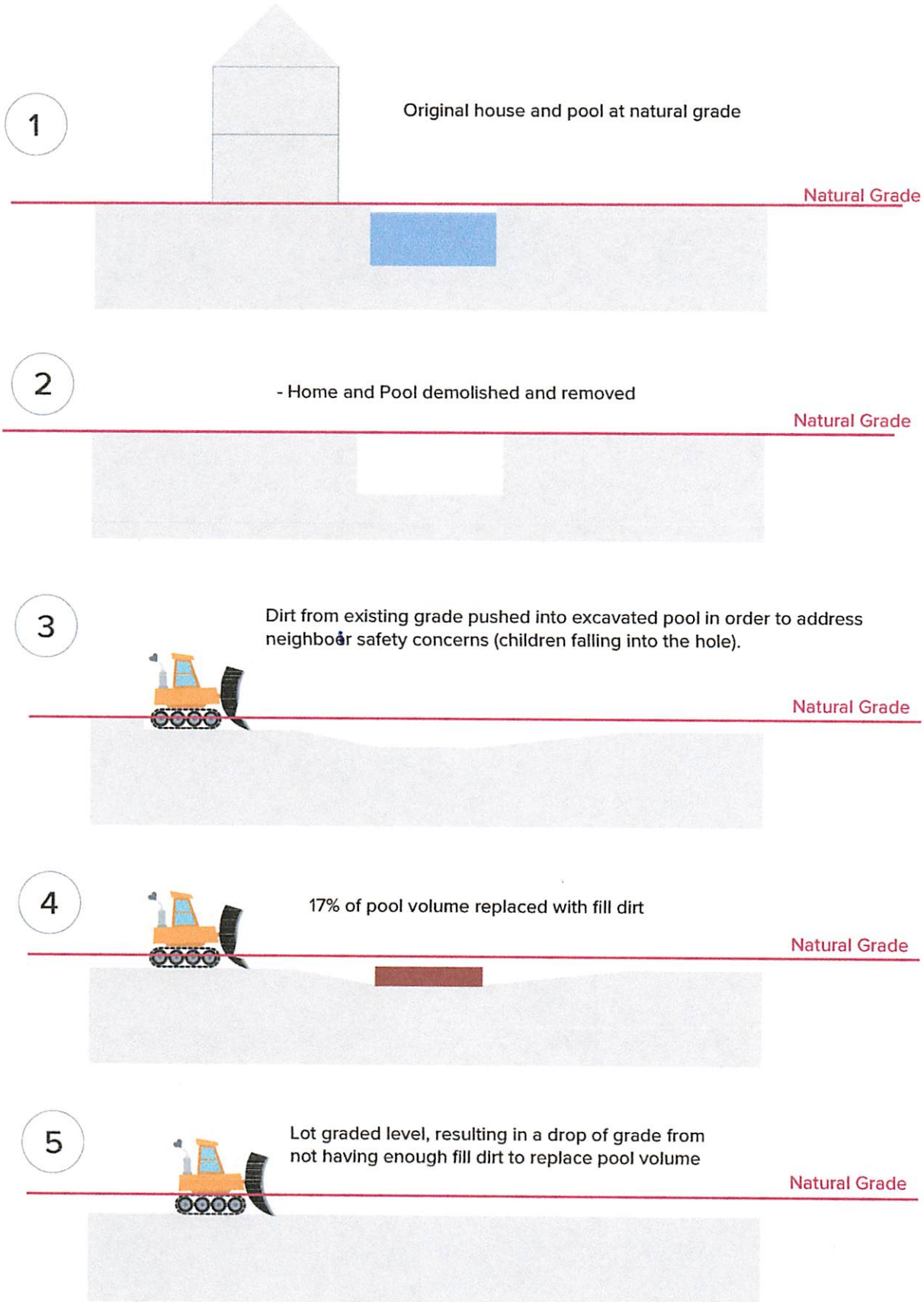
Work Description: Filling in of excavated hole where pool was removed.

