



Town of Hilton Head Island

Board of Zoning Appeals Meeting

Monday, May 19, 2025, 2:30 PM

**1 Town Center Court, Hilton Head Island, SC
Benjamin M. Racusin Council Chambers**

- 1. Call to Order**
- 2. Welcome and Introduction to Board Procedures**
- 3. Adoption of the Agenda**
- 4. Approval of the Minutes**
 - a. Regular Meeting Minutes of April 28, 2025
- 5. Unfinished Business**
- 6. New Business**
 - a. **Public Hearing**

APL-000245-2025 - Willard Winans of Enterprise Associates LLC, is appealing staff's determination, dated February 27, 2025, that the "Event/Wedding" portion of the business on the property constitutes "Outdoor Commercial Recreation other than a Water Park" and "Indoor Commercial Recreation," which are not permitted in the RM-4 (Low to Moderate Density Residential) zoning district. The subject property is located at 170 Dillon Road, is zoned RM-4 and is in the Corridor Overlay, and is known as Parcel 13A on Beaufort County Tax Map 5.
- 7. Public Comment - Non Agenda Items**
- 8. Staff Reports**
- 9. Adjournment**

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Municipal Association of South Carolina (MASC) Civility Pledge:

"I pledge to build a stronger and more prosperous community by advocating for civil engagement, respecting others and their viewpoints, and finding solutions for the betterment of my city or town."



Town of Hilton Head Island BOARD OF ZONING APPEALS MEETING Monday, April 28, 2025, 2:30 PM Minutes

1. Call to Order

Chairman Fingerhut called the meeting to order at 2:30 p.m. Members present: Chairman Fingerhut, Vice Chair Bayless, Robert Johnson, Michael Sackheim and Amy Fee.

2. Welcome and Introduction to Board Procedures

Chairman Fingerhut welcomed all in attendance and introduced the Board's procedures for conducting the meeting.

3. Adoption of the Agenda

Vice Chair Bayless moved to approve the Agenda as presented. Mr. Sackheim seconded. The Agenda as presented was unanimously approved.

4. Approval of the Minutes

a. Regular Meeting Minutes of November 25, 2024

Ms. Fee moved to approve the minutes of November 25, 2024. Vice Chair Bayless seconded. The minutes as presented were unanimously approved.

5. Unfinished Business

6. New Business

a. Approval of proposed 2025 Meeting Dates

Mr. Sackheim moved to approve the proposed 2025 Meeting Dates. Mr. Johnson seconded. The 2025 Meeting Dates were unanimously approved.

b. Public Hearing

VAR-000603-2024 - Request from Karina Mondelci of Level 5 Builders, owner of 81 Sandcastle Court, also identified as Beaufort County Tax Map Parcel R511 009 000 1136 0000, for a variance from LMO Section 16-5-102.D, Adjacent Use Setback Standards, to allow a proposed home to encroach into the setback angles.

Mr. Connolly provided Staff's presentation as included in the packet and stated staff recommends the Board of Zoning Appeals find the request to be inconsistent with the Town's Our Plan and does not serve to carry out the purposes of the LMO. Staff recommends that the Board of Zoning Appeals deny the application based on the Findings of Fact and Conclusions of Law contained in the Staff Report.

The Board made comments and inquiries regarding the timeline and history of this

subdivision; how many buildings comply with the setback angles and implications to the builder if the variance is denied.

Following Staff's presentation and questions by the Board, Chairman Fingerhut asked the applicant to make a presentation. The applicant, Karina Mondelci of Level 5 Builders, and owner of 81 Sandcastle Court, introduced Sam Liberti of Low Tide Designs and stated that they have submitted this plan to ask for a variance so that this house can comply with all the other houses that have been built in Sandcastle. Mr. Liberti and Ms. Mondelci both answered questions from the Board.

Chairman Fingerhut asked for public comment. A citizen indicated she was against approving the variance and a citizen indicated that he believed denying the variance would be very harsh.

Following discussion by the Board, Chairman Fingerhut asked for a motion. Vice Chair Bayless moved to deny the application based on the Findings of Fact and the Conclusions of Law included in the Staff Report. Ms. Fee seconded. The motion was unanimously approved by a vote of 5-0.

c. Public Hearing

VAR-000174-2025 - Request from Selena Brown, on behalf of Atlantic Best Cleaning, LLC, owner of 124 Arrow Road, also identified as Beaufort County Tax Map Parcel R552 015 000 0111 0000, for a variance from LMO Section 16-4-102.B.7.k.i & ii.05, use specific restrictions, to allow a tattoo facility within 500 feet of another tattoo facility; and within 1,000 feet of publicly owned land.

Mr. Connolly provided Staff's presentation as included in the packet and stated Staff recommends the Board of Zoning Appeals find the request to be consistent with the Town's Our Plan and serves to carry out the purposes of the LMO, based on the Findings of Facts and Conclusions of Law as determined by the LMO Official. Staff recommends that the Board of Zoning Appeals approve the application as indicated in the Staff Report.

The Board made comments and inquiries regarding confirmation that the only area on the Island that allows tattoo facilities is the LC District; compliance with the LMO and the implications of removing the 1,000-foot restriction from publicly owned land, which could affect where certain businesses, like a tattoo facility, can be established.

Following Staff's presentation and questions by the Board, Chairman Fingerhut asked the applicant to make a presentation. The applicant, Selena Brown, representing Atlantic Best Cleaning introduced her tenant, Gavan Daly, who spoke regarding his tattoo shop. Mr. Daly spoke regarding the difficulty of finding a compliant property for his tattoo shop on the Island and his need to file for a variance due to the lack of suitable properties that meet the zoning requirements. Mr. Daly expressed a commitment to comply with local zoning laws and regulations while seeking to establish a tattoo shop, indicating awareness of legal requirements and community standards. Mr. Daly and Ms. Brown both

answered questions from the Board.

Chairman Fingerhut asked for public comment. Citizens spoke about the need for the Town to evaluate the parking situation on the property; the compliance of the new tattoo shop with existing property regulations, particularly regarding parking availability and the impact on current tenants; the importance of adhering to the distance regulations of 1,000 feet from publicly owned land and 500 feet from the existing tattoo shops adding, that allowing the variance would be a detriment to the existing tattoo shop, questioning the validity of the variance request given these requirements.

Ms. Fee moved to deny the application based upon the Findings of Fact and Conclusions of Law, as follows: 1) There are no extraordinary and exceptional conditions pertaining to this particular piece of property (Section 16-2-103.S.4.a.i.01); 2) These conditions do apply to other properties in the vicinity (Section 16-2-103.S.4a.i.02); 3) The application of the LMO location restrictions does not prohibit or unreasonably restrict the utilization of the property (Section 16-2-103.S.4.a.i.03); and 4) Granting the variance would be a detriment to the adjacent properties and the public good due to the existing tattoo shop in close proximity (Section 16-2-103.S.4.a.i.04.) Ms. Bayless seconded. Mr. Johnson stated he hoped in the future that the LMO addresses this use and other uses. The motion unanimously passed with a vote of 5-0.

7. Public Comment - Non Agenda Items

8. Staff Reports

9. Adjournment

Chairman Fingerhut adjourned the meeting at 4:24 pm.

APPROVED: _____

The recording of this Meeting can be found on the Town's website at www.hiltonheadislandsc.gov



TOWN OF HILTON HEAD ISLAND PLANNING DEPARTMENT

One Town Center Court	Hilton Head Island, SC 29928	843-341-4757	FAX 843-842-8908
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STAFF REPORT APPEAL

Case #:	Public Hearing Date:
APL-000245-2025	May 19, 2025

Parcel or Location Data:	Property Owner	Appellant
Address: 170 Dillon Road		
Parcel#: R510 005 000 013A 0000	Enterprise Associates, LLC	Willard Winans 5 Enterprise Lane Hilton Head Island, SC 29926
Zoning: RM-4 (Low to Moderate Density Residential District)	13 Blue Heron Point Road	
Overlay: COR (Corridor Overlay District)		

Application Summary:

Willard Winans of Enterprise Associates, LLC, is appealing staff’s determination, dated February 27, 2025, that the “Event/Wedding” portion of the business on the property constitutes “Outdoor Commercial Recreation Other than a Water Park” and “Indoor Commercial Recreation”, which are not permitted in the RM-4 (Low to Moderate Density Residential) zoning district.

Applicant’s Request Summary:

The Appellant, Enterprise Associates LLC, along with Mitchelville Hospitality Group, has submitted the attached Appeal application and associated narrative (Attachment A) to the Board of Zoning Appeals regarding a Cease-and-Desist Notice (Attachment B) issued by Missy Luick, Director of Planning and Land Management Ordinance Official, on February 27, 2025. The attached Cease-and-Desist notice (Attachment B) alleges that the “Event/Wedding” operations at 170 Dillon Road, Hilton Head Island, SC 29926, constitute prohibited “Outdoor Commercial Recreation Other than a Water Park” and “Indoor Commercial Recreation” activities within the RM-4 (Low to Moderate Density Residential) zoning district. The letter indicated that the “Event/Wedding” use is not permitted in the RM-4 district and that all event-related business activities cease within 30 days of the notice date.

The appellant contends that the Town misclassified private events held at the property as "Commercial Recreation," arguing instead that these are lawful accessory uses to a Short-Term Rental (STR). They assert that the event operations were previously reviewed and approved by Town staff through a valid business license issued in 2023 and renewed in 2024. The appeal further claims that the use is consistent with surrounding land uses and operates on a limited, private basis. The appellant also argues that Town staff failed to follow proper procedures for interpreting unlisted uses under the LMO, acted without sufficient justification, and applied enforcement inconsistently, potentially indicating selective enforcement and lack of due process. The appellant's application made the following requests:

1. Reverse the Cease-and-Desist Order (Attachment B) and restore the previous zoning determination.
2. Classify the primary use as a Short-Term Rental (Property Management).
3. Recognize private, non-advertised events as an accessory use, not commercial recreation.
4. Alternatively, grant a Variance to allow the continued operation of private, non-ticketed events under specified conditions.
5. Acknowledge the existing business license as valid evidence of Town approval.
6. Request that Town staff follow LMO procedures for unlisted uses in future cases.

Background:

On February 27, 2025, Mr. Bill Winans of Enterprise Associates LLC was issued a Cease-and-Desist Notice (Attachment B) regarding the property at 170 Dillon Road (parcel R510 005 000 013A 0000). The Town conducted a review following complaints about the "Event/Wedding" business being operated at this location. The findings revealed that the activities fall under the classifications of "Outdoor Commercial Recreation Other than a Water Park" and "Indoor Commercial Recreation" as defined by the Town's Land Management Ordinance (LMO) (Section 16-10-103, Use Classifications, Use Types, and Definitions (Attachment D)). However, such uses are not permitted in the RM-4 (Low to Moderate Density Residential) zoning district where the property is located (see Attachment D – RM-4 Zoning District). Mr. Winans was required to cease these operations within 30 days, with a failure to comply potentially leading to enforcement actions, or file an appeal within 14 calendar days. Because the applicant filed an Appeal, the Cease and Desist is on hold until the decision of the Board of Zoning Appeals per Section 16-2-103.T.6 (Attachment E).

The applicant submitted an Appeal of an Administrative Decision to the Board of Zoning Appeals.

The following paragraphs explain the Administrative Decision made by the Official.

The Town of Hilton Head Island adopted its first Land Management Ordinance (LMO) in 1987. The LMO was created shortly after the Town's incorporation in 1983 to establish zoning, development, and land use regulations that would guide responsible growth while preserving the Island's environmental character and quality of life. It has since undergone multiple comprehensive updates, including significant revisions in 1998 and 2014, to reflect changes in community priorities, state law, and best practices.

