

SPECIAL EXCEPTION APPLICATION
2215 WILSON DRIVE

app # 12106

\$ PAID
9/15/15 SCR

City of Beaufort Zoning Board of Appeals
1911 Boundary Street
Beaufort, South Carolina 29902
Phone (843) 525-7011, Fax (843) 986-5606
E-Mail: jbachety@cityofbeaufort.org
*Revised September 12, 2014

Application Fee
\$300

SPECIAL EXCEPTION APPLICATION

OFFICE USE ONLY: Date Filed: 9/15/15 Application #: 2815-23 Zoning District: R-2

Instructions

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 the owner, the owner(s) must sign the Designation of Agent (below).

Submittal Requirements

1. A legal survey of the property.
2. An accurate, legible site plan showing the north arrow, dimensions, and locations of all existing and proposed structures and any improvements relevant to the appeal such as trees, fences, power lines. Six copies of all plans are required.
3. Photograph(s) of the site.

APPLICANT(S): James and Frances Ackerman
 Address: 524 OLD IRON WORKS Road Spartanburg SC 29302
 Telephone: 406 5706828 [day] N/A [fax]
 E-mail: fran_ack@yahoo.com

OWNER(S) if other than Applicant(s): _____
 Address: _____
 Telephone: _____ [day] _____ [fax]

PROPERTY STREET ADDRESS: 2215 Wilson Drive
 Tax Map No.: 120-002-0022
 Parcel No.: 0022

Pursuant to Section 6-29-1145 of the South Carolina Code of Laws, is this tract or parcel restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the activity described in this application?
 Yes No

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's Signature: _____

I (We) certify that the information in this application is correct.

Date: 9/10/2015

Applicant's Signature: Frances Ackerman
James H. Ackerman

APPLICATION FOR SPECIAL EXCEPTION

Applicant hereby appeals to the Zoning Board of Appeals for a special exception for a (ex. Type 2 Home Occupation) Housing, Short Term Rental

on property described on Page 1, which is permitted by special exception under the district regulation in Section 5.1 of the Unified Development Ordinance (UDO).

1. Applicant will meet the standards in Section 3.16.D of the UDO which are applicable to the proposed special exception in the following manner:
 - a. The proposed use is compatible with existing land uses in the surrounding area as follows: home will be used for single family lodgings two days or more. No pets will be allowed.
 - b. The proposed site plan, circulation plan, and schematic architectural designs are harmonious with the character of the surrounding area in that: the use by short term tenants will have the same parking road use and property use as if we the owners were in residence
 - c. The likely impact on public infrastructure such as roads, parking facilities, and water and sewer systems, and on public services such as police and fire protection and solid waste collection, and the ability of existing infrastructure and services to adequately service the proposed use without negatively impacting existing uses in the area and in the City are as follows: use of the home will be limited to six people in one family. This is the exact use the home is designed for with its three bedrooms and two baths. There will be no greater utilization of services than a family in full time residence.
 - d. The proposed use(s) and designs are in general conformity with the City's comprehensive Plan and any other plans officially adopted by the City in that: there will be single family usage with all cars in drive adhering to neighborhood noise restriction and reasonable behavior without irritation + and neighbor or city/county service provider.
 - e. The likely impact on public health and safety is as follows: none. Again the floor should be the same as if we lived there rules and manager will be in place to ensure decency and quiet.
 - f. Potential creation of noise, lights, fumes, dust, smoke, vibration, fire hazard, or other injurious or obnoxious impacts is as follows: there should be none other than single family usual dwelling.

[A site plan must be submitted]



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(Mike McFee)

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820 Bay St., Beaufort, SC 29902 | | Call Today: 843.521.4200



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PHOTO GALLERY

315,000

2215 WILSON DRIVE, Beaufort, SC 29902

MLS #: 142952 • Inquiries: 843.521.4200

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Frances Ackerman
524 Old Iron Works Road
Spartanburg, S.C.29302

Dear

This letter will serve as our agreement for your rental of the property located at 2215 Wilson Drive, Beaufort, S.C. 29902.

Rental Period

Accommodations: Three bedroom, two bath home with two queen beds and two twins, kitchen, dining room, living room, screened porch, front porch patio and backyard.

Number of guests: not to exceed 6, no pets.