Stipulations: Filling the swimming pool hole post-demo with fill is approved provided only the hole is filled and no additional fill is added to any other areas of the shown survey. All other dirt resulting from the demolition must be graded flat and stabilized from washing to adjacent properties. jh 10-14-2020

Jessi Gress, Permit Technician

THIS PERMIT MUST BE DISPLAYED IN PERMIT BOX IN FRONT OF BUILDING AT THE LOCATION STATED ABOVE.MUST BE PROTECTED FROM WEATHER AND ACCESSIBLE FOR INSPECTION.

Demolition and grading steps resulting in a lowering of natural grade at 1659 Atlantic



BOUNDARIES IS SHOWN FOR DESCRIPTIVE PURPOSES ONLY

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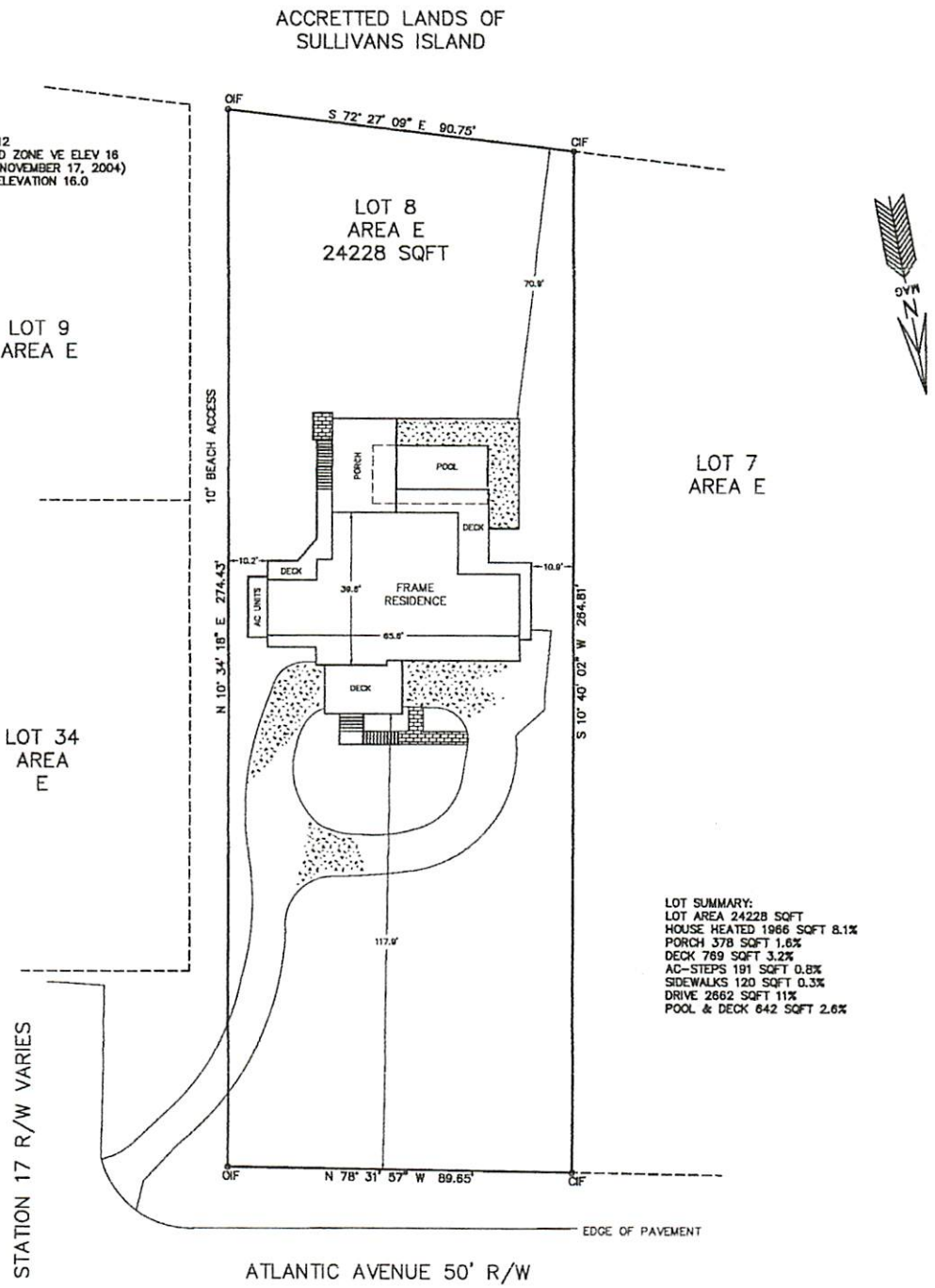
THIS SURVEY IS BASED ON THE REFERENCES SHOWN AND DOES NOT CONSTITUTE A TITLE SEARCH. THE BEARINGS SHOWN ARE MAGNETIC (UNLESS STATED OTHERWISE) AND ARE SUBJECT TO LOCAL ATTRACTION. ANYTHING OUTSIDE THE PARENTHESIS