Per Section 16-1-103 (Attachment F), “the purpose and intent of the LMO is to guide the development and use of property in accordance with the Town's Comprehensive Plan and existing and future needs of the Town in order to protect, promote, and improve the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare of the landowners and residents of the Town.”

The Town of Hilton Head Island’s LMO is the set of regulations that governs how land is used and developed within the Town. It serves as the legal framework for zoning, building standards, environmental protection, and community design. Furthermore, the LMO regulates:

- Zoning districts: Defines where residential, commercial, industrial, and mixed uses may occur.
- Permitted and conditional uses: Specifies what activities are allowed on a property.
- Building form and design: Controls setbacks, height, lot coverage, and appearance.
- Overlay districts: Add special rules for areas with unique character (e.g., Holiday Homes Overlay).
- Environmental protections: Includes tree protection, buffers, floodplain controls, and open space requirements.
- Signs, parking, lighting, and access: Ensures site design supports safety and aesthetics.
- Subdivision and site plan review processes: Establishes how new developments are reviewed and approved.

Land within the Town is classified by the LMO to be within a base zoning district. Use Classifications and Use Types are defined in Section 16-10-103 (Attachment D).

- 170 Dillon Road is located within the RM-4 zoning District per the Town of Hilton Head Island Official Zoning Map (see Attachment C – Town of Hilton Head Island Official Zoning District Map).
- Allowable principal uses within the RM-4 District are identified in Section 16-3-104.E.2 (Attachment G) and are further summarized in Table 16-4-102.A.6 (Attachment H): Principal Use Table.
- Accessory Uses and Structures are established in Section 16-4-103 (Attachment I) for accessory uses that are incidental and subordinate to principal uses.
- Short-Term Rental (STR) is not a use listed in the LMO.

The appellant's appeal is submitted on the following grounds:

1. Misclassification of Use: Events as an Accessory Use, Not Commercial Recreation (Attachment A)

In attachment A, the appellant claims that the Town has misclassified the event and wedding operations at 170 Dillon Road as "Indoor" or "Outdoor Commercial Recreation" under LMO Section 16-10-103.E.2. They argue that the property does not resemble typical commercial recreation facilities like stadiums, amusement parks, or sports complexes. Instead, they assert it is a private venue for small, limited gatherings and should be considered an accessory use rather than a prohibited Outdoor Commercial Recreation Other than a Water Park and Indoor Commercial Recreation uses.

Response: The appellant contends that the event/wedding venue's activities should be deemed an accessory use to a short-term rental and not fall under commercial recreation. However, LMO Section 16-10-103.E.2 (Attachment D) clearly defines "Outdoor Commercial Recreation Other than a Water Park" and "Indoor Commercial Recreation" as uses involving "entertainment and recreation activities, events, or attractions to the general public, on a commercial or fee basis," see below for full definitions. The public availability and reservation of the property for weddings and events, as promoted on its website, directly align with these definitions.

- Outdoor Commercial Recreation Other than a Water Park – An establishment that offers entertainment and recreation activities, events, or attractions to the general public, outdoors, on a commercial or fee basis. Outdoor commercial recreation uses include golf courses; driving ranges; miniature golf courses; zip line courses, and active sports complexes with such uses as tennis courts, ball fields and basketball courts; and facilities that are available for the benefit of spectators like stadiums, amphitheaters, and band shells. This use does not include Water Parks.
- Indoor Commercial Recreation – An establishment that offers entertainment activities, events, or attractions to the general public on a commercial or fee basis. Indoor commercial recreation uses include: movie theaters, stage theaters, auditoriums, amusement and electronic game arcades (video games, pinball, etc.), pool or billiard tables, theme or amusement parks, boardwalks, midway type attractions such as rides, bumper cars, go-cart tracks, game booths, bowling alleys, pool halls, dance studios and dance halls, indoor firing ranges, indoor tennis and swimming pools, and indoor archery ranges.

It should also be noted that the above lists of examples are not exhaustive lists of all of the possibilities for outdoor and indoor commercial recreation uses that could be applied to these use types as seen in LMO Section 16-10-101.C (Attachment J), General Rules for Interpretation, Lists and Examples, which reads, " Lists and Examples, unless otherwise specifically indicated, lists of items or examples that use terms like "for example," "including," and "such as," or similar language are intended to provide examples and are not exhaustive lists of all possibilities."

LMO Section, 16-4-103.D.2 (Attachment I), Accessory Use/Structure Table, does not list events or special events as a listed accessory use, and while LMO Section 16-4-103.B.1 (Attachment I) states that "The Accessory Use/Structure Table in Sec. 16-4-103.D.2 does not list all allowable accessory

uses and structures,” LMO Section 16-4-103.B.1 (Attachment I) also defines accessory uses as those that are “customarily incidental and subordinate to the principal use.” The test of whether a use qualifies as “accessory” involves its frequency, scale, and economic importance relative to the primary use. Events involving furniture rentals, vendor contracts, and active solicitation of bookings far exceed the threshold of a minor, incidental use. The nature of the operations—public-facing, revenue-generating, and structured around events—removes them from the accessory use category entirely.

Furthermore, A review of Mitchelville Place’s website, Facebook page, and Airbnb listing indicates the business is marketed primarily as an event venue. The website lists services as “wedding, vacation rentals, events” in that order, placing vacation rentals in a secondary position. The site’s AI chatbot opens with, “Hi There! Planning your dream event?”, reinforcing the focus on event hosting. The Airbnb listing describes the property as “designed to host private gatherings and events” in the opening sentence. The Facebook page categorizes the business as “Wedding Venue, Event Planner, Performance & Event Venue,” omitting options such as “Vacation Home Rental” or “Hotel & Lodging.” Facebook’s category selections are intended to reflect the business’s primary function. This consistent representation across platforms is inconsistent with the appellant’s argument. (Attachment T)

Therefore, the appropriate determination to classify an event/wedding venue was made, when the Official classified these uses under Use Types “Outdoor Commercial Recreation Other than a Water Park” and “Indoor Commercial Recreation,” both of which have definitions that use the term “event” to define each Principal Use.

2. Prior Use and Grandfathering Considerations (Attachment A)

In attachment A, the appellant contends that the private event and wedding use at 170 Dillon Road should be grandfathered, as it existed prior to the enforcement notice and has not undergone a substantive change in operation. They assert that Town staff, including the Hilton Head Island Department of Revenue, provided guidance affirming that non-ticketed, non-publicly advertised events held by short-term renters would be allowable in RM-4 zoning if certain conditions were met. The appellant states that they fully complied with these conditions, adjusted their operations accordingly, and received a business license in March 2023 listing the primary use as “Property Manager” and the accessory use as “Event Venue.” They argue that this license, renewed in 2024 without objection, demonstrates prior approval and compliance, and that the Town has failed to explain why the current interpretation differs from past guidance.

Response: The appellant claims a right to continue use under “grandfathering” principles and refers to past Town communications and business license classifications. However, the LMO’s nonconformity provisions, LMO Section 16-7-102 (Attachment K), apply only to uses that were lawfully established under a prior version of the ordinance. There is no documentation that the event venue use at 170 Dillon Road was legally established under any prior ordinance, and thus it is not a legal nonconforming use.

A business license is an administrative tool for collecting revenue and does not confer land use rights. Per LMO Section 16-1-104.G (Attachment L), development activity, including change of use, must comply with the LMO. The interpretation of allowed land uses lies solely with the Official, not Business Licensing personnel. Consequently, any informal guidance given by non-planning staff cannot override the land use determinations made by the Town's Planning Department.

Any substantive conversations that were held between agents of Enterprise Associates, LLC and Town Business License staff, to operate 170 Dillon Rd. as a short-term rental, would not have included any Official zoning determination, as seen in the attached file for Business License #31997 (Attachment M), as Town staff reviewed this license for Short-term Rental Ordinance (Town Municipal Code Section 10-2) compliance. Since the renting of residential property is transactional in nature and is not considered a use, the LMO does not list short-term rental as a Use Type. Therefore, no zoning determination was necessary when the short-term rental permit and business license was approved for 170 Dillon Rd. The RM-4 district does not permit an event/wedding venue as an Accessory Use, due to the aforementioned fact that, LMO Section 16-4-103.B (Attachment I) defines accessory uses as those that are "customarily incidental and subordinate to the principal use." The test of whether a use qualifies as "accessory" involves its frequency, scale, and economic importance relative to the primary use. Events involving furniture rentals, vendor contracts, and active solicitation of bookings far exceed the threshold of a minor, incidental use. The nature of the operations—public-facing, revenue-generating, and structured around events—removes them from the accessory use category entirely.

A zoning determination was made by the Town's Planning Department staff for the attached business license, Business License #31996 (Attachment N) for "Property and Event Manager" use for a business operated at 5 Enterprise Lane Suite A. This property located at 5 Enterprises Lane Suite A is zoned Light Commercial (LC) zoning district. The zoning determination for Business License #31996 concluded that utilizing space for a "Property and Event Manager is approved as Other Office Uses as an Allowable Principal Use per LMO Section 16-3-105.D (Attachment O), in the LC zoning district. Based on those characteristics staff made the appropriate zoning determination to approve the business license for 5 Enterprise Lane Suite A, Business License #31996, which did not include a zoning determination for 170 Dillon Rd.

Furthermore, the purpose of the RM-4 district is "to protect and preserve the character of these areas and neighborhoods at densities up to four dwelling units per net acre. This district is used to encourage a variety of residential opportunities, including multifamily residential units, single-family residences, and group living. The regulations of the district are intended to discourage development that would substantially interfere with, or be detrimental to, residential character." Permitting the commercial use of an event/wedding venue, which the Official has determined to be classified as Use Types "Outdoor Commercial Recreation Other than a Water Park" and "Indoor Commercial Recreation," would not be in line with the Purpose statement established for the RM-4 district.

Therefore, because no evidence of the use of an event/wedding venue was ever recorded as an Official zoning determination for an Allowable Principal Use in the RM-4 district, and because the Business License approval for the physical address of 170 Dillon Rd., is for short-term rental, and

does not include a Planning Department staff approval, the appropriate determination to classify the event/wedding venue at 170 Dillon Rd. was made, when the Official classified these uses under Use Types “Outdoor Commercial Recreation Other than a Water Park” and “Indoor Commercial Recreation,” which are not Allowable Principal Uses in the RM-4 district and are not permitted Accessory Uses per the Town’s LMO.

3. Zoning and Land Use Compatibility (Attachment A)

In attachment A, the appellant argues that the event operations at 170 Dillon Road are compatible with the surrounding residential uses and do not generate the types of adverse impacts typically associated with Indoor or Outdoor Commercial Recreation as defined in LMO Section 16-10-103.E.2. They also argue that the property does not operate as a public-facing commercial business but rather functions on a reservation-only basis, where short-term rental guests may optionally host private, invitation-only events, which they believe are consistent with Town regulations and the character of the RM-4 zoning district.

Response: The appellant asserts that the event operations are compatible with the surrounding land uses and do not introduce any adverse impacts. However, compatibility is not a discretionary test. Land use is defined by what is permitted in each zoning district. The RM-4 district does not allow either Indoor Commercial Recreation or Outdoor Commercial Recreation Other than a Water Park under Table 16-4-102.A.6 (Attachment H). This prohibition reflects the district’s intended use for low to moderate density residential development as further reinforced by LMO Section 16-3-104.E.1 (Attachment G), which states, “The purpose of the Low to Moderate Density Residential (RM-4) district is to protect and preserve the character of these areas and neighborhoods at densities up to four dwelling units per net acre. This district is used to encourage a variety of residential opportunities, including multifamily residential units, single-family residences, and group living. The regulations of the district are intended to discourage development that would substantially interfere with, or be detrimental to, residential character.” Event operations are by definition non-residential and introduce incompatible activity, including traffic, noise, and public gathering, that are inconsistent with RM-4’s character, regardless of the business’s operating hours.