Rental charges and Fees: \$200 per night with minimum of two nights

10% tax State and County

\$200 refundable damage deposit

\$125 cleaning fee

Payment Schedule: 50% of total fee is due to confirm your reservation. Balance is due two weeks before arrival.

Cancellation/Refunds: Payments are nonrefundable unless we are able to rebook the property and at that time we will refund prorated share for all days filled. Security deposit will be returned within 7 business days after property vacated as specified and with no damage.

Utilities and Phone: Water, electric, heat, a/c and wireless are provided.

Parking: There is room in the driveway for three full sized vehicles. All tenants vehicles should be parked in the paved area of the driveway. Absolutely no cars should be parked on the street. Noncompliance is subject to forfeiture of security deposit.

Linens and kitchen supplies: We will provide linens and towels for house use. There is a basket of separate towels for beach and river use. The kitchen is fully equipped with pots, dishes and cutlery. A full roll of toilet tissue will be next to each commode and a roll of paper towels in the kitchen. There will be a few coffee filters and dishwasher soap pellets. This is to get you started until you can get to the market for your supplies.

Grill: There is a gas grill on the patio for your use.

Bicycles: There are a couple of bikes in the garage for your use. The pump and locks are on the shelves next to the bikes.

Shopping:

Grocery Store- There is a BI Lo on Boundray Street about three miles from the house. There is also a Publix across the Lady's Island Bridge.

Check In: The home will be ready for check in at 4pm. Keys will be in the lock box on the side door entrance.

Check out is at 11 am. Keys should be returned to lock box. Make sure all food is cleared from the pantry and refrigerator. All trash should be bagged and placed in the trash can in the fenced in area at the side door. Recyclable items should be placed in the open blue basket next to the trash can. All dirty dishes should be placed in the dishwasher and it should be run.

Damages: Guest agrees to report all damages to the property manager. Property manager/owner will have the damages repaired in a timely manner. Cost of repair will be deducted from the damage deposit. Should the repair cost exceed the deposit, owner/property manager will bill the tenant. Tennant agrees to pay the remaining balance for damages within 10 business days. Once the property is vacated, the property manager/owner will assess for damages. In the event there are none or the cost does not exceed the damage deposit, the damage deposit or balance will be returned within 10 business days.

Things to Do:

There is a folder of brochures for the many fun outdoor activities in the area, tourist attractions, Military Bases and graduations, restaurants etc.

Feel free to call one of our property managers with any questions. We love our area and want you to enjoy your stay visiting and experiencing as much of Beaufort as your time allows.

Other important points:

We mutually agree to the following:

- . The property will not be occupied by more people than we have specified in the agreement.
- . You will not allow dogs, cats or other pets onto the property.
- . Smoking is not permitted in the house. If you need to smoke, please provide your own ash tray and make sure that no smoking debris enters the house or is left on the grounds.
- . Neither you nor your guests will use illegal drugs on the property.
- . The house will be clean for your arrival and we request that you leave it in the same good order. All trash must be in the trash receptacle provided at the side entrance and recyclable items in the container. The house needs to be left broom clean. Linens should be stripped from the beds and left next to them. All used towels should be left in the bathroom. Trash can and recycle can need to be at the curb on Monday morning by 8am. We realize the majority of the trash in the can will not be yours This will provide you with an empty can and the next guests will be putting your trash out for you unless you are there the following Monday.
- .You will notify us promptly of any damage or problems with the property. We will have someone there to address the problem within 12 hours.

. Unless there is an emergency, we will notify you 24 hours in advance prior to entering the property during your rental period.

Please let me know if you have any questions. We look forward to your visit and hope that you and your family have a wonderful time here in Beaufort.

Sincerely,

Frances Ackerman

I/We have read and agree to this rental agreement:

Guest Name: _____

Please sign and return with the deposit to the address above.

Security System for 2215 Wilson Drive

There is a fully functional security system in the house. It was used until 7/28/2015 when we took possession of the property. Service was provided by Safe Touch Security 2035 Rowland Avenue, Savannah, Ga 31404, 912-352-8787.

I have spoken with the company and they will be able to set up monitored service within one to two business days of my call.

If we are successful in receiving a conditional special exemption, we will call the next business day to have the service activated and return with the certificate so that we can be formally approved and proceed to licensure.

