



Case #BZA24-000006
Kiawah Island BZA Meeting of June 17, 2024

Applicant/Property Owner: GIANOUKOS JAMES A, GIANOUKOS LAURA C

Representative: Rick Balsh

Property Location: 4113 Summer Duck Way

TMS#: 209-06-00-013

Zoning District: 8,925 sqft (.21 acres)

Lot Size: R-2-O, Residential Zoning District

Request: Variance request for the reduction of the required 15' side setback for approximately 69 square feet encroachment for a proposed bedroom addition and 16 square feet for a proposed bathroom extension at 4113 Summer Duck Way.

Requirement:

Chapter 12. Land Use Planning and Zoning, Art. II. Zoning, Div. 2. Zoning Map/Districts, Sec. 12-66. - R-2, Residential District.

Chapter 12. Land Use Planning and Zoning, Art. II. Zoning, Div. 2. Zoning Map/Districts, Sec. 12-80. - R-2-O, Residential District.

Required setbacks: 25' (Front); 15' (Side); 20' (Rear)

Maximum 40% Lot Coverage

The Ordinance defines Setback as "a required minimum distance from the lot line, or street right-of-way, or OCRM critical line that establishes an area within which a structure shall be erected." The Ordinance defines Side Setback as "any setback other than a rear or front setback."

Sec. 12-66. R-2, Residential District.

- (a) *Purpose and intent.* The purpose of the R-2 zoning district is to promote stable residential neighborhoods consisting of medium density residences surrounded by parks, golf courses and open spaces. The district is intended for a variety of dwelling unit types. Activities and endeavors which might serve to mitigate against this purpose shall be prohibited or strictly regulated.
- (b) *District regulations.* The following apply to the R-2 zoning district:
 - (1) The maximum density for this district is six dwelling units per acre;
 - (2) All required parking shall be enclosed;
 - (3) Open storage is prohibited;
 - (4) There shall be no more than four dwelling units in any building within this district;
 - (5) Lot standards (setbacks, lot coverage, etc.) for single-family detached dwellings on existing platted lots that are included in article VII of this chapter, the Kiawah Island Property Setback Requirements Appendix, dated 7-10-2007, incorporated herein by reference and adopted hereto as said article VII shall apply in lieu of the setback requirements in table 2C following subsection (b)(8) of this section;
 - (6) Lot standards (setbacks, lot coverage, etc.) for patio homes, on existing platted lots that are included in article VII of this chapter, the Kiawah Island Property Setback Requirements Appendix, dated 7-10-2007, incorporated herein by reference and adopted hereto as said article VII shall apply in lieu of the setback requirements in table 2D following subsection (b)(8) of this section;
 - (7) Lot standards (setbacks, lot coverage, etc.) for patio homes not covered by subsection (b)(6) of this section are listed in table 2D following subsection (b)(8) of this section;
 - (8) Authorized uses are listed in table 3A in section 12-102(c).

| Table 2C. Lot Standards for R-2 Single-Family Detached Dwellings | | | | | | | | |
|--|-------------------------|-----------------|--------------------------------|--------------------------------------|---------------------|---------------------|----------------|--------|
| Lot Size (square feet) | Maximum Lot Coverage | Depth (feet) | Width (Feet) ⁽¹⁾ | Minimum Yard Setbacks ⁽²⁾ | | | Maximum Height | |
| | | | | Front ⁽²⁾ | Side ⁽³⁾ | Rear ⁽⁴⁾ | (stories) | (feet) |
| 6,000—7,999 | 50 percent | 85 | 55 | 20 | 7 | 20 | 2.5 | 40 |
| 8,000—11,999 | 40 percent | 100 | 60 | 25 | 15 | 25 | 2.5 | 40 |
| 12,000+ | 33 percent | 100 | 75 | 25 | 20 | 25 | 2.5 | 40 |
| ⁽¹⁾ For lots on cul-de-sacs or similar circumstances, the minimum width shall apply at the front yard setback line. Cul-de-sac lots shall have a minimum width of 25 feet at the street line. The minimum width of any flag lot may be reduced to 20 feet, provided that the minimum width specified in the table is provided at the front building setback line. | | | | | | | | |
| ⁽²⁾ On corner and double-frontage lots, front setback standards will apply to each lot line that borders a street right-of-way. The rear yard setback shall apply to the opposite side of the principal structure's front main entrance. The side yard setback shall apply to the remaining sides. | | | | | | | | |
| ⁽³⁾ A minimum of 15 feet must be provided between structures. | | | | | | | | |
| ⁽⁴⁾ The minimum yard requirements shall be increased to 30 feet from any lot or parcel boundary which abuts a golf course. | | | | | | | | |

Table 2D. Lot Standards for R-2 (Patio Homes, Duplexes and Townhouses)

Sec. 12-80. - R-2-O, Residential Overlay Zoning District.

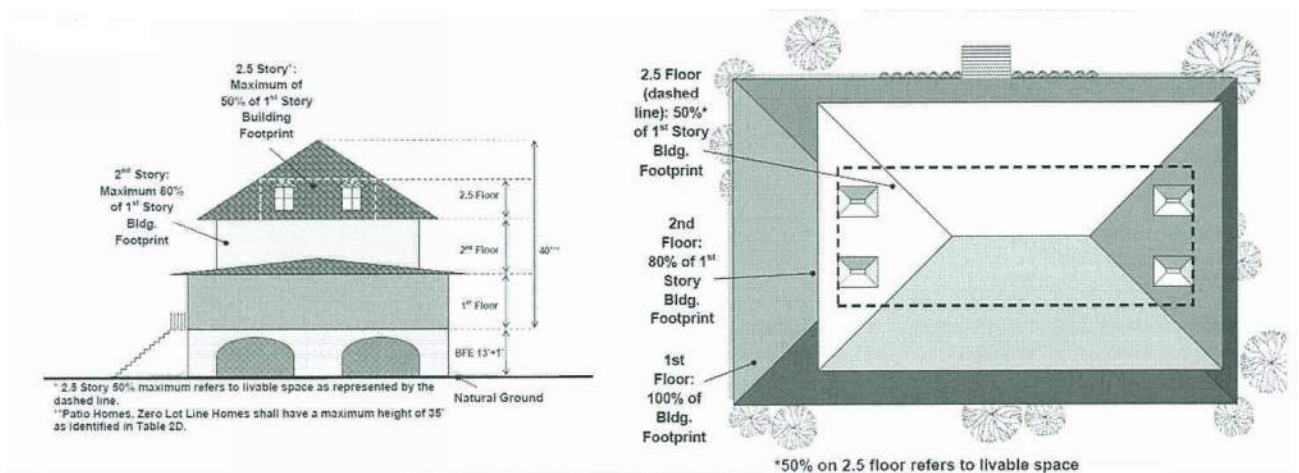
- (a) *Definition.* For purposes of this section, the term "major renovations" means costs of repair or restoration that exceed 50 percent of the appraised value of the structure at the time of zoning and building permit application. Refer to sections 12-192 and 12-193.
- (b) *Purpose and intent.* The purpose and intent of the R-2-O Residential Overlay Zoning District is to promote stable residential neighborhoods consisting of medium density single-family detached residences and patio homes surrounded by parks, golf courses and open spaces. Additionally the purpose and intent is to ensure that new dwelling units and major renovations to existing dwelling units are compatible with the character of existing neighborhoods located within the overlay by permitting consistent dwelling types through the implementation of the R-2-O development standards. Activities and endeavors which might serve to mitigate against this purpose and intent shall be prohibited or strictly regulated.
- (c) *Effect of overlay zoning district.* The R-2-O, Residential Overlay Zoning District regulations of this section apply in addition to the underlying (base) zoning district regulations to impose different development rules for properties within the R-2-O district. In case of conflict between the regulations of this section and other regulations in this article, the regulations of this section shall control.
- (d) *Applicability.* The R-2-O, Residential Overlay Zoning District is illustrated on the attached map. The standards of this section shall apply to all development within the R-2-O district.
- (e) *Development standards.* The following apply to the R-2-O, Residential Overlay Zoning District:
 - (1) The maximum density for this district is six dwelling units per acre;
 - (2) All required parking shall be enclosed;
 - (3) Open storage is prohibited;
 - (4) Lot standards (setbacks, lot coverage, etc.) for single-family detached dwellings on existing platted lots that are included in article VI of this chapter, the Kiawah Island Property Setback Requirements Appendix dated July 10, 2007, incorporated herein by reference and adopted hereto as article VI of this chapter shall apply in lieu of the setback requirements in table 2C, section 12-66;
 - (5) Lot standards (setbacks, lot coverage, etc.) for patio homes, on existing platted lots that are included in the Kiawah Island Property Setback Requirements Appendix dated July 10, 2007, incorporated herein by reference and adopted hereto as article VI of this chapter shall apply in lieu of the setback requirements in table 2D, section 12-66;
 - (6) Lot standards (setbacks, lot coverage, etc.) for patio homes not covered by subsection (e)(5) of this section are listed in table 2D, section 12-66, excluding duplexes and townhouses;
 - (7) Authorized uses are listed in table 3A in section 12-102(c) except that townhouses and duplexes shall not be permitted uses in the R-2-O, Residential Overlay Zoning District;
 - (8)