Furthermore, LMO Section 16-1-103 (Attachment F) outlines the Ordinance’s purpose to “to guide the development and use of property in accordance with the Town's Comprehensive Plan and existing and future needs of the Town in order to protect, promote, and improve the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare of the landowners and residents of the Town.” Subsections A and B, as seen below, of this section also support the Official’s determination that the event/wedding venue being advertised at 170 Dillon Rd. constitute Uses most closely defined as “Outdoor Commercial Recreation Other than a Water Park” and “Indoor Commercial Recreation,” and are not compatible with the purpose of the RM-4 district as seen in LMO Section 16-3-104.E.1 (Attachment G).

- A. Promote the public health, safety, and general welfare, while recognizing the rights of real property owners, by adopting a comprehensive zoning ordinance for the Town and providing for administrative procedures and development standards.
- B. Prevent the overcrowding of land and avoid undue concentration of population by creating zoning districts consistent with the character and desired development form of each area of the Town and each area's suitability for particular development and uses by adopting an Official Zoning Map consistent with the zoning districts.

Therefore, in this case, the private and non-advertised events being offered at 170 Dillon Rd. are still commercial activities and involve organized gatherings, use of property for profit, and are marketed as a venue for events and weddings. The Town's position is that such private gatherings, especially when they involve commercial activity, are subject to zoning restrictions and are not permitted as accessory uses in RM-4, and are consistent with the Principal Use Types "Outdoor Commercial Recreation Other than a Water Park" and "Indoor Commercial Recreation," which are not Allowable Principal Uses in the RM-4 district.

4. Failure to Follow Procedure for Unlisted Uses (Attachment A)

In attachment A, the appellant claims that the use of the property for private, non-advertised, non-ticketed events constitutes an Unlisted Use under the LMO and therefore should have been evaluated using the procedure outlined in LMO Section 16-4-102.A.5 (Attachment H). They argue that under Subsection 16-4-102.A.5.D (Attachment H), the Planning Commission must be consulted if the use is likely to become common or create confusion if left unaddressed. The appellant asserts that the Town failed to follow this mandated process and instead issued the Cease-and-Desist Order based on a unilateral interpretation by staff, without the required input from the Planning Commission.

Response: The Appellant argues that the Town should have followed the process for unlisted uses under LMO Section 16-4-102.A.5 (Attachment H), as seen below. However, this provision applies only when the use in question is not covered by any existing definition. In this case, the use clearly fits under "Indoor Commercial Recreation" and "Outdoor Commercial Recreation Other than a Water Park," as defined in LMO Section 16-10-103.E.2 (Attachment D) as these definitions specifically mention "events" within the definition. As such, the procedural path for unlisted uses is not triggered.

The LMO provides direction to the Official on how to interpret unlisted uses in Section 16-4-102.5.b (Attachment H), which was properly administered in this determination and reads, "The Official shall interpret an unlisted use as permitted in a particular zoning district only after determining that the nature, function, and duration of the use and the impact of allowing it in the zoning district are so similar to those of a Use Type allowable in the zoning district that the unlisted use should be deemed allowable in the same manner as the similar Use Type. In making such determination, the Official shall consider the purpose and intent statements in this Ordinance concerning the zoning district, the character of uses allowable in the district, and all relevant characteristics of the unlisted use, including but not limited to the following:

- i. The actual or projected characteristics of the unlisted use in relationship to the stated characteristics of each listed Use Type;

- ii. The relative amount of site area or floor space and equipment devoted to the unlisted use;
- iii. The relative amounts of sales from each unlisted use;
- iv. The customer type for each unlisted use;
- v. The relative number of employees in each unlisted use;
- vi. The hours of operation;
- vii. The building and site arrangement;
- viii. The vehicles used with the unlisted use;
- ix. The relative number of vehicle trips generated by the unlisted use; and
- x. Whether the unlisted use is likely to be found independent of the other listed uses on the site.

The Planning Commission is not required to adjudicate every code interpretation. Written interpretations and enforcement are handled administratively by the Official under LMO Sections, Section 16-2-103.R (Attachment P) and Section 16-8 (Attachment Q), and thus the Town followed this process appropriately.

Furthermore, as mentioned above, lists of examples are not exhaustive lists of all of the possibilities for “Outdoor Commercial Recreation Other than a Water Park” and “Indoor Commercial Recreation” uses that could be applied to these use types as seen in LMO Section 16-10-101.C (Attachment J), General Rules for Interpretation, Lists and Examples, which reads, “Lists and Examples, unless otherwise specifically indicated, lists of items or examples that use terms like “for example,” “including,” and “such as,” or similar language are intended to provide examples and are not exhaustive lists of all possibilities.”

Therefore, because the procedural path for Unlisted Uses under LMO Section 16-4-102.A.5 (Attachment H) was not triggered, the Official followed the proper procedure when determining the Principal Use Types for an event/wedding venue as “Outdoor Commercial Recreation Other than a Water Park” and “Indoor Commercial Recreation,” and that those uses were not permitted in the RM-4 district.

5. Insufficient Justification for Enforcement Action (Attachment A)

In attachment A, the appellant argues that the Town’s enforcement action lacks sufficient justification, as the Cease-and-Desist notice cites complaints but fails to provide concrete evidence showing that the use has violated community standards or caused adverse impacts to neighboring properties. They also argue that enforcement should be proportional to the severity of the alleged violation, and in this case, no harm or significant disruption has been demonstrated. Additionally, the appellant asserts that Enterprise Associates has positively contributed to the neighborhood’s reputation and character, referencing external recognition such as inclusion in Places of the South 2023-2024.

Response: The appellant asserts that there is no specific evidence of community harm. Yet enforcement under the LMO is not based on subjective harm but on whether the use is allowed in the district. As outlined in LMO Section 16-1-104.A (Attachment L) and 16-1-104.F (Attachment

L), below, no development or use can occur without required approvals and compliance with zoning regulations.

LMO Section 16-1-104.A (Attachment L), General Applicability, states that “the provisions of the LMO shall apply to the development of all land within the Town together with such adjacent unincorporated areas of Beaufort County that the Town Council and the Beaufort County Council jointly agree shall be governed by this Ordinance, unless expressly exempted by a specific section, subsection, or paragraph of this Ordinance,” and LMO Section 16-1-104.F (Attachment L), Appropriate Development Permits or Approvals Required, states that “No development shall occur until the permits or development approvals have been obtained by the person required to obtain them, as set forth in this Ordinance.”

Development, per LMO Section 16-10-105, is defined as, “The use of a structure or land; or the construction, reconstruction or alteration of a structure; or an increase in land use intensity; or filling, excavating or dredging a parcel or intertidal or underwater land; or a change in effects or conditions of a site; or the alteration of a shore, bank or floodplain; or the construction or extension of a utility; or the subdivision of land.”

In this case no zoning determination or approval was made by the Town’s Planning Department that would permit an event/wedding venue to operate at 170 Dillon Rd. However, as previously stated, planning staff did provide a zoning determination for the appellant’s business license with a physical address of 5 Enterprise Way, for a Property and Event Manager, as the Use Type “Other Office Uses,” which was the appropriate determination as 5 Enterprise Way lies within the Town’s LC district and Other Office Uses is an Allowable Principal Use in the LC district.

LMO Section 16-8-105 (Attachment Q) provides the Official with Enforcement Responsibility regarding Complaints. In this case the Official took action, following the provision set forth in subsection B.2 of this section, and then acted appropriately, upon documenting a clear zoning violation, by providing written notification per subsection C of this section.

Furthermore, the event/wedding venue was clearly marketed to the public and involved fee-based reservations. This constitutes a commercial use in a residential district. No further demonstration of adverse impact is needed when the violation is one of categorical land use incompatibility.

Therefore, upon the Official’s determination that the use of an event/wedding venue was determined to be the Principal Use Types “Outdoor Commercial Recreation Other than a Water Park” and “Indoor Commercial Recreation,” and that a clear zoning violation occurred, as these uses are not permitted in the RM-4 district, the Official took the appropriate action per LMO Section 16-8-106.C (Attachment Q), which states “Issue stop work orders against any actions in violation of this Ordinance.”

6. Bias and Uneven Enforcement (Attachment A)

In attachment A, the appellant contends that the enforcement action represents selective and uneven application of zoning laws. They allege that the Town acted without complete

information, failed to consult historical records, and singled out 170 Dillon Road despite knowledge of similar short-term rentals operating in residential zones. The appellant claims the action was based solely on an anonymous complaint and a subjective interpretation of online materials, arguing that this reflects inconsistent and unfair enforcement.

Response: The appellant argues that other similar violations exist, yet the Town took action only against 170 Dillon Road. The presence of other violators does not legalize an otherwise unlawful use. The Town conducts routine proactive enforcement and investigates complaints for Town code compliance.

The Town acted on verified complaints and marketing evidence. LMO enforcement, per LMO Section 16-8 (Attachment Q), requires the Official to investigate a complaint to determine the validity and the appropriate action.

Due process in zoning does not require informal resolution prior to enforcement. What is required, and what the Town has done, is providing timely notice, clarity of the charge, and the opportunity for appeal.

The Town actively employs a Code Enforcement Division, and they regularly inspect Town-wide and enforce the provisions of the applicable codes and laws within the Town. Enforcement is both proactive and reactive to complaints received. Please see the attached code case documentation (Attachment S) for the property at 170 Dillon Rd.

Furthermore, the Official was not aware of any of other short-term rentals operating similarly, as the appellant states in their argument, until the appellant provided evidence of potential violations at other properties in the Town. Upon receiving this evidence, the Town Planning Department researched these properties and the Official took action based on the Planning Department's findings. It should be noted that, until the appellant's complaint was received on these properties, that no other complaints were received and therefore no enforcement action was taken or warranted prior to receiving this evidence.

Therefore, no bias or uneven enforcement occurred and upon the Official's determination that the use of an event/wedding venue was determined to be the Principal Use Types "Outdoor Commercial Recreation Other than a Water Park" and "Indoor Commercial Recreation," and that a clear zoning violation occurred for the property at 170 Dillon Rd., as these uses are not permitted in the RM-4 district, the Official took the appropriate action per LMO Section 16-8-106.C (Attachment Q), which states "Issue stop work orders against any actions in violation of this Ordinance."

The appellant requests the Board take action on the seven items below:

1. Reverse the Cease-and-Desist Order (Attachment B) and reinstate the original zoning determination at 170 Dillion Road.

Response: The appellant requests that the cease-and-desist notice (Attachment B), dated February 27, 2025, be reversed and the original zoning determination at 170 Dillon Rd. be reinstated. However, the Official and Town staff have no record of a formal zoning determination being issued that authorized commercial events/weddings at 170 Dillon Road. Under LMO Sec. 16-2-103.R (Attachment P), zoning interpretations must be documented and provided by the authorized zoning Official. Reliance on informal staff communication or business license classifications does not constitute a valid zoning determination.

Also, a zoning determination was made by the Town's Planning Department staff for the attached business license, Business License #31996 (Attachment N) for "Property and Event Manager" use for a business operated at 5 Enterprise Lane Suite A. This property located at 5 Enterprises Lane Suite A is zoned Light Commercial (LC) zoning district. The zoning determination for Business License #31996 concluded that utilizing space for a "Property and Event Manager is approved as Other Office Uses as an Allowable Principal Use per LMO Section 16-3-105.D (Attachment O), in the LC zoning district. Based on those characteristics staff made the appropriate zoning determination to approve the business license for 5 Enterprise Lane Suite A, Business License #31996, which did not include a zoning determination for 170 Dillon Rd.