2215 Wilson Drive

Property Management Plan

Owner/Property Manager:

Frances Ackerman 406-570-6828 fran_ack@yahoo.com

Alternate Property Manager:

John and Susan Roberts 828-707-8429 [sr28409@gmail](mailto:sr28409@gmail.com)

Rob Brown and Deborah Wessel 843-540-7427 deborah_wessel@yahoo.com

Ice: There is an ice maker in the freezer in the kitchen . Adjust arm down to make ice or up to stop production.

Trash/Recycle: Pick up is Monday morning. Rolling can and recycle container should be moved from the enclosure at the right side of the house to the curb to the left of the driveway while looking at the front of the house. Cans should be out by 8 am but not left out overnight. Please place cans back in enclosure as soon after pick up as possible to protect the aesthetics of the neighborhood.

Maid Service: The home has been cleaned and prepared for your arrival . Cleaning service will not come until after your departure. If you wish to purchase additional cleaning days feel free to call either property manager to arrange. Please leave the home as you found it, broom clean, sheets off beds and placed next to them, leave used towels on floor in bathroom and all trash in the outside can.

Noncompliance with this can cause forfeiture of part or all of your damage deposit depending on the extra time necessary to clean.

Yard Service: Yard service including mowing, blowing, trimming is done weekly during the growing season and on an as needed basis during the colder months.

Monitored Smoke and Fire Alarm: There is an alarm in the home that ties into Safe Touch Security Service. Please contact either property manager in the event the alarm sounds. In the case of fire the company will call the appropriate authorities but please call 911 immediately and exit the building.

Wireless: Wireless internet is provided for your convenience. The code can be found on the kitchen counter. Please note that if you are trying to limit use of your plan data, your device should be disconnected from cellular data. Please call Frances Ackerman if there is any question.

TV: A TV hooked up to Hargray Communications is provided for your use. There is a channel guide under the remote control. Please do not hesitate to call property manager or owner if you have any questions.

Heat/AC: Control is on the wall in the hallway. Please leave the thermostat on 60 degrees in the winter and 75 degrees in the summer when you depart.

Breaker Box: The breaker box is located behind the coat closet in the hallway,

Grill: There is a gas grill on the patio for your use. Gas is to be left off except when in use. Please use routine safety precautions when using grill and make sure top is open before turning gas on or attempting to light. There is a fire extinguisher under the sink in the kitchen to be used if necessary.

Parking: There is ample parking in the drive way for three full sized vehicles. All residents should park their vehicles in the driveway. There should be no parking on the street.

STAFF REPORT
2215 WILSON DRIVE

**CITY OF BEAUFORT
ZONING BOARD OF APPEALS
Staff Report and Recommendations
Meeting of 26 October 2015**

Case Number: ZB15-23
Property Address: 2215 Wilson Drive
Applicant: James and Frances Ackerman
Type of Request: Special Exception for Short Term Rental
Zoning: R-2 District

Background: The property is located at 2215 Wilson Drive on the Beaufort River in the Pigeon Point neighborhood (see Site Location Map attached). The property is identified as District 120, Tax Map 2, Parcel 22. The property is zoned "R-2 Medium Density Single-Family Residential District" (R-2). A single-family dwelling is located on the lot. Photos of the property are attached.

The property owners, who live in Spartanburg, desire to rent the dwelling unit on a short term basis (i.e., for periods less than 30 days). Short term rental of a primary dwelling unit is permitted by special exception in the R-2 District.

The property owners are proposing to manage the unit using local residents as shown on the attached "Contact List for Short Term Rental." The rental agreement specifies a minimum 2-night stay which complies with the City's ordinance. The rental agreement limits the persons in the unit to six. The agreement states that the driveway can accommodate three vehicles, but it does not limit the number of vehicles to three. The lot has adequate on-site parking for three vehicles. The agreement states that vehicles are to park in the driveway and not on the street.

Questions for the applicant: Will one of the local contacts always be available when the unit is rented? In other words, would the unit ever be rented and there is no one available locally to address any issues that might arise?

Staff comments: Any persons being paid for management of the unit will need a City of Beaufort business license.

Public comment: The public hearing notice referencing this application appeared in the October 11 edition of *The Beaufort Gazette*. The property was posted on October 12. Letters were sent to adjoining property owners on October 14. The president of the Pigeon Point Neighborhood Association was informed of the application by e-mail on October 19. Staff has received no public comments on this application as of the date of this writing.