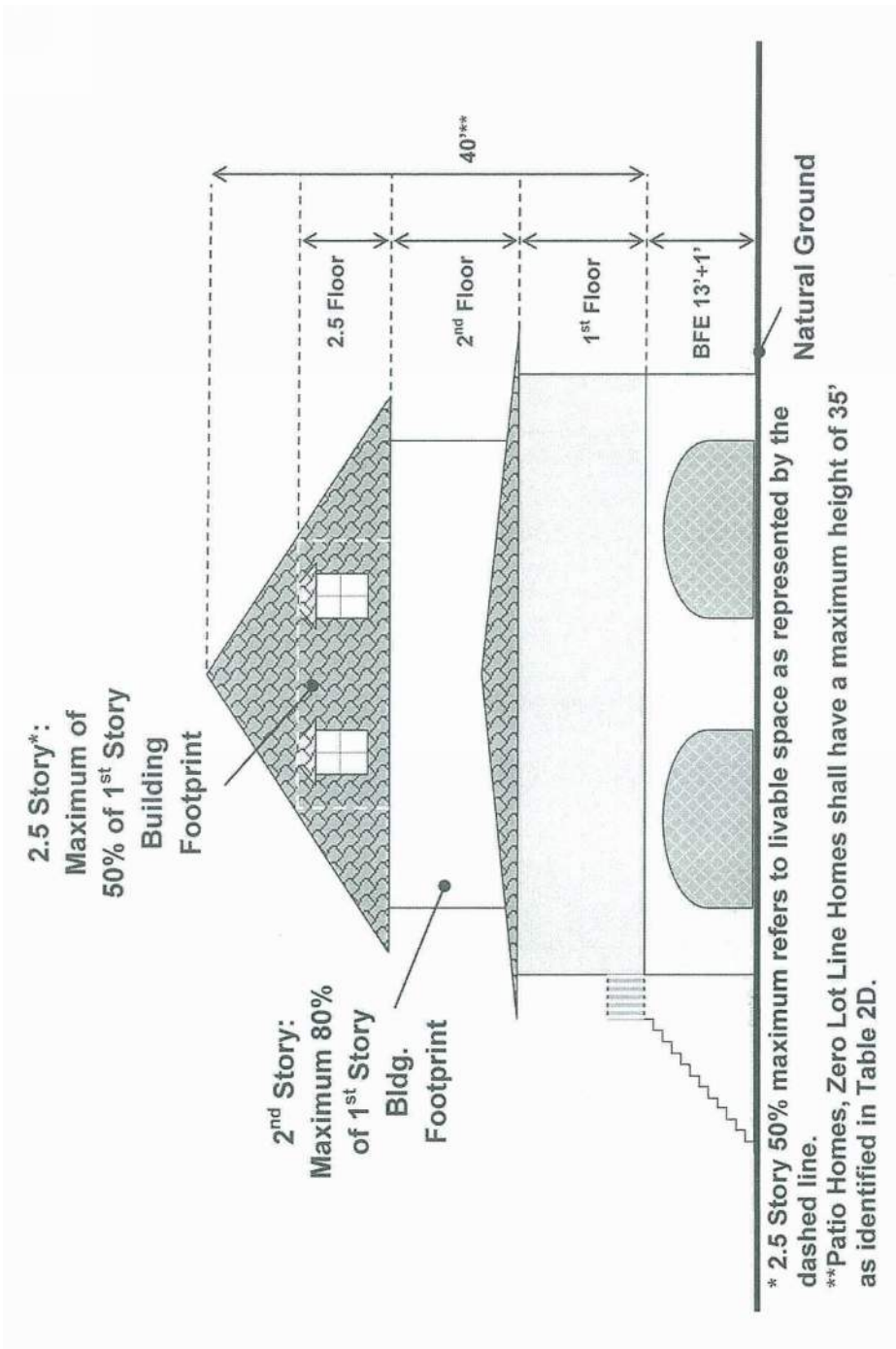
Nonconforming structures and nonconforming uses that were lawfully erected within this overlay district prior to adoption of the R-2-O, Residential Overlay Zoning District, shall comply with sections 12-192 and 12-193; and

- (9) The term "height" means the elevation from ground floor level as measured in feet and stories to the highest point of the roof. The term "building height" does not include chimneys, antennas or ventilation pipes. Height in stories is the number of habitable floors (stories) exclusive of the area below the first finished floor. One-half story is a habitable floor which has heated square footage that is no greater than one-half the heated square footage of the largest story;
- (10) The second story floor area shall not exceed 80 percent of the first story building footprint area. If there is a half story above the second story, it shall not exceed 50 percent of the first story floor area. Graphic 2A and graphic 2B set forth in this subsection illustrate the maximum floor area percentages for single-family detached dwellings.

Graphic 2A, elevation and graphic 2B, plan view: single-family detached maximum height in stories/feet: ;frac;2.5;40;, illustrating 80 percent maximum second story floor area and 50 percent maximum 2½ story floor area.

(1) Note. Patio homes, zero lot line homes shall have a maximum height of 35 feet as identified in table 2D.





(Ord. No. 2011-06, § 2(12A-221), 10-4-2011)

SNOWY EGRET LANE (UNDEVELOPED LANDS)

| <u>Lot</u> | <u>Front</u> | <u>Side</u> | <u>Rear</u> |
|------------|------------------|----------------------------------|-----------------------------|
| 410 | 25 (Snowy Egret) | 15 | 30 (golf) |
| 411 | 25 (Snowy Egret) | 15 | 30 (golf) |
| 412-429 | 25 (Snowy Egret) | 15 | 30 (marsh) |
| 430 | 25 (Snowy Egret) | 15 (lots) | 25 (Gov. Dr) 30 (marsh) |
| 431 | 25 (Snowy Egret) | 15 | 25 (Gov. Dr) |
| 432 | 25 (Snowy Egret) | 15 | 25 (Gov. Dr) 30 (lagoon) |
| 433-437 | 25 (Snowy Egret) | 15 (lots) | 30 (lagoon) |
| 438 | 25 (Snowy Egret) | 15 (lot 437) 25 (Snowy Egret) | 30 (lagoon) |

SPARROW HAWK ROAD (DEVELOPED LANDS)

| <u>Lot</u> | <u>Front</u> | <u>Side</u> | <u>Rear</u> |
|------------|-------------------|--------------------------------|--------------|
| 230 | 25 (Sparrow Hawk) | 30 (golf) 15 (lot 231) | 20 (lot 231) |
| 231 | 20 (lot 230) | 30 (golf) 15 (lot 232) | 30 (lagoon) |
| 232 | 25 (Sparrow Hawk) | 15 (lot 231) 15 (cart path) | 30 (golf) |
| 233 | 25 (Sparrow Hawk) | 15 (lot 234) 15 (cart path) | 30 (golf) |
| 234-238 | 25 (Sparrow Hawk) | 15 | 30 (golf) |

SPARTINA COURT (DEVELOPED LANDS)

| <u>Lot</u> | <u>Front</u> | <u>Side</u> | <u>Rear</u> |
|------------|------------------|----------------------------------|----------------------------|
| 115 | 25 (Spartina Ct) | 25 (Spartina Ct) 15 (lot 116) | 20 (lot 114) |
| 116 | 25 (Spartina Ct) | 15 | 20 (lot 113) |
| 117 | 25 (Spartina Ct) | 15 | 20 (lot 112) 30 (marsh) |
| 118-128 | 25 (Spartina Ct) | 15 (lots) | 30 (marsh) |
| 129 | 25 (Spartina Ct) | 15 | 20 (lots 141, 142) |
| 130 | 25 (Spartina Ct) | 15 | 20 (lot 141) |

SPOTTED SANDPIPER COURT (DEVELOPED LANDS)

| <u>Lot</u> | <u>Front</u> | <u>Side</u> | <u>Rear</u> |
|------------|-------------------|----------------------------|-------------|
| 70 | 25 (Spotted Sand) | 30 (lagoon) 15 (lot 71) | 30 (lagoon) |
| 71-75 | 25 (Spotted Sand) | 15 | 30 (lagoon) |
| 76 | 25 (Spotted Sand) | 15 (lot 75) 30 (lagoon) | 30 (lagoon) |

SUMMER DUCK WAY (NIGHT HERON) (DEVELOPED LANDS)

| <u>Lot</u> | <u>Front</u> | <u>Side</u> | <u>Rear</u> |
|------------|--------------|-------------|-------------|
| 1 | 25 | 15 | 20 |
| 2 | 15 | * | 10 |
| 3 | 15 | * | 10 |
| 4 | 20 | 7 | 15 |
| 5 | 15 | * | 10 |
| 6 | 15 | * | 10 |
| 7 | 20 | 7 | 15 |
| 8 | 20 | 7 | 15 |
| 9 | 20 | 7 | 15 |
| 10-13 | 25 | 15 | 20 |
| 14-16 | 20 | 7 | 15 |
| 17 | 15 | * | 10 |
| 18 | 15 | * | 10 |
| 19 | 20 | 7 | 15 |
| 20-24 | 15 | * | 10 |
| 25 | 20 | 7 | 15 |
| 44-46 | 15 | * | 10 |
| 47 | 20 | 7 | 15 |
| 48 | 25 | 15 | 20 |
| 59 | 20 | 7 | 15 |
| 60-61 | 20 | 7 | 15 |
| 62 | 20 | 7 | 15 |
| 63 | 20 | 7 | 15 |
| 64 | 25 | 15 | 20 |

Staff Review:

The property owners James and Laura Gianoukos being represented by the applicant Rick Balsh are requesting a variance for the reduction of the required 15' side setback for approximately 69 square feet encroachment for a proposed bedroom addition and 16 square feet for a proposed bathroom extension at 4113 Summer Duck Way. (TMS# 209-06-00-013). The subject property is located within the R-2-O, Residential Overlay Zoning District.