Furthermore, Town Business License staff did approve a Business License to operate the physical address of 170 Dillon Rd. as a short-term rental, which did not include any Official zoning determination, as seen in the attached file for Business License #31997 (Attachment M), as Town Planning staff did not review this license for zoning compliance, but for compliance with the Town's Short-term Rental Ordinance (Town Municipal Code Section 10-2).

Therefore, unless the BZA reverses the determination of the Official today, the cease-and-desist notice (Attachment B) remains the appropriate enforcement action under LMO Sec. 16-8-106.C (Attachment Q), and no reinstatement of an unsubstantiated determination is warranted. Taking into account that the Official did act accordingly when the event/wedding venue was classified under the Use Classification of Commercial Recreation Uses as Principal Use Types "Outdoor Commercial Recreation Other than a Water Park" and "Indoor Commercial Recreation," both of which have definitions that use the term "event" to define each Principal Use, and is issuing the cease-and-desist notice (Attachment B) for a clear violation of the RM-4 district of operating a Use that is not an Allowable Use in the district, the BZA should affirm the Official's determination.

2. Determine that Primary Use is Classified as Short-Term Rental (Property Management) and does not violate the RM-4 zoning district.

Response: The appellant contends that the event/wedding venue's activities should be classified as short-term rental (property management) use and that the event/wedding venue use be classified as an accessory use to a short-term rental (property management) and not violate the zoning regulations

in the RM-4 district. However, LMO Section 16-4-102.A.6 (Attachment H) does not list short-term rental as Allowable Principal Use in the Town, and the property use is classified as Residential Uses under the Use Types of Single-Family and Multifamily.

Also, Property Management, would be classified as an Office Use under the Use Type Other Office Uses, which is defined below and contains management services in the non-exhaustive list of possible office uses, which is not a permitted use in the RM-4 district, as seen in LMO Section 16-3-104.E (Attachment G), and would be in violation of the Town’s LMO if classified as the Principal Use for 170 Dillon Rd.

- Other Office Uses - Office Uses other than a contractor's office. This includes establishments that primarily accommodate the provision of business services and professional services in an office setting. Such office uses include, but are not limited to: employment agencies; insurance agents; real estate sales and service; travel agencies; utility company offices; accounting, auditing and bookkeeping services; advertising agencies; attorneys; business associations; chambers of commerce; commercial art and design services; counseling services; court reporting services; architecture, engineering, landscape architecture, urban planning, and other design services; detective agencies; educational, scientific and research organizations; financial management and investment counseling; literary and talent agencies; management and public relations services; media and postproduction services; news services; photographers and photography studios; political campaign headquarters; secretarial, stenographic, word processing, and temporary clerical employee services; security and commodity brokers; and writers and artists offices. This use type also includes offices providing health care services—including medical treatment, nursing care, preventative care, diagnosis, and physical therapy—in an office setting. Such health services office uses include, but are not limited to, medical doctors' and dentists' offices (with support labs) and psychiatrists' and psychologists' offices. Such health care office uses do not include hospitals or other health service uses where health care services are provided in a more intensive manner and in a more institutional setting.

Conversely, LMO Section 16-10-103.E.2 (Attachment D) clearly defines “Outdoor Commercial Recreation Other than a Water Park” and “Indoor Commercial Recreation” as uses involving “entertainment and recreation activities, events, or attractions to the general public, on a commercial or fee basis,” see below for full definitions. The public availability and reservation of the property for weddings and events, as promoted on its website, directly align with these definitions.

- Outdoor Commercial Recreation Other than a Water Park – An establishment that offers entertainment and recreation activities, events, or attractions to the general public, outdoors, on a commercial or fee basis. Outdoor commercial recreation uses include golf courses; driving ranges; miniature golf courses; zip line courses, and active sports complexes with such uses as tennis courts, ball fields and basketball courts; and facilities that are available for the benefit of spectators like stadiums, amphitheaters, and band shells. This use does not include Water Parks.
- Indoor Commercial Recreation – An establishment that offers entertainment activities, events, or attractions to the general public on a commercial or fee basis. Indoor commercial recreation uses include: movie theaters, stage theaters, auditoriums, amusement and

electronic game arcades (video games, pinball, etc.), pool or billiard tables, theme or amusement parks, boardwalks, midway type attractions such as rides, bumper cars, go-cart tracks, game booths, bowling alleys, pool halls, dance studios and dance halls, indoor firing ranges, indoor tennis and swimming pools, and indoor archery ranges.

It should also be noted that the above lists of examples are not exhaustive lists of all of the possibilities for outdoor and indoor commercial recreation uses that could be applied to these use types as seen in LMO Section 16-10-101.C (Attachment J), General Rules for Interpretation, Lists and Examples, which reads, “ Lists and Examples, unless otherwise specifically indicated, lists of items or examples that use terms like "for example," "including," and "such as," or similar language are intended to provide examples and are not exhaustive lists of all possibilities.”

LMO Section 16-4-103.B (Attachment I) defines accessory uses as those that are “customarily incidental and subordinate to the principal use.” The test of whether a use qualifies as “accessory” involves its frequency, scale, and economic importance relative to the primary use. Events involving furniture rentals, vendor contracts, and active solicitation of bookings far exceed the threshold of a minor, incidental use. The nature of the operations—public-facing, revenue-generating, and structured around events—removes them from the accessory use category entirely.

The purpose of the RM-4 district is “to protect and preserve the character of these areas and neighborhoods at densities up to four dwelling units per net acre. This district is used to encourage a variety of residential opportunities, including multifamily residential units, single-family residences, and group living. The regulations of the district are intended to discourage development that would substantially interfere with, or be detrimental to, residential character.” Permitting commercial events would not be in line with the goals and vision established for the RM-4 district.

Furthermore, A review of Mitchelville Place’s website, Facebook page, and Airbnb listing indicates the business is marketed primarily as an event venue. The website lists services as “wedding, vacation rentals, events” in that order, placing vacation rentals in a secondary position. The site’s AI chatbot opens with, “Hi There! Planning your dream event?”, reinforcing the focus on event hosting. The Airbnb listing describes the property as “designed to host private gatherings and events” in the opening sentence. The Facebook page categorizes the business as “Wedding Venue, Event Planner, Performance & Event Venue,” omitting options such as “Vacation Home Rental” or “Hotel & Lodging.” Facebook’s category selections are intended to reflect the business’s primary function. This consistent representation across platforms is inconsistent with the appellant’s argument. (Attachment T)

Therefore, the appropriate determination to classify an event/wedding venue was made, when the Official classified these uses under the Principal Use Types “Outdoor Commercial Recreation Other than a Water Park” and “Indoor Commercial Recreation,” both of which have definitions that use the term “event” to define each Principal Use, and to not recognize short-term rental (property management) as the Principal use with an event/wedding venue as an accessory use, which is in clear violation of the RM-4 district, and does not meet the purpose of the RM-4 district.

3. Determine that an Accessory use of private, non-advertised, non-ticketed events is not classified as Outdoor or Indoor Commercial Recreation and does not violate the RM-4 zoning district.

Response: The appellant asserts that private, non-advertised, non-ticketed events are not classified as “Outdoor Commercial Recreation Other than a Water Park” or “Indoor Commercial Recreation,” and do not violate the RM-4 district. However, LMO Section 16-4-103.B (Attachment I) defines accessory uses as those that are “customarily incidental and subordinate to the principal use.” The test of whether a use qualifies as “accessory” involves its frequency, scale, and economic importance relative to the primary use. Events involving furniture rentals, vendor contracts, and active solicitation of bookings far exceed the threshold of a minor, incidental use. The nature of the operations—public-facing, revenue-generating, and structured around events—removes them from the accessory use category entirely. Also, commercial booking of the event venue constitutes an establishment offering entertainment and events on a commercial or fee basis.

Also, the purpose of the RM-4 district is “to protect and preserve the character of these areas and neighborhoods at densities up to four dwelling units per net acre. This district is used to encourage a variety of residential opportunities, including multifamily residential units, single-family residences, and group living. The regulations of the district are intended to discourage development that would substantially interfere with, or be detrimental to, residential character.” Permitting commercial events would not be in line with the goals and vision established for the RM-4 district.

LMO Section 16-10-103.E.2 (Attachment D) does however clearly define “Outdoor Commercial Recreation Other than a Water Park” and “Indoor Commercial Recreation” as uses involving “entertainment and recreation activities, events, or attractions to the general public, on a commercial or fee basis,” see below for full definitions. The public availability and reservation of the property for weddings and events, as promoted on its website, directly align with these definitions.

- Outdoor Commercial Recreation Other than a Water Park – An establishment that offers entertainment and recreation activities, events, or attractions to the general public, outdoors, on a commercial or fee basis. Outdoor commercial recreation uses include golf courses; driving ranges; miniature golf courses; zip line courses, and active sports complexes with such uses as tennis courts, ball fields and basketball courts; and facilities that are available for the benefit of spectators like stadiums, amphitheaters, and band shells. This use does not include Water Parks.
- Indoor Commercial Recreation – An establishment that offers entertainment activities, events, or attractions to the general public on a commercial or fee basis. Indoor commercial recreation uses include: movie theaters, stage theaters, auditoriums, amusement and electronic game arcades (video games, pinball, etc.), pool or billiard tables, theme or amusement parks, boardwalks, midway type attractions such as rides, bumper cars, go-cart tracks, game booths, bowling alleys, pool halls, dance studios and dance halls, indoor firing ranges, indoor tennis and swimming pools, and indoor archery ranges.

It should also be noted that the above lists of examples are not exhaustive lists of all of the possibilities for outdoor and indoor commercial recreation uses that could be applied to these use

types as seen in LMO Section 16-10-101.C (Attachment J), General Rules for Interpretation, Lists and Examples, which reads, “ Lists and Examples, unless otherwise specifically indicated, lists of items or examples that use terms like "for example," "including," and "such as," or similar language are intended to provide examples and are not exhaustive lists of all possibilities.”

Furthermore, private and non-advertised events still constitute commercial activities if they involve organized gatherings, use of property for profit, or are marketed in any way as a venue for events. The Town’s position is that such private gatherings, especially when they involve commercial activity, are subject to zoning restrictions and are not permitted as accessory uses in the RM-4 district.

Therefore, the appropriate determination to classify the use of an event/wedding venue used for private, non-advertised, non-ticketed events was made, when the Official classified these uses under the Principal Use Types “Outdoor Commercial Recreation Other than a Water Park” and “Indoor Commercial Recreation,” both of which have definitions that use the term “event” to define each Principal Use, and to not recognize the use of an event/wedding venue used for private, non-advertised, non-ticketed events as an accessory use, which is in clear violation of the RM-4 district, and does not meet the purpose of the RM-4 district.

4. Determine that the use as a private event location is an Accessory Use to its Primary Use as a Short-Term Rental (Property Management) and does not violate RM-4 zoning districts.

Response: The appellant claims that private events held at the event/wedding venue are an Accessory Use to the Primary Use of short-term rentals. While the Town code allows short-term rentals, it is not a Use Type in the LMO. LMO Section 16-4-103.B.1 (Attachment I) states that “LMO Section 16-4-103.D.2 (Attachment I), Accessory Uses and Structures table, does not list all allowable accessory uses and structures,” the adverse impacts to surrounding lands, the frequency, and the revenue-generating commercial events being promoted at 170 Dillon Rd. eliminate the authorization to establish the event/wedding venue as accessory to the Principal Use of short-term rental.