Criteria for approval of a special exception set out in Section 3.16:

According to the UDO, the Zoning Board of Appeals may approve an application for a Special Exception where it reasonably determines that there will be no significant negative impact upon residents of surrounding property or upon the general public. The UDO stipulates that the Board shall consider six criteria in its review of an application for a special exception. Staff comments on how the application relates to these criteria follows.

- (1) *Whether the proposed use is compatible with existing land uses in the surrounding area.* The property is located in the Pigeon Point neighborhood. The property is located within an easy bike ride of the downtown core.
- (2) *Whether the proposed site plan, circulation plan, and schematic architectural designs are harmonious with the character of the surrounding area.* No changes are proposed to the property as part of its use as a short term rental.
- (3) *The likely impact on public infrastructure such as roads, parking facilities, and water and sewer systems, and on public services such as police and fire protection and solid waste collection, and the ability of existing infrastructure and services to adequately service the proposed use without negatively impacting existing uses in the area and in the City.* The proposed use is not likely to have a greater impact on public infrastructure than for use as a long-term rental.
- (4) *Whether the proposed use and designs are in general conformity with the City's comprehensive plan and any other plans officially adopted by the City.* The proposed use is in general conformity with the City's comprehensive plan and the Civic Master Plan.
- (5) *Likely impact on public health and safety.* The proposed use will likely have little impact on public health and safety given that the unit will be managed by local residents.
- (6) *Potential creation of noise, lights, fumes, dust, smoke, vibration, fire hazard, or other injurious or obnoxious impacts.* The Board must decide if management by local residents who are not the owners of the property (i.e., friends of the owners) is adequate to prevent possible negative impacts on adjacent residents. Would engaging a professional management company be a better option?

Staff recommendation: If the Board can determine that there will be no significant negative impact on surrounding property, staff recommends approval of the special exception on the condition that the rental agreement be modified to restrict the number of vehicles associated with overnight stays to three, and that a monitored fire alarm system be installed.

221b Wilson Drive







CITY OF BEAUFORT
CONTACT LIST FOR SHORT TERM RENTAL
LOCATED AT 2215 WILSON DRIVE

PROPERTY OWNER:

Name: JAMES AND FRANCES ACKERMAN
Address: 524 OLD IRON WORKS ROAD Spartanburg, SC 29302
Phone: 406 570 6828
E-Mail: fran_ack@yahoo.com

PROPERTY MANAGER: (PRIMARY)

Name: John and Susan Roberts
Address: 2215 Wilson DR (currently)
Phone: 828-707-8429
E-Mail: sr28409@gmail.com

PROPERTY MANAGER: (BACK-UP)

Name: Rob Brown and Deborah Wessel
Address: 784 Ribault Rd
Phone: 843 540 7427
E-Mail: deborah_wessel@yahoo.com

PROPERTY MANAGER (SECONDARY BACK-UP)

Name: _____
Address: _____
Phone: _____
E-Mail: _____

**SHORT TERM RENTALS IN RESIDENTIAL DISTRICTS APPROVED BY SPECIAL EXCEPTION
SINCE AUGUST 2011**

ADDRESS	NEIGHBORHOOD
1105 Craven St	The Bluff
1108 North St	The Bluff
2203 North St	Dixon Village
2413 Hermitage Rd	Hermitage Area
706 Church St	Northwest Quadrant
1711 King St	Northwest Quadrant
806 Newcastle St	Northwest Quadrant
1002 Wilmington St	Northwest Quadrant
502 Scott St	Old Commons
803 Scott St	Old Commons
507 West St	Old Commons
811 and 811-A Audusta Pl	Pigeon Point
1305 Charles St	Pigeon Point
907 Charlesfort St	Pigeon Point
915 Lafayette St	Pigeon Point
1106 Laudonniere St	Pigeon Point
1460 Pigeon Point Rd	Pigeon Point
1219 Rodgers St	Pigeon Point
1401 Church St	Pigeon Point
2413 Oak Lawn St	Royal Oaks
2308 Pine Court	Royal Oaks
2404 North St	West End
2703 Oaklawn Ave	West End

**SHORT TERM RENTALS IN RESIDENTIAL DISTRICTS IN ACCESSORY DWELLING UNITS
APPROVED AS CONDITIONAL USE (BY STAFF)**

<u>Neighborhood</u>	<u>Number Approved</u>
Dixon Village	One
Mossy Oaks	One
Pigeon Point	Two
Royal Oaks	One

As of 10-20-15