The lot is approximately 8,925 square feet (0.21 acres) in size. The existing home on the site was constructed in 1979, according to Charleston County records. The property was acquired by James and Laura Gianoukos in October 2023.

The adjacent properties to the north and south are also located in the R-2-O, Residential Overlay Zoning District. The subject property is located adjacent to a lagoon to the west. Across the lagoon, the property contains storage facilities located within the CS, Community Support Zoning District. The subject property is subject to review by the Kiawah Island Architectural Review Board.

The *Town of Kiawah Island Land Use Planning and Zoning Ordinance* requires a front set back of twenty-five feet (25'), a fifteen foot side yard setback (15') and a twenty-foot rear setback (20'). The subject property has a maximum lot coverage of 40%. The total proposed lot coverage is approximately 31.5%.

The Ordinance defines Setback as *“a required minimum distance from the lot line, or street right-of-way, or OCRM critical line that establishes an area within which a structure shall be erected.”* The Ordinance defines Side Setback as *“any setback other than a rear or front setback.”*

The applicant's proposed plans include interior renovations which extend a bedroom westward into the required 15-foot side setback by approximately 8 feet 6 inches, flush to the current nonconforming part of the home. The applicant's proposed plans also include a bathroom extension which will extend a bathroom out approximately 10 feet 7 inches into the required 15-foot side setback. The home is currently legally nonconforming regarding setbacks. A portion of the existing home encroaches into the north side of the side yard setback by approximately 54 square feet. A portion of the existing home encroaches into the south side of the side yard setback by approximately 312 square feet. The applicant is requesting a total additional encroachment of 75 square feet.

The applicant applied for a Town zoning permit on April 12, 2024. The applicant was notified through issued comments on April 15, 2024 that a variance was required based on submitted site plans. Planning staff conducted a site visit on April 22, 2024, subsequent the applicant notifying Town staff that construction had already commenced. The applicant informed Town staff that the project received KIARB final approval on January 29, 2024. As a result of the construction starting prior to obtaining required Town zoning and building permits, a stop work order was issued by the Town at the subject property on April 23, 2024.

The applicant has submitted to the Kiawah Island Architectural Review Board (KIARB) for an Improvement Review. The KIARB has granted approval for the variance request October 9, 2023, stating:

“The Variance Request for the proposed addition to extend into the left side yard setback is approved due to the unique shape of the lot, the post-construction adoption of current setback requirements applied to the property, and that the proposed addition and associated variance is in keeping with other properties in the neighborhood.”

Please see the attachments for further information regarding this request. A site visit was conducted on May 31, 2024, at which time the following determinations were made regarding the Approval Criteria for Variances, as stated in Chapter 12 of the Town of Kiawah Island *Land Use Planning and Zoning Ordinance*, Article II, Division 5, Section 12-163.(4):

Staff Findings:

The BZA may grant a variance only if exceptional circumstances exist, and where practical difficulty or unnecessary hardship is so substantial, serious, and compelling that relaxation of the general restrictions ought to be granted. No variance shall be granted unless the applicant shall show and the BZA shall find that:

§ 12-163.(4)a.: *There are extraordinary and exceptional conditions pertaining to the particular piece of property;*

Staff Response: **There may be extraordinary and exceptional conditions pertaining to the property due to the existing structure placement, the legally nonconforming structure, the shape of the subject property. The subject property is pie shaped, narrow towards the front of the lot. The south side and north side of the home is considered non-conforming in regard to setbacks. Per the applicant’s letter of intent, “at 4113 Sumer Duck way the imposition of setback criteria being added to the property post-construction of the home – essentially forcing the home into a non-conforming status.”**

§ 12-163.(4)b.: *These conditions do not generally apply to other property in the vicinity;*

Staff Response: **These conditions may be unique to the subject property and may not generally apply to other properties in the vicinity. The subject property is located in the R-2-O, Residential Overlay Zoning District. Adjacent properties are also located in the R-2-O, Residential Overlay Zoning District. Existing structures in the vicinity may or may not have similar encroachments based on current setback standards. Per the applicant’s letter of intent, “The imposition of these setbacks affected individual properties in this neighborhood in an inconsistent manner, making it more difficult or impossible for some to make changes or additions without a variance approval, while not for others.”**

§ 12-163.(4)c.: *Because of these conditions, the application of this Ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property;*

Staff Response: **The application of this Ordinance to 4113 Summer Duck Way would prohibit the construction of the proposed additions as the proposed structure encroaches into the required 15' side setback; however, it does not unreasonably restrict the utilization of the property. Per the applicant's letter of intent, "Because of these conditions the application of the setback requirement would unreasonably restrict or prohibit utilization of the property; by eliminating the ability to make simple improvements or modifications to the entire south side of the dwelling."**

§ 12-163.(4)d.: *The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the zoning district will not be harmed by the granting of the variance;*

Staff Response: **The authorization of this variance may not be of substantial detriment to the adjacent properties or the public good. The proposed extension is positioned on the side of the home and encroach minimally past the current nonconforming structure. Per the applicant's letter of intent, "The authorization of a variance will not be of substantial detriment to the adjacent property or the public good, nor will the character of the zoning district be harmed by granting the variance because: the design approach is both fitting to and falls within the existing character of the neighborhood, has minimal visibility from the road and is of minimal additional square footage in order to obtain the most efficient use of space as well as the addition of landscape screening with predominantly native plant material."**

§ 12-163.(4)e.: *The Board of Zoning Appeals shall not grant a variance the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a nonconforming use of land, or to change the zoning district boundaries shown on the official zoning map;*

Staff Response: **Granting of this variance would not allow the establishment of a use not otherwise permitted in this zoning district, extend physically a non-conforming use of land, or change the zoning district boundaries. Per the applicant's letter of intent, "The Board of Zoning Appeals shall not grant a variance the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a non-conforming use of land, or to change the zoning district boundaries on the official map. None of the requested variance conditions would result from an approval by the Board of Zoning Appeals."**

§ 12-163.(4)f: *The fact that property may be utilized more profitably, should a variance be granted, may not be considered grounds for a variance;*

Staff Response: **The BZA may not consider profitability when considering this variance request. Per the applicant’s letter of intent, “*The fact that the property may be used more profitably, should a variance be granted, may not be considered grounds for a variance as the request in this instance is for personal residential use.*”**

§ 12-163.(4)g.: *The need for the variance shall not be the result of the applicant’s own actions;*

Staff Response: **The need for the variance may be the result of the applicant’s own actions. Per the applicant’s letter of intent, “*The need for a variance shall not be the result of the applicant’s own actions. Because the current owner did not build this home originally or cause the new zoning setback laws to be put in place, this is not the case for the request.*”**

§ 12-163.(4)h.: *Granting the variance will not be contrary to the public or neighborhood interest nor will not adversely affect other property in the vicinity, nor interfere with the harmony, spirit, intent and purpose of these regulations;*

Staff Response: **Granting of this variance may not be contrary to the public or neighborhood interest, may not adversely affect other property in the vicinity, nor interfere with the harmony, spirit, intent, and purpose of these regulations. Per the applicant’s letter of intent, “*Granting the variance shall not be contrary to the public or neighborhood interest nor will not adversely affect other property in the vicinity, nor interfere with the harmony, spirit and purpose of these regulations – because the carefulness by which the addition was designed, as well as the addition of landscape screening with predominantly native plant material, take into account, an accord with surrounding dwellings, adjacent properties, and the overall coherence with the existing fabric of the neighborhood.*”**

§ 12-163.(4)i.: *Granting of the variance does not substantially conflict with the Comprehensive Plan or the purposes of this Ordinance.*

Staff Response: **Granting of the variance may not substantially conflict with the *Comprehensive Plan* or the purposes of the *Ordinance*. A portion of the proposed encroachment is flush with the current non-conforming structure. The other portion is encroaching minimally past the current nonconformity by approximately 2 feet. Per the applicant’s letter of intent, “*Granting of the variance does not substantially conflict with the Comprehensive Plan or the purposes of this ordinance. As both the size, placement, and encroachment into the setbacks were***

Kiawah BZA Meeting of June 17, 2024
Staff Review, Case # BZA24-000006
approached with a deliberate minimally impactful approach.”