Also, a commercial event/wedding venue falls within the “Outdoor Commercial Recreation Other than a Water Park” and “Indoor Commercial Recreation” Principal Use Types under the Commercial Recreation Use Classifications as defined in LMO Section 16-10-103.E.2 (Attachment D) and thus cannot be considered as an Accessory Use per LMO Section 16-4-103 (Attachment I), as they constitute Principal Use Types per the LMO.

LMO Section 16-4-103.B (Attachment I) defines accessory uses as those that are “customarily incidental and subordinate to the principal use.” The test of whether a use qualifies as “accessory” involves its frequency, scale, and economic importance relative to the primary use. Events involving furniture rentals, vendor contracts, and active solicitation of bookings far exceed the threshold of a minor, incidental use. The nature of the operations—public-facing, revenue-generating, and structured around events—removes them from the accessory use category entirely.

The purpose of the RM-4 district is “to protect and preserve the character of these areas and neighborhoods at densities up to four dwelling units per net acre. This district is used to encourage a variety of residential opportunities, including multifamily residential units, single-family residences, and group living. The regulations of the district are intended to discourage development that would substantially interfere with, or be detrimental to, residential character.” Permitting commercial events, even as an Accessory Use, would not be in line with the goals and vision established for the RM-4 district.

Furthermore, A review of Mitchelville Place’s website, Facebook page, and Airbnb listing indicates the business is marketed primarily as an event venue. The website lists services as “wedding, vacation rentals, events” in that order, placing vacation rentals in a secondary position. The site’s AI chatbot opens with, “Hi There! Planning your dream event?”, reinforcing the focus on event hosting. The Airbnb listing describes the property as “designed to host private gatherings and events” in the opening sentence. The Facebook page categorizes the business as “Wedding Venue, Event Planner, Performance & Event Venue,” omitting options such as “Vacation Home Rental” or “Hotel & Lodging.” Facebook’s category selections are intended to reflect the business’s primary function. This consistent representation across platforms is inconsistent with the appellant’s argument. (Attachment T)

Therefore, the use of private events as an accessory to Single-Family Residential Use does not meet the legal standards for an accessory use in RM-4, which is intended for low-impact residential activities. Thus, the Official made the appropriate determination when determining the uses to be the Principal Use Types “Outdoor Commercial Recreation Other than a Water Park” and “Indoor Commercial Recreation,” and that these uses were not permitted as Allowable Principal Uses in the RM-4 district, and that a clear violation of the RM-4 district exists.

5. Alternatively, grant an exception or Variance as outlined in LMO Section 16-2-103.S (Attachment R) (Variance) allowing the continuation of non-ticketed, non-advertised private event/wedding operations under appropriate conditions to ensure compliance with community stands and ensure consistency across the various Town Officers’ opinions and rulings.

Response: The appellant alternatively requests a Variance under LMO Section 16-2-103.S (Attachment R) to permit ongoing private, non-ticketed events. A Variance, as outlined in LMO Section 16-2-103.S (Attachment R), may only be granted where there is a showing of unnecessary hardship related to physical characteristics of the property, not economic or business-related preferences. The appellant’s request is based on a desire to continue business operations, which does not constitute grounds for a Variance.

Also, a Variance cannot be used to authorize a prohibited use. LMO Section 16-2-103.S.2 (Attachment R) reads, “The Variance procedure may be used to seek and obtain relief from the standards of this LMO except for uses outlined in LMO Section 16-4-102.A.6 (Attachment H), Principal Use Table, height and density standards.” This point is further made in LMO Section 16-2-103.S.4.b.i (Attachment R), which states, “the decision-making body may not grant a Variance, the effect of which would permit a use of land or a structure that is not allowed in the applicable zoning district.”

Furthermore, the appellant has not submitted an application for a Variance per LMO Section 16-2-103.S (Attachment R). This fact, combined with the above statements of fact coupled with LMO Section 16-2-103.S.4.c (Attachment R), which states that, “the fact that the property may be utilized more profitably, should a Variance be granted, may not be considered as grounds for a Variance,” is evidence that the appellant does not have grounds or standing for a Variance to be heard by the BZA.

Therefore, the should not be considered as part of this Appeal hearing, as the BZA does not have the authority to grant a Variance for Use, no application for a Variance has been received from the appellant, this hearing is for an Appeal of Administrative Decisions and Written Interpretations to BZA per LMO Section 16-2-103.T (Attachment E), and thus the appellant does not have grounds or standing to request that the BZA hear a Variance request on this matter during this hearing for an Appeal.

6. Recognize the previously issued Business License and (subsequent renewal) as a valid determination from the Town of Hilton Head that the activities at 170 Dillon Road are consistent with all Town of Hilton Head Laws, Codes, and Ordinances.

Response: The appellant argues that previously issued Business Licenses, and renewals, should be recognized as a valid determination from the Town of zoning compliance. However, Business Licenses are not zoning determinations, the Town’s LMO, not a Business License, governs land use compliance.

A zoning determination was made by the Town’s Planning Department staff for the attached business license, Business License #31996 (Attachment N) for “Property and Event Manager” use for a business operated at 5 Enterprise Lane Suite A. This property located at 5 Enterprises Lane Suite A is zoned Light Commercial (LC) zoning district. The zoning determination for Business License #31996 concluded that utilizing space for a “Property and Event Manager is approved as Other Office Uses as an Allowable Principal Use per LMO Section 16-3-105.D (Attachment O), in the LC zoning district. Based on those characteristics staff made the appropriate zoning determination to approve the business license for 5 Enterprise Lane Suite A, Business License #31996, which did not include a zoning determination for 170 Dillon Rd.

Also, Town Business License staff did approve a Business License to operate the physical address of 170 Dillon Rd. as a short-term rental, which did not include any Official zoning determination, as seen in the attached file for Business License #31997 (Attachment M), as Town Planning staff did not review this license for zoning compliance, but for compliance with the Town’s Short-term Rental Ordinance (Town Municipal Code Section 10-2).

Furthermore, The Business License itself is not a zoning use determination, it is a business operation permit. The zoning classification and use restrictions remain enforceable regardless of license status, and any subsequent renewals do not rectify or legitimize zoning violations. These zoning violations were not identified during Business License review, as Town Planning Department staff did not review and approve a Business License with the physical address of 170 Dillon Rd. to operate as an event/wedding venue or a property management company, and were

only identified after complaints were received against the property and an investigation was opened. The Official, Town Planning Department staff, and the Town's Code Enforcement Division, in cooperation then documented the code case (Attachment S), and identified the violations of uses not allowable in the RM-4 district.

Therefore, the only activity that the previously issued Business License, #31997 (Attachment M), for physical address 170 Dillon Rd., that the Official and Town staff can recognize as compliant with all Town of Hilton Head Island Laws, Codes, and Ordinances, is the short-term rental activity that is determined to be a Residential Use under the Principal Use Types Single-Family and Multifamily. Thus, the determination made by the Official that the activities in violation of the Town's LMO, as being a use that is not an Allowable Principal Use in the RM-4 district, are the event/wedding venue that have been determined to be Commercial Recreation Uses under the Principal Use Types "Outdoor Commercial Recreation Other than a Water Park" and "Indoor Commercial Recreation," has been confirmed.

7. Urge Ms. Luick and the Town of Hilton Head Zoning Department to adhere to the procedures explicitly outlined in the LMO and to refrain from unilateral, uninformed and unwarranted action that harm the finances and reputations of small business owners on Hilton Head Island.

Response: The appellant claims that the Official and the Town's Planning Department did not adhere to the procedures outlined in the LMO, however, after review of this appeal, it has been determined that the Official and Town staff followed the procedures set forth in the LMO, including issuing written notice per LMO Section 16-8-106.C (Attachment Q) and providing the opportunity for appeal per LMO Section 16-2-103.T (Attachment E). There is no indication of procedural error or abuse of discretion. Enforcement was initiated based on public advertising and verified information. Allegations of reputational harm or inconsistent treatment are subjective and do not constitute grounds to invalidate zoning enforcement.

Also, the Town actively employs a Code Enforcement Division, and they regularly inspect Town-wide and enforce the provisions of the applicable codes and laws within the Town. Enforcement is both proactive and reactive to complaints received. Please see the attached code case documentation (Attachment S) for the property at 170 Dilon Rd.

Furthermore, prior to enforcement action, the Official verified the activities being conducted onsite, via verified complaints and marketing evidence, and determined the uses to be the Principal Use Types "Outdoor Commercial Recreation Other than a Water Park" and "Indoor Commercial Recreation," which LMO Section 16-10-103.E.2 (Attachment D) defines as uses involving "entertainment and recreation activities, events, or attractions to the general public, on a commercial or fee basis." The public availability and reservation of the property for weddings and events, as promoted on its website, directly align with these definitions.

Therefore, the Official did adhere to the procedures outlined in the LMO when determining the uses to be the Principal Use Types "Outdoor Commercial Recreation Other than a Water Park" and "Indoor Commercial Recreation," and that these uses were not permitted as Allowable Principal Uses in the RM-4 district.

Staff Conclusion:

Based on the LMO and evidence of operations at 170 Dillon Road and review of the appellant's appeal, the Official continues to find that the uses are properly classified as Use Types "Outdoor Commercial Recreation Other than a Water Park" and "Indoor Commercial Recreation," and that these uses are in violation of the RM-4 district. The appeal fails to demonstrate any basis for reversal. The Town has acted within its authority and followed all procedural requirements.

Applicant's Grounds for Appeal, Summary of Facts and Conclusions of Law:**Grounds for Appeal:**

- Per the application, the applicant is seeking to appeal the Official determination that that the "Event/Wedding" portion of the business on the property constitutes "Outdoor Commercial Recreation Other than a Water Park" and "Indoor Commercial Recreation", which are not permitted in the RM-4 (Low to Moderate Density Residential) zoning district.

Summary of Fact:

- The applicant seeks an appeal as set forth in LMO Section 16-2-103.T.

Conclusion of Law:

- The applicant may seek an appeal as set forth in LMO Section 16-2-103.T.

Summary of Facts and Conclusions of Law:**Summary of Facts:**

- Application was submitted on March 14, 2025, as set forth in LMO Section 16-2-102.C and Appendix D-21.
- Notice of the Application was published in the Island Packet on May 4, 2025, as set forth in LMO Section 16-2-102.E.2.
- Notice of Application was mailed on May 2, 2025, as set forth in LMO Section 16-2-102.E.2.
- The Board has the authority to render the decision reached here under LMO Section 16-2-102.G.

Conclusions of Law:

- The application is in compliance with the submittal requirements established in LMO Section 16-2-102.C.
- The application and notice requirements comply with the legal requirements established in LMO Section 16-2-102.E.2.

As provided in LMO Section 16-2-103.T.5, Board of Zoning Appeals Appeal Review Standards, the Board may modify or reverse a decision or interpretation only on determining that the applicant is an aggrieved person, and making one of the following determinations, which shall be based on evidence in the record:

Summary of Facts and Conclusions of Law:

Criteria 1: The Official made an error in determining whether a requirement of this Ordinance was met. The record must indicate that an error in judgment occurred or facts, plans, or regulations were misread in determining whether the particular requirement was or was not met; or (LMO Section 16-2-103.T.5.a.i):

Findings of Fact:

- The Official Zoning District Map of the Town of Hilton Head Island identifies 170 Dillon Road as zoned RM-4 district (Low to Moderate Residential Density District).
- The RM-4 district does not permit the uses categorized as “Outdoor Commercial Recreation Other than a Water Park”, or “Indoor Commercial Recreation.”
- The LMO Official determined that the activities on-site, including wedding and event functions, constituted one or both of the above non-permitted uses.
- The purpose of the RM-4 district is “to protect and preserve the character of these areas and neighborhoods at densities up to four dwelling units per net acre. This district is used to encourage a variety of residential opportunities, including multifamily residential units, single-family residences, and group living. The regulations of the district are intended to discourage development that would substantially interfere with, or be detrimental to, residential character.”