LEGEND:

OIF 1" OPEN IRON FOUND
CIF 1" CRIMP IRON FOUND
P PALM
C CEDAR
BP BLACK PINE

NOTES:

1) TMS# 523-12-00-008
2) SURVEY REQUESTED BY: KEN & PATRICIA SPICER
3) REFERENCE PLAT BOOK H-112
4) PROPERTY LOCATED IN FLOOD ZONE VE ELEV 16 PER FIRM 45019C-0538-J (NOVEMBER 17, 2004)
5) BOTTOM OF BEAM EXISTING ELEVATION 16.0



LOT SUMMARY:
LOT AREA 24228 SQFT
HOUSE HEATED 1966 SQFT 8.1%
PORCH 378 SQFT 1.6%
DECK 769 SQFT 3.2%
AC-STEPS 191 SQFT 0.8%
SIDEWALKS 120 SQFT 0.3%
DRIVE 2662 SQFT 11%
POOL & DECK 642 SQFT 2.6%

JOHN E. WADE JR., RLS
POST OFFICE BOX 666
ISLE OF PALMS
SOUTH CAROLINA
29451
(843) 886-6262

FILE #153-10

1659 ATLANTIC AVENUE
AKA LOT 8 AREA E
FORT MOULTRIE
LOCATED IN THE
TOWN OF SULLIVANS ISLAND
CHARLESTON COUNTY
SOUTH CAROLINA

DATE: JANUARY 22, 2020

SCALE: 1" = 20'

20 0 20 40

SOUTH CAROLINA PROFESSIONAL LAND SURVEYOR REG. NO. 13171 JOHN E. WADE JR.

"I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN."