Board of Zoning Appeals’ Action:

The Board of Zoning Appeals may approve, approve with conditions or deny Case #BZA24-000006 (Variance request for the reduction of the required 15’ side setback for approximately 69 square feet encroachment for a proposed bedroom addition and 16 square feet for a proposed bathroom extension) based on the BZA’s “Findings of Fact”, unless additional information is deemed necessary to make an informed decision.

Town of Kiawah Island Board of Zoning Appeals

JUNE 17, 2024



Town of Kiawah Island Municipal Center | 4475 Betsy Kerrison Parkway | Kiawah Island, SC 29455

CASE# BZA24-000006

| | |
|----------------------------------|--|
| Applicant/Property Owner: | James Gianoukos & Laura Gianoukos |
| Representative: | Rick Balsh |
| Property Location: | 4113 Summer Duck Way |
| TMS#: | 209-06-00-013 |
| Zoning District: | R-2-O, Residential Zoning District |
| Lot Size: | 8925 sq. ft. (0.21 acres) |
| Request: | Variance request for the reduction of the required 15' side setback for approximately 69 square feet encroachment for a proposed bedroom addition and 16 square feet for a proposed bathroom extension. |

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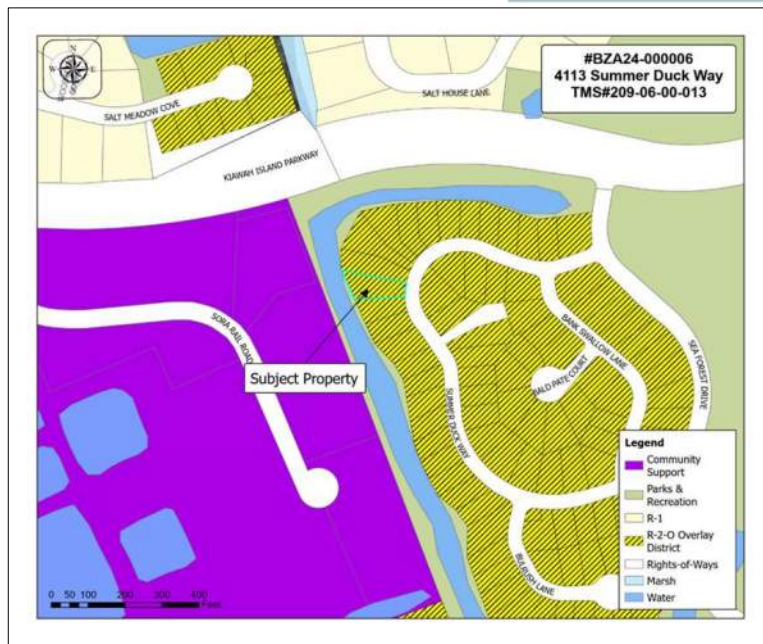
Chapter 12. Land Use Planning and Zoning, Art. II. Zoning, Div. 2. Zoning Map/Districts, Sec. 12-65. - R-2-O, Residential District.

Required setbacks: 25' (Front); 15' (side); 20' (Rear)

Maximum 40% Lot Coverage

The Ordinance defines Setback as “a required minimum distance from the lot line, or street right-of-way, or OCRM critical line that establishes an area within which a structure shall be erected.” The Ordinance defines Side Setback as “any setback other than a rear or front setback.”

3



4



BZA24-000006

PID: 2090600013
 OWNER: GIANOUKOS JAMES A
 PLAT BOOK PAGE: AQ-105
 DEED BOOK PAGE: 1207-073
 Jurisdiction: TOWN OF KIAWAH ISLAND



Note: The Charleston County makes every effort possible to produce the most accurate information. The layers contained in the map service are for information purposes only. The Charleston County makes no warranty, express or implied, nor any guaranty as to the content, sequence, accuracy, timeliness or completeness of any of the information provided. The County explicitly disclaims all representations and warranties. The reader agrees to hold harmless the Charleston County for any cause of action and costs associated with any causes of action which may arise as a consequence of the County providing this information.

Author: Charleston County SC
 Date: 8/15/2024



Case # BZA24-000006
BZA Meeting of June 17, 2024
Subject Property: 4113 Summer Duck Way – Kiawah Island

Variance request for the reduction of the required 15' side setback for approx. 69 SF encroachment for a bedroom addition and 16 SF for a proposed bathroom extension.



Adjacent Properties



Adjacent Properties



Property Side



Property Rear



11

Stop Work Order Notice



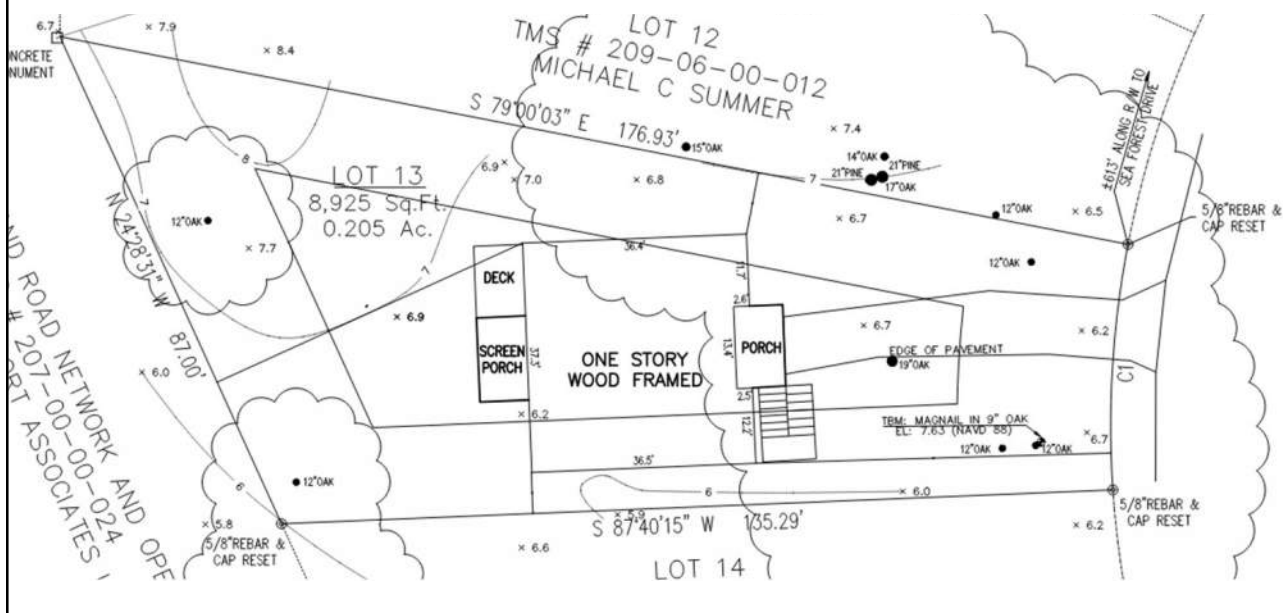
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Subject Property



13

Current Site Plan



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Variance Approval Criteria

- e) The Board of Zoning Appeals shall not grant a variance the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a nonconforming use of land, or to change the zoning district boundaries shown on the official zoning map;
- f) The fact that property may be utilized more profitably, should a variance be granted, may not be considered grounds for a variance;
- g) The need for the variance shall not be the result of the applicant's own actions;
- h) Granting the variance will not be contrary to the public or neighborhood interest nor will not adversely affect other property in the vicinity, nor interfere with the harmony, spirit, intent and purpose of these regulations;
- i) Granting of the variance does not substantially conflict with the Comprehensive Plan or the purposes of this Ordinance.