Conclusions of Law:

- The zoning district classification, purpose, and permitted uses are clearly stated in the LMO. The RM-4 District does not permit Outdoor Commercial Recreation Other than a Water Park, or Indoor Commercial Recreation.
- No misinterpretation of facts, plans, or regulations occurred in the Official’s determination.
- This appeal does not satisfy the criteria as set forth in LMO Section 16-2-103.T.5.a.i as no error in judgment or misreading of applicable requirements has been demonstrated.

Summary of Facts and Conclusions of Law:

Criteria 2: The Official made the decision based on a requirement not contained in this Ordinance or other appropriate Town ordinances, regulations, or State law; or (LMO Section 16-2-103.T.5.a.ii):

Findings of Fact:

- The determination relied on Section 16-10-103 of the LMO, which defines permitted and non-permitted uses, including the categories in question.
- “Outdoor Commercial Recreation Other than a Water Park” and “Indoor Commercial Recreation” are not permitted in the RM-4 zoning district.
- The Official’s classification of the event/wedding use was based on the business's physical characteristics and function.
- The event/wedding use is not an Unlisted Use as it is defined as “Outdoor Commercial Recreation Other than a Water Park” and “Indoor Commercial Recreation.” Therefore, Section 16-4-102.A.5 (Interpretation of Unlisted Uses) is not the correct process to utilize to determine use.
- The event/wedding venue use is not an Accessory Use as it is not listed in the Accessory Use/Structure Table in LMO Section 16-4-103.D.2

Conclusions of Law:

- The Official’s decision was based on definitions and standards set forth in the LMO and related Town codes.
- This appeal does not meet the criteria as set forth in LMO Section 16-2-103.T.5.a.ii because no other external or unauthorized standard was used.

Summary of Facts and Conclusions of Law:

Criteria 3: The Official made an error in applying a requirement of this Ordinance; or (LMO Section 16-2-103.T.5.a.iii):

Findings of Fact:

- The Official Zoning District Map of the Town of Hilton Head Island shows 170 Dillon Road to be located in the RM-4 district (Low to Moderate Residential Density District).
- The RM-4 district does not allow the use of: Outdoor Commercial Recreation Other than a Water Park, nor Indoor Commercial Recreation.
- It has been determined that Outdoor Commercial Recreation Other than a Water Park, and Indoor Commercial Recreation uses were being conducted on the site.
- The use of private events as an accessory to Short Term Rental does not meet the legal standards for an accessory use in RM-4, which is intended for low-impact residential activities.

Conclusion of Law:

- The Official applied the correct zoning and land use standards based on established definitions in the LMO.

- Therefore, this appeal does not meet the criteria in LMO Section 16-2-103.T.5.a.iii, as no misapplication of ordinance requirements has been shown.

BZA Determination and Motion:

The “powers” of the BZA over Variances are defined by the South Carolina Code, Section 6-29-800, and in exercising the power, the BZA may “hear and decide appeals where it is alleged there is error in an order, requirement, decision, or determination made by an administrative official in the enforcement of the zoning ordinance...” their decisions shall be based solely on the record of the appeal, as supplemented by arguments presented at the hearing, and the standards in Section 16-2-103.T.5. The Board may affirm the decision or interpretation, in whole or in part; modify the decision or interpretation, in whole or in part; reverse the decision or interpretation, in whole or in part, as described in Section 16-2-103.T.4.d.

This State law is implemented by the Hilton Head Island Land Management Ordinance, Chapter 2, Article 103 and the Rules of Procedure for the BZA.

A written Notice of Action is prepared for each decision made by the BZA based on findings of fact and conclusions of law.

The BZA may affirm, modify, or reverse a decision or interpretation. Findings of Fact and Conclusions of Law must be stated in the motion.

PREPARED BY:

MC

 Michael Connolly
 Senior Planner

3/14/2025

 DATE

REVIEWED BY:

TL

 Trey Lowe
 Development Services Program Manager

5/2/2025

 DATE

APPROVED BY:

ML

 Missy Luick
 Director of Planning, LMO Official

5/14/2025

 DATE

ATTACHMENTS:

- A) Applicant's Narrative
- B) Cease and Desist Notice
- C) Town of Hilton Head Island's Official Zoning District Map
- D) LMO Sec. 16-10-103 (Use Classifications, Use Types, and Definitions)
- E) LMO Sec. 16-2-103.T (Application Specific Review Procedures – Appeal to BZA)
- F) LMO Sec. 16-1-103 (Purpose and Intent)
- G) LMO Sec. 16-3-104.E (Residential Base Zoning Districts – RM-4)
- H) LMO Sec. 16-4-102 (Principal Uses)
- I) LMO Sec. 16-4-103 (Accessory Uses and Structures)
- J) LMO Sec. 16-10-101.C (General Rules for Interpretation - Lists and Examples)
- K) LMO Sec. 16-7-102 (Nonconforming Uses)
- L) LMO Sec. 16-1-104 (Applicability and Jurisdiction)
- M) Business License #31997 (Short-term Rental Business License)
- N) Business License #31996 (Property and Event Manager Business License)
- O) LMO Sec. 16-3-105.D (Mixed-Use and Business Districts – LC)
- P) LMO Sec. 16-2-103.R (Application Specific Review Procedures – Written Interpretation)
- Q) LMO Sec. 16-8 (Enforcement)
- R) LMO Sec. 16-2-103.S (Application Specific Review Procedures – Variance)
- S) Code Case File – 170 Dillon Rd.
- T) Appellant's Marketing Material

**Appeal of Cease and Desist Order for 170 Dillon Road- Enterprise Associates LLC and Mitchelville Hospitality Group
Submitted to the Board of Zoning Appeals, Town of Hilton Head Island**

Date: Thursday, March 12, 2025

I. Town Official or Body Responsible for the Decision

The decision being appealed was issued in letter from **Missy Luick, Director of Planning and Land Management Ordinance Official**, under the authority of the **Town of Hilton Head Island Planning Department**.

II. Date of Decision Being Appealed: The decision was issued on **February 27, 2025**.

III. Decision Being Appealed

The Town of Hilton Head Island issued a **Cease and Desist Notice** to **Enterprise Associates LLC** regarding the alleged zoning violation at **170 Dillon Road, Hilton Head Island, SC 29926**. The Town determined that the “Event/Wedding” portion of the business being conducted on the property constitutes “**Outdoor Commercial Recreation Other than a Water Park**” and “**Indoor Commercial Recreation**”, which are not permitted in the **RM-4 (Low to Moderate Density Residential) zoning district**.

The notice requires that all **event and wedding-related business activities** cease within **30 days** of the notice date.

IV. Basis for the Right to Appeal

Pursuant to the **Town of Hilton Head Island Land Management Ordinance (LMO)**, property owners or affected parties have the right to appeal a zoning determination to the **Board of Zoning Appeals (BZA)** within **14 calendar days** of receiving the decision.

V. Grounds for the Appeal

The appeal is submitted on the following grounds:

1. Misclassification of Use: Events as an Accessory Use, Not Commercial Recreation

- The Town has incorrectly classified the use of the subject property. The “**Event/Wedding**” operations are not comparable to the examples provided in the **Outdoor and Indoor Commercial Recreation** definitions under **LMO Section 16-10-103.E.2**.
- The property does not function as a **commercial recreation facility** such as a stadium, amusement park, or sports complex. Instead, it is a **private event venue** used for **small, limited gatherings** that do not exhibit the characteristics of a large-scale commercial recreation operation.

2. Prior Use and Grandfathering Considerations

- The **private event/wedding accessory use** has been in operation prior to this notice, and there has been no substantive change in the manner of its operations. **If similar uses were permitted historically, the Town should provide a basis for why this specific interpretation is being applied at this time.**

- Substantive conversations were held between agents of Enterprise Associates, LLC prior to the opening of Mitchelville Place as a Short Term Rental to confirm the potential of the property and allowable uses under the LMO.

- Ms. **Abby Rain, Hilton Head Department of Revenue**, provided direct guidance regarding event-related operations in RM-4 zoning, stating that **a commercial event venue would not be permitted** but that STRs with private events were allowable for short-term renters and their guests if the:
 1. **Events were not ticketed, open to the public, or publicly advertised.**
 2. **Rentals were available to guests who did not plan to hold an event. Guests could not be required to hold an event as a pre-requisite to book the short-term rental.**
 3. **Did not sell furniture, décor, or material services.**
 4. **Remain in compliance with RM-4 zoning standards.**
 5. **Maintain valid, accurate business licenses that established a legal bond between Enterprise Associates LLC, the owner of 170 Dillon Road, and Mitchelville Hospitality Group LLC, the Property and Event Venue Manager of 170 Dillon Road.**

- **Enterprise Associates complied fully**, adjusting business operations and marketing materials per the Town's instructions and was issued a **Town-reviewed and Approved business license after a long, multi-week consultation process on Mar 1, 2023.**

- On **March 1, 2023**, the Town issued a new **Business License to Mitchelville Hospitality Group, Business Address 170 Dillon Road**, classifying the operation as **"Property Manager and Event Venue."**
 - **Primary Use:** Property Manager.

 - **Accessory Use:** Event Venue.

- This classification was **approved by the Hilton Head Department of Revenue** as compliant with **all Town Laws, Codes, and Ordinances.**

- **This license was renewed the following year, April 2024, with no objections or modifications from the Town.**

3. Zoning and Land Use Compatibility

- The operations conducted at **170 Dillon Road** are compatible with the surrounding land uses and do not introduce any adverse impacts typically associated with the activities listed in **LMO Section 16-10-103.E.2**.
- The property does not operate daily as a commercial business open to the general public but instead functions on a **reservation-based** model with **guests optionally allowed to host reasonable, private, invited guest events in compliance with Town regulations**.

4. Failure to Follow Proper Procedure for Unlisted Uses

- **The principal use of private, non-advertised, non-ticketed events is an Unlisted Use under the LMO.**
- **Sec. 16-4-102.A.5, and specifically Sec. 16-4-102.A.5.D of the LMO** provides a **clear procedure** for determining how an **Unlisted Use** should be addressed, including a requirement that the **Planning Commission be consulted if such a use is likely to be common or cause confusion if left unlisted**.
- **The official failed to follow this process**, instead making a **unilateral decision** without consulting the Planning Commission.
- **The official's contradictory stance can be summarized as follows:**
 1. **The official considers the use common enough to enforce zoning regulations against it but**
 2. **Not common enough to allow the Planning Commission to formally consider the matter, as required under Sec. Section 16-4-102.A.5, which**
 3. **Deprives the Planning Commission of the opportunity to fulfill its legal duties and demonstrates**
 4. **A failure of due process by Ms. Luick and the Town of Hilton Head's Zoning Department.**

5. Insufficient Justification for Enforcement Action

- The notice references **complaints received** but does not provide **specific evidence** of how the use has violated **community standards** or caused negative impacts on neighboring properties.
- Any enforcement action must be **proportional** to the alleged violation, and there has been **no demonstration of harm** or excessive disruption that would warrant an immediate cessation of activities.
- Alternatively, Enterprise Associates **can demonstrate many ways it has improved the reputation and character of the neighborhood and district in which it resides (reference: PLACES OF THE SOUTH 2023-2024)**.