JOHN E. WADE JR., R.L.S.
S.C. REG. NO. 13171

1659 Atlantic Pool Volume Calculation

Saved to Drive

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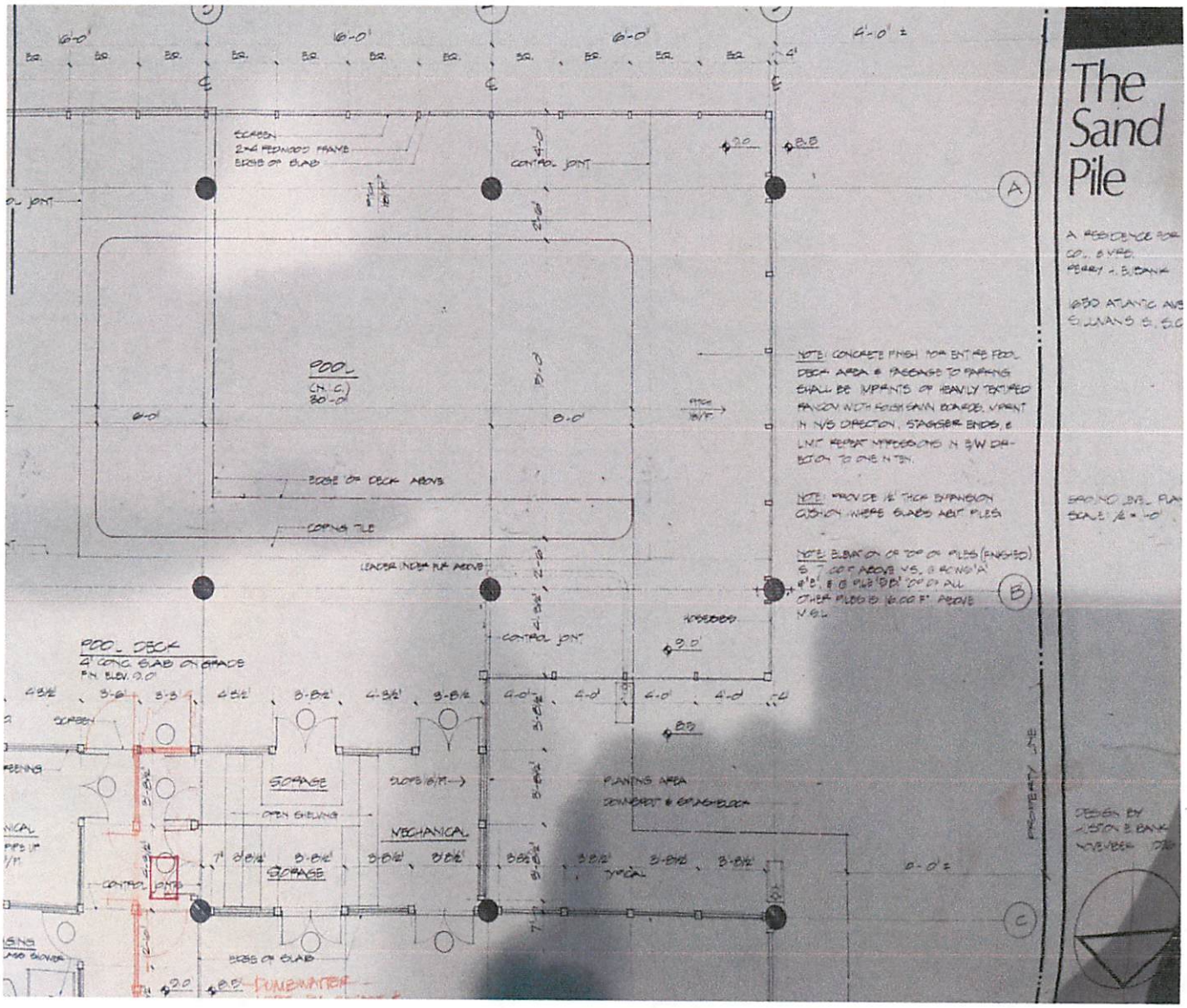
	A	B	C
1	**Pool Volume Calculation**		
2	Length (ft)	32	Pool 15' x 30' with 1' concrete walls on each side
3	Width (ft)	17	
4	Depth (ft)	7	Average of 4' shallow end / 8' deep end) + 1' depth of concrete
5	Pool Volume Cavity (cubic ft)	3808	(27 cubic feet = 1 cubic yard)
6	**Pool Volume Cavity (Cubic yards)**	141	
7			
8	**Fill Dirt Calculation**		
9	Cubic Yards/ Truck	15	
10	Effective Yards/truck (Compacted - 20%)	12	
11	# Truck loads delivered	2	
12	Fill Dirt delivered (Effective Cubic Yards)	24	
13			
14	**Remaining cu. yds required to fully fill pool volume**	117	
15			
16			
17			
18			

As built drawings illustrating pool dimensions of 30' x 15'



Fill dirt pick up receipts from the Green Bay dirt mine in Cainhoy.

I was suspect that the demolition contractor was not telling the truth about how many truck loads of fill dirt had been delivered, so I insisted that he provide me with receipts or invoices of any dirt deliveries before I would pay him for the fill dirt and grading.

Below is all I received - 2 truck loads. Given that he had every motivation to get paid, I can only conclude that this is all that was actually delivered. (He claimed 4 truck loads had been delivered)