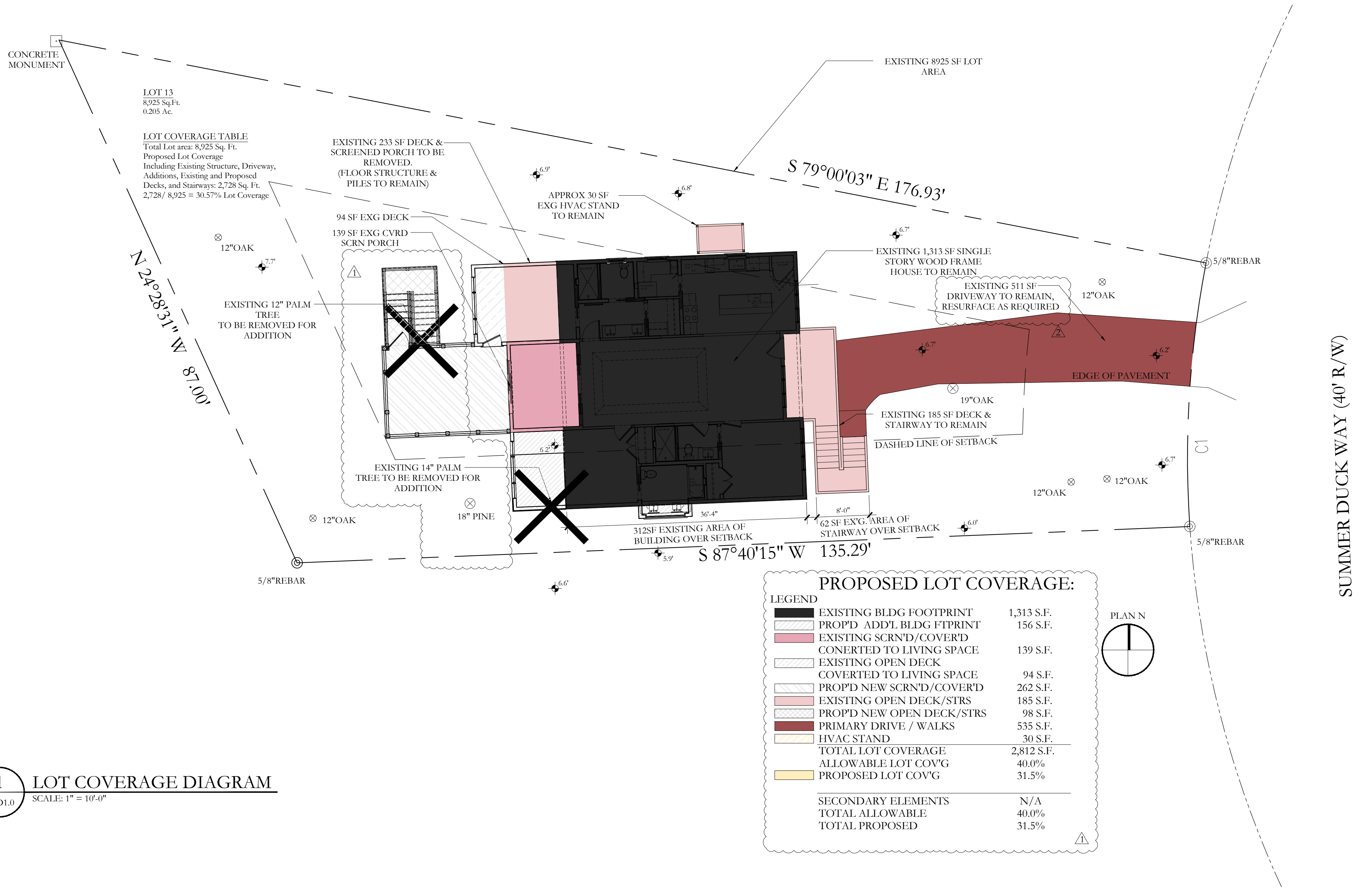
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Board of Zoning Appeals Action

The Board of Zoning Appeals may approve, approve with conditions or deny Case #BZA24-000006 (Variance request for the reduction of the required 15' side setback for approximately 69 square feet encroachment for a proposed bedroom addition and 16 square feet for a proposed bathroom extension based on the BZA's "Findings of Fact", unless additional information is deemed necessary to make an informed decision.

In granting a variance, the Board of Zoning Appeals may attach to it such conditions regarding the location, character, or other features of the proposed building, structure, or use as the Board may consider advisable to protect established property values in the surrounding area, or to promote the public health, safety, or general welfare.

18



1 LOT COVERAGE DIAGRAM
 LCD1.0 SCALE: 1" = 10'-0"

PROPOSED LOT COVERAGE:

| LEGEND | |
|------------------------|---|
| [Solid Black] | EXISTING BLDG FOOTPRINT 1,313 S.F. |
| [Hatched] | PROPD ADD'L BLDG FTPRINT 156 S.F. |
| [Pink] | EXISTING SCRND/COVER'D CONVERTED TO LIVING SPACE 139 S.F. |
| [Light Blue] | EXISTING OPEN DECK CONVERTED TO LIVING SPACE 94 S.F. |
| [Light Green] | PROPD NEW SCRND/COVER'D 262 S.F. |
| [Light Purple] | EXISTING OPEN DECK/STRS 185 S.F. |
| [Light Yellow] | PROPD NEW OPEN DECK/STRS 98 S.F. |
| [Light Orange] | PRIMARY DRIVE / WALKS 535 S.F. |
| [Light Red] | HVAC STAND 30 S.F. |
| TOTAL | TOTAL LOT COVERAGE 2,812 S.F. |
| | ALLOWABLE LOT COV'G 40.0% |
| | PROPOSED LOT COV'G 31.5% |
| SECONDARY ELEMENTS N/A | |
| | TOTAL ALLOWABLE 40.0% |
| | TOTAL PROPOSED 31.5% |

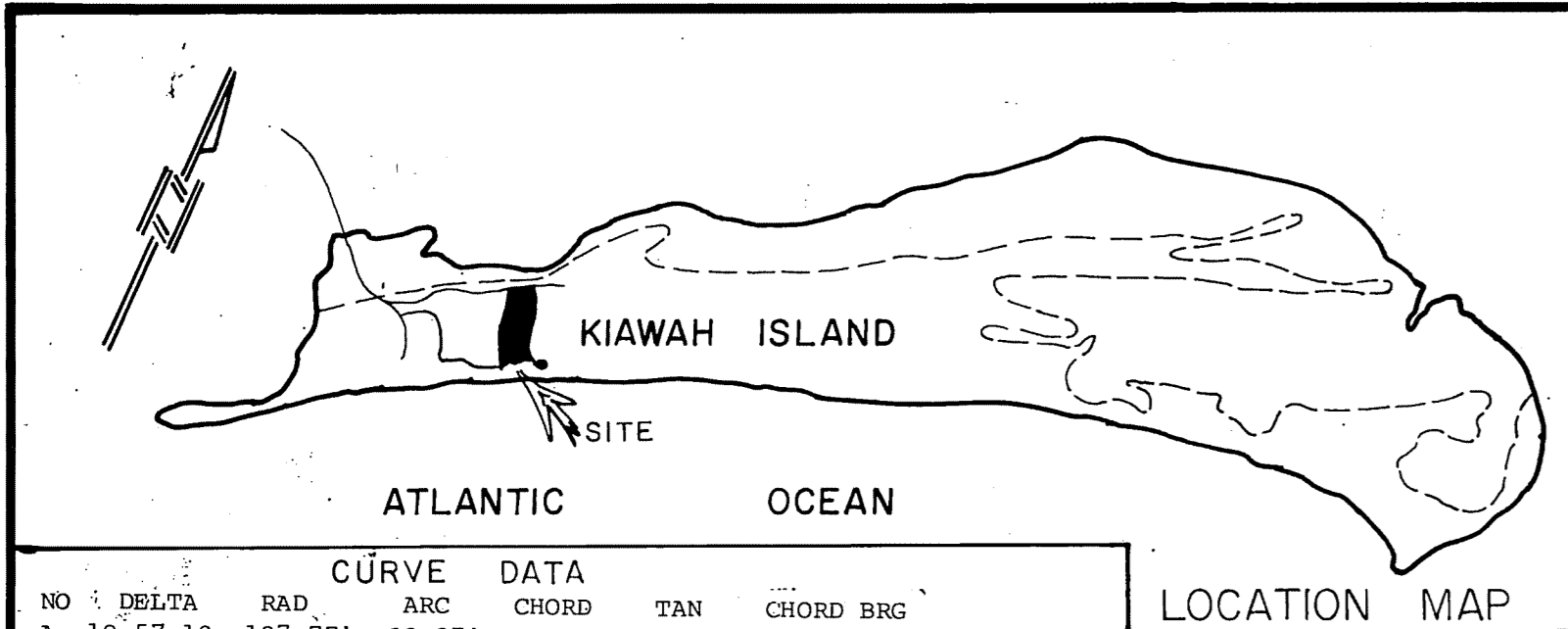
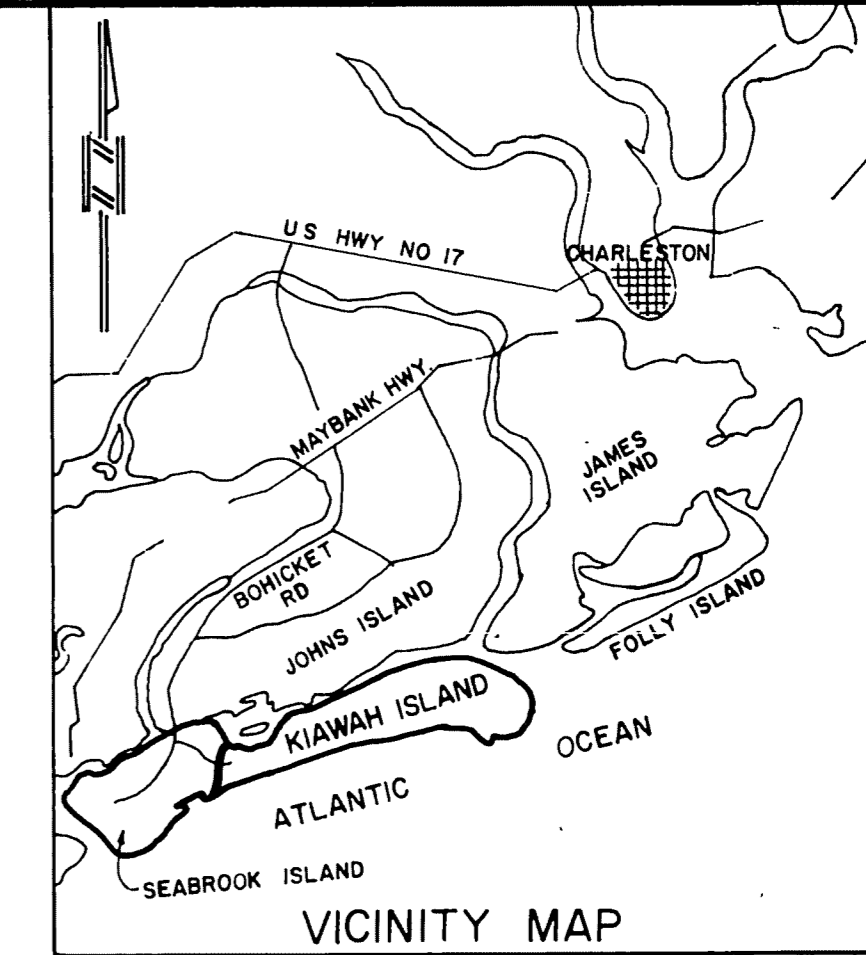
| ISSUE | |
|------------|---|
| DATE | DESCRIPTION |
| 03/04/2024 | RE-SUBMIT TO ARL DESIGN CHANGE: REAR COVD PORCH & STAIR |
| 04/08/2024 | RE-SUBMIT TO BUILDING DEPT FOR PERMIT UPDATE |