6. Bias and Uneven Enforcement

• During a **March 7, 2025 meeting with Enterprise Associates**, when presented with the evidence contained within this appeal, Ms. Luick admitted the following information:

1. Ms. Luick and her department **did not have the full facts of the case** before issuing the Cease & Desist.
2. Ms. Luick conceded a more appropriate course of action **would have been a phone call to Enterprise Associates coupled with a comprehensive review** of historical Town records related to past discussions.
3. That the Town was aware of **“dozens” of other Short-Term Rentals (STRs) operating similarly in residential zoning**. But Ms. Luick and her Department had **no intention** of taking action against them.
4. When asked why 170 Dillon Road was singled out, Ms. Luick **could not provide an answer**.

Ms. Luick conceded her only evidence for taking an enforcement action amounts to:

1. **An anonymous and unsubstantiated complaint, made through undisclosed channels.**
2. **Ms. Luick’s personal, solitary interpretation of website materials at mitchelvilleplace.com**, which had already been **reviewed and adjusted per Town guidance**.

• This demonstrates **selective enforcement**, which is inconsistent with fair zoning practices.

VI. LMO Section Numbers Cited in the Appeal

- **LMO Section 16-2-103.S** (Variance)
- **LMO Section 16-3-104.D** (RM-4 Low to Moderate Density Residential District)
- **LMO Section 16-4-102.A.5** (Interpretation of Unlisted Uses)
- **LMO Section 16-4-102.A.5.D** (Effect of Approval of Unlisted Use)
- **LMO Section 16-4-102.A.6** (Principal Use Table)
- **LMO Section 16-4-103** (Accessory Uses and Structures)
- **LMO Section 16-10-103.E.2** (Definitions of Outdoor and Indoor Commercial Recreation)

VII. Specific Decision Requested of the Review Body

The appellant respectfully requests the **Board of Zoning Appeals** to:

1. **Reverse the Cease and Desist Order** and reinstate the original zoning determination at **170 Dillon Road**.
2. **Determine that the Primary Use is classified as Short Term Rental (Property Management)** and does not violate the RM-4 zoning district.
3. **Determine that an Accessory Use of private, non-advertised, non-ticked events is not classified as Outdoor or Indoor Commercial Recreation** and does not violate the RM-4 zoning district.
4. **Determine that the use as a private event location is an Accessory Use to its Primary Use as a Short Term Rental (Property Management)** and does not violate RM-4 zoning districts.
5. **Alternatively, grant an exception or variance as outlined in LMO Section 16-2-103.S (Variance)** allowing the continuation of non-ticketed, non-advertised private event/wedding operations under appropriate conditions to ensure compliance with community standards and ensure consistency across the various Town Officers' opinions and rulings.
6. **Recognize the previously issued Business License and (subsequent renewal) as a valid determination from the Town of Hilton Head that the activities at 170 Dillon Road are consistent with all Town of Hilton Head Laws, Codes, and Ordinances.**
7. **Urge Ms. Luick and the Town of Hilton Head Zoning Department to adhere to the procedures explicitly outlined in the LMO and to refrain from unilateral, uninformed, and unwarranted actions** that harm the finances and reputations of small business owners on Hilton Head Island.

VIII. Conclusion

The **Cease and Desist Order** was issued based on:

- **An incorrect interpretation of zoning law.**

- **A failure to properly review additional evidence provided by Enterprise Associates and consult with other Town officials before taking action.**
- **Uneven enforcement of the LMO** through selective enforcement action with no due process or justification of the action.
- **Failure to adhere to the LMO's guidance in determining the status of Unlisted Uses,** effectively usurping the Planning Commission's legally mandated authorities.
- **Potential personal bias against STRs.**

Enterprise Associates has **operated in good faith**, engaged multiple Town Officials at every step in their licensure, complied with all **Town guidance**, and received a **valid business license**.

Enterprise Associates reserves the right to submit additional documents and information in support of its appeal and requests the BZA to subpoena relevant Town of Hilton Head Staff to appear during the appeal.

Respectfully submitted,

Willard (Bill) W. Winans

Enterprise Associates LLC
Mitchelville Hospitality Group LLC (d.b.a. Mitchelville Place)

170 Dillon Road
Hilton Head Island, SC 29926
bill@meetingdynamics.com
cell - 843-304-6950

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

Alan R. Perry
Mayor

Via US Mail and E-mail

Alexander Brown, Jr.
Mayor Pro Tempore

February 27, 2025

Council Members

Patsy Brison
Steve DeSimone
Tamara Becker
Steve Alfred
Melinda Tunner

Mr. Bill Winans
Enterprise Associates LLC
170 Dillon Road
Hilton Head Island, SC 29926

Subject: Zoning Violation – Cease and Desist Notice

Marc Orlando
Town Manager

Dear Mr. Winans:

Upon receipt of complaints regarding the property located at 170 Dillon Rd., further identified as parcel R510 005 000 013A 0000, the Town has conducted a review of the current “Event/Wedding” portion of the business being advertised and conducted at this location. Based on the information found on your website mitchelvilleplace.com, it has been determined that the use currently being conducted on the subject property falls under the classification of “Outdoor Commercial Recreation Other than a Water Park” and “Indoor Commercial Recreation” as defined in Section 16-10-103.E.2 of the Town’s Land Management Ordinance (LMO).

Definitions:

Outdoor Commercial Recreation Other than a Water Park

Per the LMO, this use is defined as “an establishment that offers entertainment and recreation activities, events, or attractions to the general public, outdoors, on a commercial or fee basis. Outdoor commercial recreation uses include golf courses; driving ranges; miniature golf courses; zip line courses, and active sports complexes with such uses as tennis courts, ball fields and basketball courts; and facilities that are available for the benefit of spectators like stadiums, amphitheatres, and band shells. This use does not include Water Parks.”

Indoor Commercial Recreation

Per the LMO, this use is defined as “an establishment that offers entertainment activities, events, or attractions to the general public on a commercial or fee basis. Indoor commercial recreation *uses* include: movie theaters, stage theaters, auditoriums, amusement and electronic game arcades (video games, pinball, etc.), pool or billiard tables, theme or amusement parks, boardwalks, midway type attractions such as rides, bumper cars, go-cart tracks, game booths, bowling alleys, pool halls, dance studios and dance halls, indoor firing ranges, indoor tennis and swimming pools, and indoor archery ranges.”

Zoning Violation

The subject property is located within the RM-4 (Low to Moderate Density Residential) zoning district. “Outdoor Commercial Recreation Other than a Water Park” and “Indoor Commercial Recreation” are not a permitted uses in the RM-4

zoning district. Therefore, the ongoing operations at this location are not in conformance with the LMO.

Required Action

You are hereby directed to **cease and desist** the “Event/Wedding” portion of the business related activities on the subject property **within thirty (30) days** from the date of this notice. Failure to comply may result in further enforcement actions, including but not limited to fines, legal proceedings, and other remedies as provided under the Town’s Land Management Ordinance.

Right to Appeal

Should you wish to appeal this determination, you must submit a complete appeal application to the Town’s Board of Zoning Appeals (BZA) within **14 calendar days** of receipt of this letter.

If you have any questions or wish to discuss this matter further, please contact me at (843) 341-4693 or via email at missyl@hiltonheadislandsc.gov.

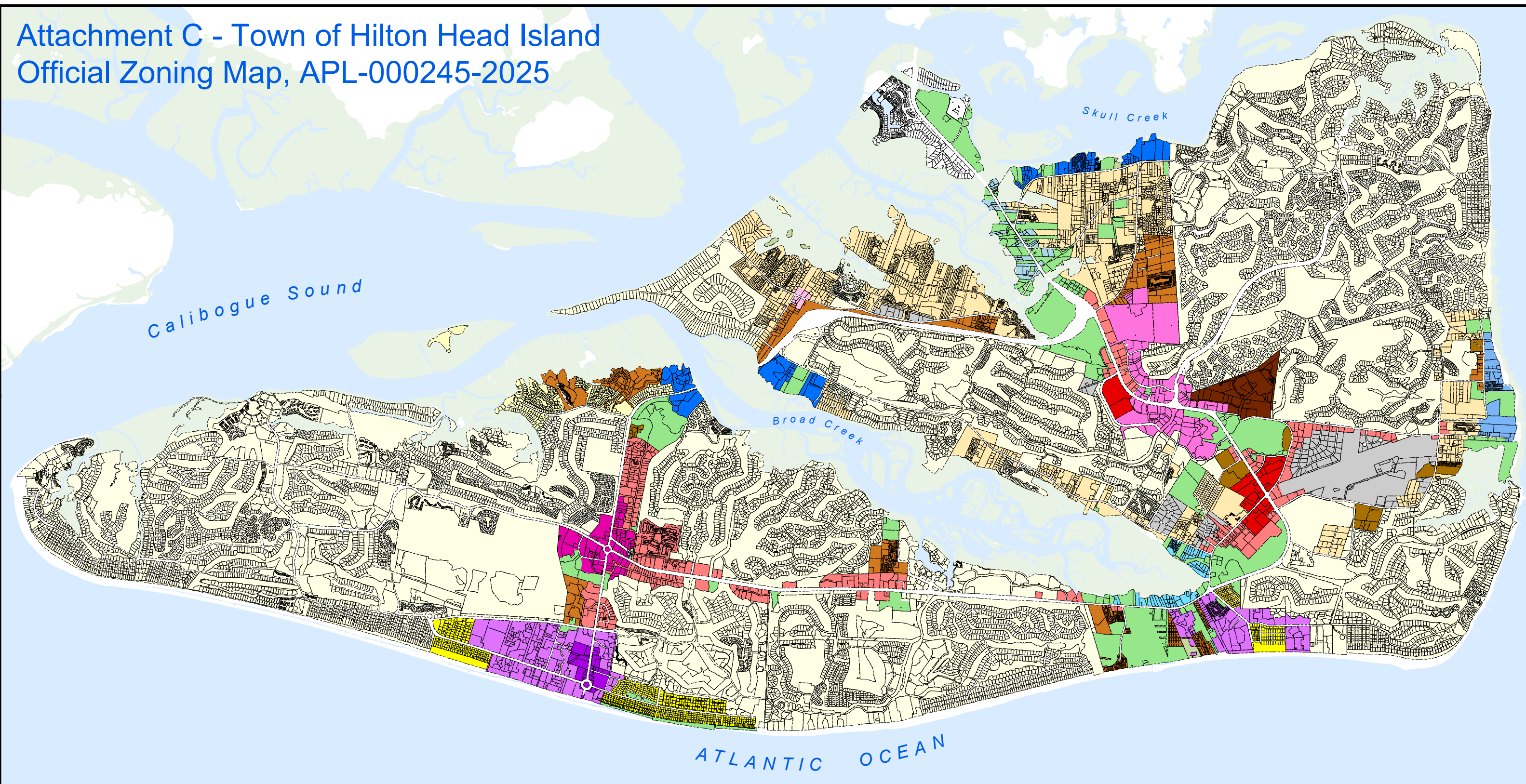

Sincerely,



Missy Luick
Director of Planning and Land Management Ordinance Official
Planning Department
Town of Hilton Head Island

CC: Shawn Leininger, Assistant Town Manager
Bob Bromage, Public Safety Director
Adriana Burnette, Director of Finance

Attachment C - Town of Hilton Head Island Official Zoning Map, APL-000245-2025

Town of Hilton Head Island OFFICIAL ZONING DISTRICT MAP

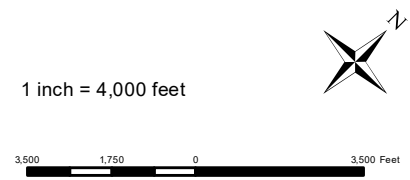
Effective Date*: October 7, 2014
Last Update**: March 2, 2021

*Effective Date is the most recent date the entire Zoning Map was adopted by Town Council.
**Last Update date is the most recent date any amendments to the Zoning District Map were adopted by Town Council.