NIGHT HERON SUBDIVISION 419-I

PLAT OF:
NIGHT HERON
SUBDIVISION
419-I

LOCATED ON-
KIAWAH ISLAND,
CHARLESTON
COUNTY,
SOUTH CAROLINA

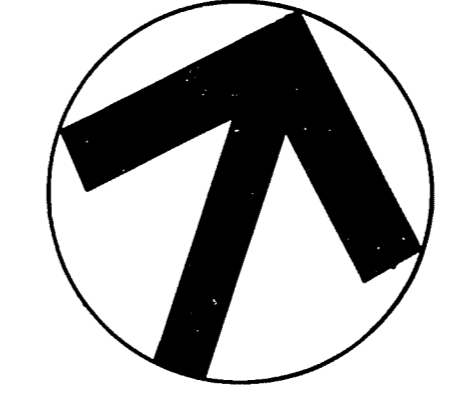
OWNED BY-
KIAWAH ISLAND
COMPANY, LTD.
KIAWAH ISLAND,
S. C. 29455



| NO. | DELTA | CURVE DATA | TAN | CHORD BRG. |
|-----|-----------|------------|---------|------------|
| A | 19-57-10 | 197.77' | 68.87' | 34.79' |
| B | 80-31-54 | 15.00' | 21.08' | 12.71' |
| C | 09-39-12 | 194.39' | 32.75' | 32.71' |
| D | 15-19-37 | 194.39' | 52.00' | 51.85' |
| E | 18-16-27 | 194.39' | 62.00' | 61.74' |
| F | 07-21-14 | 155.83' | 20.00' | 19.99' |
| G | 19-29-14 | 155.83' | 53.00' | 52.74' |
| H | 18-45-37 | 155.83' | 51.02' | 50.80' |
| I | 14-46-51 | 155.83' | 40.20' | 40.09' |
| J | 13-25-13 | 155.83' | 36.50' | 36.42' |
| K | 07-22-19 | 155.83' | 20.05' | 20.04' |
| L | 07-22-19 | 155.83' | 36.10' | 36.02' |
| M | 13-16-24 | 155.83' | 36.10' | 36.02' |
| N | 14-44-52 | 155.83' | 40.11' | 40.00' |
| O | 15-37-35 | 155.83' | 42.50' | 42.37' |
| P | 15-53-26 | 155.83' | 43.22' | 43.08' |
| Q | 13-24-13 | 140.62' | 32.90' | 32.82' |
| R | 18-53-17 | 140.62' | 46.36' | 46.15' |
| S | 08-52-32 | 290.50' | 45.00' | 44.96' |
| T | 10-39-02 | 290.50' | 54.00' | 53.92' |
| U | 10-15-22 | 290.50' | 52.00' | 51.93' |
| V | 10-50-11 | 290.50' | 54.94' | 54.86' |
| W | 11-13-47 | 290.50' | 56.94' | 56.85' |
| X | 11-36-43 | 290.50' | 58.87' | 58.77' |
| Y | 83-25-16 | 15.00' | 21.84' | 13.37' |
| Z | 21-06-41 | 118.00' | 43.48' | 43.23' |
| AA | 19-13-52 | 118.00' | 39.61' | 39.42' |
| AB | 19-19-34 | 103.76' | 35.00' | 34.83' |
| AC | 25-24-01 | 103.76' | 46.00' | 45.62' |
| AD | 24-40-37 | 103.76' | 44.69' | 44.35' |
| AE | 57-24-51 | 15.00' | 15.03' | 14.41' |
| AF | 60-06-28 | 50.00' | 52.45' | 50.08' |
| AG | 49-54-52 | 50.00' | 43.56' | 42.19' |
| AH | 22-55-06 | 50.00' | 20.00' | 19.87' |
| AI | 31-56-53 | 50.00' | 27.88' | 27.52' |
| AJ | 32-05-08 | 50.00' | 28.00' | 27.64' |
| AK | 45-40-47 | 50.00' | 39.86' | 38.82' |
| AL | 57-25-30 | 15.00' | 10.34' | 10.14' |
| AM | 16-40-58 | 358.35' | 104.34' | 103.97' |
| AN | 07-42-03 | 358.35' | 48.16' | 48.13' |
| AO | 69-24-12 | 63.76' | 77.23' | 72.60' |
| AP | 40-20-33 | 78.00' | 54.92' | 53.78' |
| AQ | 83-25-16 | 15.00' | 21.84' | 13.37' |
| AR | 04-08-31 | 290.50' | 21.00' | 21.00' |
| AS | 11-06-00 | 290.50' | 56.28' | 56.19' |
| AT | 06-07-08 | 290.50' | 31.02' | 31.01' |
| AV | 13-40-32 | 169.68' | 40.50' | 40.40' |
| AW | 12-26-40 | 169.68' | 36.85' | 36.78' |
| AX | 88-32-31 | 15.00' | 23.18' | 20.37' |
| AY | 13-28-03 | 358.35' | 84.23' | 84.04' |
| AZ | 85-32-30 | 15.00' | 22.39' | 20.37' |
| BA | 13-14-32 | 209.68' | 48.46' | 48.35' |
| BB | 85-15-37 | 15.00' | 22.32' | 20.32' |
| BC | 28-34-18 | 115.62' | 57.66' | 57.06' |
| BD | 11-03-57 | 139.80' | 27.00' | 26.96' |
| BE | 05-34-00 | 247.02' | 24.00' | 23.99' |
| BF | 19-28-03 | 139.80' | 47.50' | 47.27' |
| BG | 20-24-41 | 247.02' | 88.00' | 87.54' |
| BH | 19-15-45 | 139.80' | 47.00' | 46.78' |
| BI | 19-08-09 | 247.02' | 82.50' | 82.12' |
| BJ | 19-38-01 | 139.80' | 47.91' | 47.67' |
| BK | 12-45-26 | 247.02' | 55.00' | 54.89' |
| BL | 03-59-33 | 247.02' | 17.21' | 17.21' |
| BM | 05-26-12 | 197.77' | 18.77' | 18.76' |
| BN | 12-43-33 | 197.77' | 43.93' | 43.84' |
| BO | 80-31-56 | 15.00' | 21.08' | 19.39' |
| BP | 09-29-30 | 234.39' | 38.83' | 38.79' |
| BQ | 81-55-58 | 15.00' | 21.45' | 19.67' |
| BR | 46-37-11 | 86.76' | 70.59' | 68.66' |
| BS | 07-00-22 | 126.76' | 15.50' | 15.49' |
| BT | 22-47-31 | 126.76' | 10.42' | 10.42' |
| BU | 16-49-18 | 126.76' | 37.22' | 37.08' |
| BV | 81-55-57 | 15.00' | 21.45' | 19.67' |
| BW | 17-37-41 | 234.39' | 72.11' | 71.83' |
| BX | 19-53-06 | 115.83' | 40.20' | 40.00' |
| BY | 53-15-09 | 115.83' | 107.66' | 103.92' |
| BZ | 74-56-42 | 115.83' | 151.51' | 140.94' |
| CA | 06-20-40 | 180.62' | 20.00' | 19.99' |
| CB | 15-05-58 | 180.62' | 47.60' | 47.46' |
| CC | 10-50-52 | 180.62' | 34.20' | 34.15' |
| CD | 13-43-25 | 250.50' | 60.00' | 59.86' |
| CE | 20-57-37 | 250.50' | 91.64' | 91.13' |
| CF | 22-38-38 | 250.50' | 99.00' | 98.36' |
| CG | 48-45-20 | 250.50' | 82.00' | 81.63' |
| CH | 18-17-53 | 250.50' | 80.00' | 79.66' |
| CI | 09-25-21 | 250.50' | 41.20' | 41.15' |
| CJ | 08-18-12 | 15.00' | 21.81' | 19.94' |
| CK | 20-14-59 | 155.62' | 55.00' | 54.71' |
| CL | 13-09-45 | 155.62' | 26.52' | 26.49' |
| CM | 69-25-46 | 99.80' | 120.93' | 113.67' |
| CN | 90-00-00 | 15.00' | 23.56' | 21.21' |
| CO | 19-28-50 | 50.00' | 17.00' | 16.92' |
| CP | 35-31-24 | 50.00' | 31.00' | 30.51' |
| CQ | 30-00-13 | 50.00' | 26.18' | 25.89' |
| CR | 43-12-21 | 50.00' | 37.70' | 36.82' |
| CS | 40-06-25 | 50.00' | 35.90' | 34.29' |
| CT | 48-07-42 | 50.00' | 42.00' | 40.78' |
| CU | 49-08-29 | 50.00' | 42.88' | 41.58' |
| CV | 85-35-18 | 15.00' | 22.41' | 20.38' |
| CW | 90-00-00 | 15.00' | 23.56' | 21.21' |
| CX | 46-37-11 | 106.76' | 86.87' | 84.49' |
| CY | 39-30-21 | 214.39' | 55.70' | 55.44' |
| CZ | 25-41-45 | 214.39' | 96.15' | 95.35' |
| CA | 148-05-03 | 135.83' | 351.06' | 261.19' |
| CB | 32-17-30 | 160.62' | 90.52' | 89.33' |



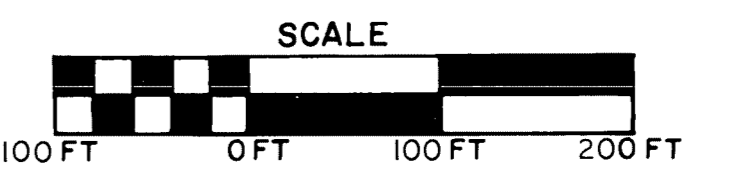
Plat recorded this 7th day of August 1980 at 10:28 o'clock in Plat Book 89 of Charleston County, South Carolina. Original plat (with printing) delivered to this County Planning Board.



SCALE: 1" = 100'

APPROVED FINAL PLAT
CLERK CHARLESTON COUNTY COURSE
DIRECTOR OF PLANNING
CHARLESTON COUNTY PLANNING BOARD
DATE: AUGUST 5, 1980
79458B

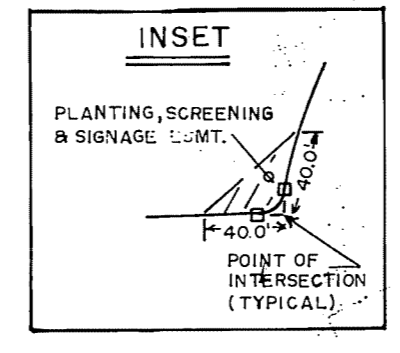
- LEGEND:
- CONCRETE MONUMENT WITH BRASS PIN
 - PROPERTY LINE
 - AREA IN SQUARE FEET
 - O.S. OPEN SPACE
 - (1) DESIGNATES NUMBER FOR REFERENCE IN TABLE OF CENTERLINES & BOUNDARIES
 - (B3) DESIGNATES LETTER FOR REFERENCE TO CURVE DATA
 - MAILING RECEIPTAL OR LINEN BUILDING (10'x20')
 - D.E. ABBREVIATION FOR DRAINAGE EASEMENT



COASTAL SURVEYING CO., INC.
BEACHWALKER OFFICE PARK
KIAWAH ISLAND, S.C.

I, JERRY L. RICHARDSON, A REGISTERED SURVEYOR OF THE STATE OF SOUTH CAROLINA DO HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY SHOWN HEREON AND THAT THIS PLAT SHOWS THE TRUE DIMENSIONS OF THE PROPERTY AND THAT ALL NECESSARY MARKERS HAVE BEEN INSTALLED AND THE PRECISION IS 1/20,000

Jerry L. Richardson
S.C. REG. NO. 4784
SUITE 6-A
BEACHWALKER OFFICE PARK
KIAWAH ISLAND, S.C. 29455



CURVE DATA CONTINUED

| NO. | Δ | RAD. | ARC | CHORD | TAN. | CHD. BRG. |
|-----|----------|----------|---------|---------|---------|------------|
| C4 | 70-02-19 | 270.50' | 330.66' | 310.45' | 189.54' | S38-05-52E |
| D4 | 33-45-33 | 270.50' | 159.41' | 157.11' | 82.09' | S89-59-52E |
| E4 | 40-20-33 | 98.00' | 69.00' | 67.68' | 36.00' | S03-17-19E |
| F4 | 69-24-12 | 83.76' | 101.46' | 95.37' | 58.00' | S58-09-38E |
| G4 | 22-16-36 | 189.68' | 73.75' | 73.28' | 37.35' | N88-05-53E |
| H4 | 03-50-36 | 189.68' | 12.72' | 12.72' | 6.36' | N75-02-57E |
| I4 | 32-51-59 | 135.62' | 77.79' | 76.73' | 40.00' | S03-23-42W |
| J4 | 69-25-46 | 119.80' | 145.17' | 136.45' | 83.00' | S14-53-12E |
| K4 | 90-00-00 | 15.00' | 23.56' | 21.21' | 15.00' | S36-07-13E |
| M4 | 29-25-16 | 167.77' | 66.15' | 85.21' | 44.05' | S05-49-04E |
| N4 | 27-37-49 | 167.77' | 80.91' | 80.12' | 41.26' | S34-21-21E |
| O4 | 61-51-49 | 277.02' | 299.12' | 284.79' | 166.00' | S17-14-18E |
| P4 | 20-02-25 | 358.35' | 124.70' | 124.70' | 63.62' | S40-05-26E |
| Q4 | 05-32-19 | 358.35' | 34.64' | 34.63' | 17.33' | S10-32-53W |
| R4 | 09-28-05 | 197.77' | 32.68' | 32.64' | 16.38' | S25-16-35E |
| S4 | 09-28-05 | 197.77' | 32.68' | 32.64' | 16.38' | S15-48-19E |
| T4 | 25-16-20 | 1133.65' | 500.03' | 495.99' | 254.15' | N86-14-42E |
| U4 | 00-20-54 | 2042.68' | 12.42' | 12.42' | 6.21' | N73-46-56E |
| V4 | 25-16-20 | 1133.65' | 500.03' | 495.99' | 254.15' | N86-14-42E |
| W4 | 00-22-30 | 358.35' | 2.35' | 2.35' | 1.17' | S13-31-32W |
| X4 | 05-49-34 | 290.50' | 29.54' | 29.53' | 14.78' | N86-45-02W |
| KI | 52-11-35 | 50.00' | 45.55' | 43.99' | 24.49' | N78-30-42W |

CENTERLINES & BOUNDARIES

| No. | Bearing | Distance |
|------|------------|----------|
| (1) | N36-38-35W | 33.48' |
| (2) | S46-01-14E | 63.53' |
| (3) | S35-22-11E | 7.00' |
| (4) | N68-16-02E | 23.41' |
| (5) | S03-04-41E | 6.58' |
| (6) | S03-04-41E | 13.60' |
| (7) | N53-57-21E | 40.10' |
| (8) | S23-27-32E | 13.84' |
| (9) | S23-27-32E | 13.31' |
| (10) | N90-49-23E | 21.35' |
| (11) | S33-38-00W | 41.08' |
| (12) | S87-08-15W | 13.05' |
| (13) | N23-27-32W | 14.00' |
| (14) | N19-49-41E | 12.00' |
| (15) | M49-36-05W | 6.00' |
| (16) | N02-58-53W | 17.08' |
| (17) | S02-58-53E | 49.61' |
| (18) | S02-58-53E | 17.08' |
| (19) | S67-17-08E | 6.00' |
| (20) | N35-22-11W | 6.00' |
| (21) | N03-04-41W | 17.91' |
| (22) | N03-04-41W | 4.18' |
| (23) | S23-10-54E | 38.52' |
| (24) | M49-36-05W | 30.00' |
| (25) | S08-52-52W | 14.00' |
| (26) | S41-08-20E | 8.69' |
| (27) | S13-02-17E | 24.68' |
| (28) | S80-45-43E | 30.08' |
| (29) | S13-41-36W | 31.60' |
| (30) | N30-58-05W | 52.92' |
| (31) | N34-49-44W | 55.42' |
| (32) | S19-07-54W | 20.08' |
| (33) | S28-51-45E | 33.51' |

TOTAL ACREAGE
REG LOTS 14 893 AC.
PATIO LOTS 0.000 AC.
ROADS 2.996 AC.
OTHER 6.589 AC.
TOTAL 24.478 AC.

7/21/80 SUBMITTED FOR APPROVAL

RECORDED IN PLAT BOOK PAGE

| CO | PROJ | TYPE | NO | REV |
|----|------|------|----|-----|
| 01 | 419 | | 89 | |

JOB NO.: CH-1323

DATE 12 OCTOBER 1979

FIELD CK. [Signature]
OFFICE CK. [Signature]
DEVELOPMENT CK. [Signature]
LAND CK. [Signature]
EXECUTIVE CK. [Signature]

LEGAL CK. TGB

REVISIONS:

- 19 OCTOBER 1979
- 22 OCTOBER 1979
- 20 NOVEMBER 1979
- 10 JULY 1980
- 13 & 14 ADDED TO NOTES



June 4, 2024

Re: 4113 Summer Duck Way – Zoning Variance request

Dear Town of Kiawah Zoning Board Representatives,

We are requesting a variance for 4113 Summer Duck Way. We request relief of the 15-foot side-yard setback to allow for two small areas of additional square footage. The first is a 68 square foot area, aligned with the existing wall of the home and continues the existing encroachment of 8'-6" into the side yard. The second is a 16 square foot, 2ft deep, cantilevered addition from the existing side wall and fits underneath (does not push past) the existing roof overhang.

We are requesting this variance to address the setback requirements that were imposed in this neighborhood after the homes were originally constructed. As a result, the existing home, while originally built as a conforming structure, is now non-conforming to said setbacks. We propose an addition to increase the size of the existing bedrooms as a continuation of the existing volume of the home to not make the addition 'appear like an addition' such that it would conform to the style and volume massing of the existing dwelling.

We find the following criteria to be applicable to this property:

- a. There are extraordinary and exceptional conditions pertaining to this piece of property such that: at 4113 Summer Duck Way the imposition of setback criteria being added to the property post-construction of the home – essentially forcing the home into a non-conforming status.
- b. These conditions generally do not apply to other property in the vicinity; However, the imposition of these setbacks affected individual properties in this neighborhood in an inconsistent manner, making it more difficult or impossible for some to make changes or additions without a variance approval, while not for others.
- c. Because of these conditions the application of the setback requirement would unreasonably restrict or prohibit utilization of the property; by eliminating the ability to make simple improvements or modifications to the entire south side of the dwelling.
- d. The authorization of a variance will not be of substantial detriment to the adjacent property or the public good, nor will the character of the zoning district be harmed by granting the variance because: the design approach is both fitting to and falls within the existing character of the neighborhood, has minimal visibility from the road and is of minimal additional square footage in order to obtain the most efficient use of space as well as the addition of landscape screening with predominantly native plant material.

2311 E. Broad Street, Richmond, Virginia 23223

IslandArchitects.com



- e. The Board of Zoning Appeals shall not grant a variance the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a non-conforming use of land, or to change the zoning district boundaries on the official map. None of the requested variance conditions would result from an approval by the Board of Zoning Appeals/.
- f. The fact that the property may be used more profitably, should a variance be granted, may not be considered grounds for a variance as the request in this instance is for personal residential use.
- g. The need for a variance shall not be the result of the applicant's own actions. Because the current owner did not build this home originally or cause the new zoning setback laws to be put in place, this is not the case for the request.
- h. Granting the variance shall not be contrary to the public or neighborhood interest nor will not adversely affect other property in the vicinity, nor interfere with the harmony, spirit and purpose of these regulations – because the carefulness by which the addition was designed, as well as the addition of landscape screening with predominantly native plant material, take into account, an accord with surrounding dwellings, adjacent properties, and the overall coherence with the existing fabric of the neighborhood; and
- i. Granting of the variance does not substantially conflict with the Comprehensive Plan or the purposes of this ordinance. As both the size, placement, and encroachment into the setbacks were approached with a deliberate minimally impactful approach.

Thank you. We appreciate your time and consideration in this request.

Matt Sargent, Partner
Island Architects



October 9, 2023

Mr. and Mrs. Gianoukos
62 Indigo Point Drive
Charleston, SC 29407

PHYSICAL ADDRESS
253 Gardeners Circle, Suite 200
Johns Island, SC 29455

MAILING ADDRESS
130 Gardeners Circle, Suite 123
Johns Island, SC 29455

Re: **IMPROVEMENT REVIEW**
Address: 4113 Summer Duck Way
ARB Action: Approved – Conditional

Dear Mr. and Mrs. Gianoukos,

Thank you for your submittal to the Kiawah Island Architectural Review Board for review of improvements to your home at 4113 Summer Duck Way. The improvements are approved to continue to the permit submittal with the following comments and conditions in keeping with the guidelines:

- L1. The Variance Request for the proposed addition to extend into the left side yard setback is approved due to the unique shape of the lot, the post-construction adoption of current setback requirements applied to the property, and that the proposed addition and associated variance is in keeping with other properties in the neighborhood.
 - L2. A proposed landscape plan, showing revegetation of areas impacted by construction and new plantings as needed to meet current ARB Standards and Guidelines, should be submitted for review and approval 60 days prior to landscape installation.
 - L3. For the permit submittal, please provide a current as-built survey dated within 12 months. Due to the proposed change in footprint, please be reminded that an as-built survey will be required for the final inspection at the conclusion of construction.
 - L4. Due to the scope of the improvement, please provide a tree protection plan with the permit set and install tree protection fencing onsite at time of permit submittal.
-
- A1. All exterior materials, colors, and other finishes should match those of the existing house. If different materials or colors are proposed, please submit a material and color palette for approval. Prior to commencement of work, please submit an Onsite Color Review Form and provide accessible color samples of proposed materials and finishes onsite for field review. Please refer to the Design Guidelines, *Designing with Nature*, when making color selections. The design guidelines can be downloaded at KiawahARB.com.
 - A2. Please note that exterior light fixtures are required to screen any direct view of light bulbs. Fixtures designed to display light bulbs are required to use obscure glass. A maximum number of two switched floodlights, or similar types of lighting attached to soffits and fascias, when allowed, must be hooded, low voltage, and approved in advance. All new and existing exterior fixtures at your property should conform to these requirements. Please submit cut sheets for proposed new and replacement fixtures. ARB staff will be looking for exterior lighting to be compliant at the final inspection.

For the Permit Submittal, please submit one (1) digital copy of sealed drawings, a completed Construction Application Deposit & Agreement Form, review fee and construction deposit(s), and a KICA Encroachment Permit to this office at ARB@Kiawah.com. If tree protection fencing is required above, it must be installed at the time of Permit Submittal. When these items are received and reviewed, an ARB approval stamp and Building Permit will be issued for the project.

Thank you again for your submittal to the Kiawah Island Architectural Review Board. Please contact the ARB office if we can be of any assistance during the Permit Process for your home improvements.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tommy Manuel', with a stylized flourish at the end.

Tommy Manuel, Director
On behalf of the KIARB

cc: Property File, Island Architects, Westcreek Home Builders

encl: Construction Application Deposit & Agreement Form



Sign in

4113 Summer Duck ARB Permit PDF



BUILDING PERMIT

TO BE POSTED ONSITE

ONCE PROJECT IS COMPLETE, PLEASE REQUEST A FINAL INSPECTION BY EMAIL TO ARB@KIAWAH.COM

ADDRESS: 4113 Summer Duck

CONTRACTOR: Westcreek Home Builders

CONTRACTOR PHONE: 843-224-8174

OWNER: Jimmie & Laura Gianoukos

ISSUE DATE: 1/29/2024

PERMIT NO.: 19682-24

BY: *Dmitri Grigorieff*

SCOPE OF WORK: Addition of bathroom, extension of existing bedrooms, common area, and covered porch and deck stair area, pour leveling slab on ground area



KIAWAH ISLAND
COMMUNITY
ASSOCIATION

ENCROACHMENT PERMIT

PERMIT NO. EN23-002305
ISSUED TO: Westcreek Home Builders, LLC
WORKSITE: 4113 Summer Duck Way
TYPE OF WORK: Exterior/Interior Renovation

Jobsite Foreman: Ricky Balch
Start Date: 12/04/2023
Completion Date: 07/19/2024

CONDITIONS OF PERMIT

Kiawah Island is a private community. The roads and right-of-ways are owned and maintained by the Kiawah Island Community Association (KICA). They are NOT public domain. Any unauthorized work will be treated as trespassing on private property and dealt with accordingly. You are liable for damages to the property of others resulting from your actions.

- Permit must be displayed on the job site at all times.
- Contractors and sub-contractors will abide by all rules and regulations of KICA.
- No boring under paved areas without prior written approval from KICA.*
- No cutting or excavation of pavement without prior written approval from KICA.*
- No pruning of the dunes without prior written approval from ARB.
- No alteration of drainage system without written approval from KICA.*
- Workers must immediately report any damages to utility lines, streets, pavements or drainage systems to KICA's Livability Director at 708-3611 or the Main Security Gate at 768-5566.
- As a condition of issuance of the "Encroachment Permit" the contractor agrees to the revocation of vehicle access passes and decals should the contractor fail to complete job, including restoration to the satisfaction of KICA.
- Notify KICA Livability office at 725-5560 or via email at livability@kica.us immediately upon completion of work.

*Requires additional written approval from KICA after review of plans and details.

NOTE: Permit must be visibly posted at work site.
Any questions, please call the Livability office at (843) 725-5560.