The Official Zoning Map is composed of this Official Zoning District Map, the Overlay Zoning District Maps, the TPD Maps and the Official Street Map. This Official Zoning District Map is therefore one component of the Official Zoning Map.

The upland boundary of the Conservation Zoning District corresponds to the OCRM Critical Line and therefore, is approximately co-terminus with all tidal wetlands and the upland boundary of the beach as defined in Section 8-1.12 of the Municipal Code and extends outward to the Town Jurisdictional Boundary as defined within Section 2-1.20 of the Municipal Code of the Town of Hilton Head Island, South Carolina. (Reference: LMO Section 16-4-203, Conservation District)

1 inch = 4,000 feet



RESIDENTIAL ZONING DISTRICTS

RS-3	SINGLE FAMILY
RS-5	SINGLE FAMILY
RS-6	SINGLE FAMILY
RM-4	LOW TO MODERATE DENSITY
RM-8	MODERATE DENSITY
RM-12	MODERATE TO HIGH DENSITY

MIXED-USE & BUSINESS ZONING DISTRICTS

NC	NEIGHBORHOOD COMMERCIAL
MS	MAIN STREET
SPC	SEA PINES COMMERCIAL
LC	LIGHT COMMERCIAL
CC	COMMUNITY COMMERCIAL
MED	MEDICAL
IL	LIGHT INDUSTRIAL

CONSERVATION & RECREATION DISTRICTS

PD-1	PLANNED DEVELOPMENT
MF	MARSHFRONT MIXED USE
S	STONEY MIXED USE
MV	MITCHELVILLE
WMU	WATER-ORIENTED MIXED USE
RD	RESORT DEVELOPMENT
CR	COLIGNY RESORT

CON	CONSERVATION
PR	PARKS AND RECREATION

Attachment C - Town of Hilton Head Island Official Zoning District Map
APL-000245-2025

Sec.16-10-103. Use Classifications, Use Types, and Definitions

A. Residential Uses

1. Description

The Residential **Uses** classification is primarily characterized by the residential occupancy of a **dwelling unit** by a household. Such household living **uses** include **single-family dwellings** and **multifamily dwellings** (triplexes and other **multifamily development**, including townhouse **development**). The Residential **Uses** classification also includes **group living uses** (the residential occupancy of a group of living units by **persons** who do not constitute a **single-family**), as well as **recreational vehicle (RV) parks** (providing spaces for overnight accommodation of people in a **recreational vehicle**), and workforce housing. **Accessory uses** commonly associated with Residential **Uses** are recreational activities, raising of pets, hobbies, parking of the occupants' vehicles, and administrative offices in **multifamily, group living, and recreational vehicle (RV) parks**, and workforce housing developments. Home occupations are **accessory uses** that are subject to additional regulations (see Sec. 16-4-103.E.3, Home Occupation).

2. Use Types and Definitions

Group Living

The residential occupancy of a group of living units by **persons** who do not constitute a **single-family** and may receive some level of personal care. Individual living units often consist of a single room or group of rooms without cooking and eating facilities, but unlike a **hotel**, are generally occupied on a monthly or longer basis. **Uses** include group homes, assisted living facilities, dormitories, and similar **uses**. Although continuing care retirement communities may include **single-family** and **multifamily dwellings** and health care **uses**, they are categorized as a group living **use** because of their focus on the present or future provision of personal care to senior citizens and their integration of various **uses** as a single cohesive **development**. Dormitories are categorized as a group living use because they consist of a building or buildings which house students, employees, etc. and contain communal facilities and sleeping rooms with several beds. Group living does not include **uses** where **persons** generally occupy living units for periods of less than 30 days (e.g., **hotels**), which are categorized as Resort Accommodation **Uses**. It also does not include **uses** where residents or inpatients are routinely provided more than minor health care services (e.g., **nursing homes, hospitals**) unless they are associated with a continuing care retirement community. These types of facilities are categorized as Health Services **uses**. **Accessory uses** common to group living **uses** include recreational facilities, administrative offices, and food preparation and dining facilities.

Islander Mixed-Use

Development that includes two or more different uses, which shall include **workforce housing use** and one or more of the Office **uses**, as described in Sec. 16-10-103.F. or one or more of the Commercial Services **uses**, as described in Sec. 16-10-103.G. or some combination thereof. Such **uses** should be functionally integrated and share vehicular use areas, ingress/egress, and pedestrian **access**.

Multifamily

A **building, parcel, or development** containing two or more **dwelling units**. This use includes townhouse developments, if all units are on one **lot**, and manufactured housing parks.

Mixed-Use

Development that includes two or more different **uses**, which shall include **multifamily or workforce housing use** and one or more of the Office **uses**, as described in Sec. 16-10-103.F or one or more of the Commercial Services **uses**, as described in Sec. 16-10-103.G or some combination thereof. Such **uses** should be functionally integrated and share vehicular use areas, ingress/egress, and pedestrian **access**.

Recreational Vehicle

Any of the following vehicles designed for travel, recreation, and vacation uses: motorhome or van (a portable, temporary dwelling constructed as an integral part of a self-propelled vehicle); pickup camper (a structure designed to be mounted on a truck chassis); recreational trailer (a portable structure built on a single chassis, 400 square feet or less when measured at the largest exterior horizontal projections); park trailer (a semi-portable structure built on a single chassis, which does not exceed 400 square feet when constructed to ANSI A-119.5 standards, and 500 square feet when constructed to USDHUD standards); or tent trailer (a canvas or synthetic fiber folding structure mounted on a hard body base and towed by a vehicle).

Recreational Vehicle (RV) Park

An establishment consisting of paved parking spaces, served by utilities and accessways, that are utilized for overnight parking and occupancy of **recreational vehicles**. A recreational vehicle park may include an office for an **on-site** manager and rental of parking spaces, and amenities for the use of park tenants and residents, such as **swimming pools**, tennis courts, play grounds and covered or uncovered picnic areas. **Accessory uses** include offices, limited commercial services oriented to the needs of park occupants, and recreational facilities (e.g., swimming pool, playgrounds, and picnic areas) for the use of park occupants.

Single-Family

A freestanding **structure** containing one **single-family dwelling unit**. More than one **single-family dwellings** on a single **lot** constitutes a **multifamily dwelling**.

Townhouse

A multi-story structure containing one **dwelling unit** which is attached to one or more similar structures by shared walls in a **development**.

Workforce Housing

Housing that is affordable at 60—100% of the Area Median Income (AMI) for Beaufort County.

(Revised 9-17-2019 - Ordinance 2019-20; revised 7-21-2020 - Ordinance 2020-16; revised 11-4-2020 - Ordinance 2020-26; revised 2-16-2021 - Ordinance 2021-02; revised 5-2-2023 - Ordinance 2023-06; revised 10-3-2023 - Ordinance 2023-12)

B. Public, Civic, Institutional, and Educational Uses

1. Description

The Public, Civic, Institutional, and Educational **Uses** classification includes a wide range of **uses** generally operated by public or **nonprofit organizations** to provide governmental, educational, recreational, utility, transportation, communication, religious, and social services to the community.

2. Use Types and Definitions

Aviation and Surface Transportation

Uses that provide facilities for the landing and takeoff of airplanes and helicopters, including loading and unloading areas. These facilities may be improved or unimproved. An aviation and surface transportation **use** also includes passenger terminals for bus service. **Uses** include airports, bus terminals, and helicopter landing facilities. **Accessory uses** may include passenger waiting areas and facilities, freight handling areas, concessions, offices, parking and **maintenance** and fueling facilities.

Aviation Services

Establishments that are engaged in storage, **repair** or servicing of airplanes, helicopters, and related aviation equipment, charter aviation services, flying-related education, and warehousing related to air shipping **uses**. **Uses** include fixed base operators, flying schools, and air shipment warehouses.

Accessory uses may include offices, parking, warehouses, and storage.

Cemetery

Land used or intended for the burial of the dead and dedicated for such a purpose. A **cemetery** may include a funeral home or mortuary or a mausoleum or columbarium, but shall not include a crematory.

Community Service Use

A **use** of a public, nonprofit, or charitable nature generally providing a local service to people of the community. Generally, community service **uses** provide the service **on-site** or have employees at the **site** on a regular basis. The service is ongoing, not just for **special events**. Community service **uses** may provide special counseling, education, or training of a public, nonprofit or charitable nature. They may have membership provisions that allow the general public to join at any time (for instance, a senior center where a senior citizen could join at any time). Community service **uses** include libraries, museums, senior centers, community centers, youth club facilities, social service facilities, and nonprofit community theaters. **Accessory uses** may include offices, meeting areas, food preparation areas, parking, health and therapy areas, and athletic facilities.

Education Use

A **use** that provides state-mandated basic education at the primary, elementary, middle, junior high, or high school level. Education **uses** also include colleges, universities, and other institutions of higher learning that offer courses of general or specialized study leading to a degree. Education **uses** include public and private daytime schools, boarding schools, military academies, community colleges, nursing and medical schools not accessory to a **hospital**, seminaries, business, trade schools, and vocational schools. **Accessory uses** at schools include play areas, cafeterias, recreational and sport facilities, auditoriums, and before- or after-school day care. **Accessory uses** at colleges and universities include offices, housing for students, food service, laboratories, health and sports facilities, theaters, meeting areas, parking, **maintenance** facilities, and supporting commercial services.

Government Use

An establishment providing for the general operations and functions of local, **State**, or federal governments. Government **uses** include courthouse facilities, government administrative offices, post offices, fire and EMS stations, fire training facilities, law enforcement facilities, correctional facilities, and government **maintenance**, storage, and distribution facilities. Government **uses** do not include passenger terminals for transportation services (which constitute an **aviation and surface transportation use** type), or **Town, county, or State** parks (which constitute a **public park use** type), or water, wastewater, gas, electric, or other infrastructure services (which constitutes a **major utility or minor utility use** type). A wide range of **accessory uses** may be found, depending on the specific **use**.

Major Utility

A major facility that provides public or private Infrastructure services providing Island-wide service. Major utilities include water towers, electrical substations, and similar **uses** (but not waste treatment plants, which are classified as Industrial **Uses**). Major utility **uses** generally do not regularly have employees at the **site**. Services may be publicly or privately provided. **Accessory uses** may include administrative offices, parking and control, monitoring, data, or transmission equipment. Independent utility offices are classified as offices.

Minor Utility

A minor facility that provides public or private infrastructure services and that needs to be located in or near the area where the service is provided. Minor utilities include water and sewage pump stations, stormwater retention and **detention** facilities, telephone exchanges, electrical transformers, and similar **uses**.

Public Park

Land used to provide **open space**, scenic views, **access** to natural amenities, and recreational and leisure facilities for use by the general public for leisure, exercise, and recreation. Public park includes parks, athletic fields and courts, **beach** accesses, publicly-owned golf courses, public squares, plazas, trails, botanical gardens, and nature preserves. Accessory **uses** include rest rooms, bathrooms, changing rooms, **maintenance** facilities, concessions, and parking.

Religious Institution

A **nonprofit organization** providing facilities for worship, ceremonies, rituals, and education, together with its accessory **buildings** and **uses** (including **buildings** used for educational and recreational activities), operated, maintained, and controlled under the direction of a religious group. **Religious institutions** include churches, mosques, synagogues, and temples. **Accessory uses** may include school facilities, parking, caretaker's housing, and pastor's housing.

Telecommunication Tower, Monopole

A **telecommunications facility** with a tubular, self-supporting telecommunications mast, as distinguished from a lattice tower. Monopole telecommunication towers include antenna placed on the tower as well as ground based equipment typically located in ground-mounted **buildings** or equipment cabinets.

C. Health Services

1. Description

Health Services includes **uses** providing a variety of health care services, including surgical or other intensive care and treatment, various types of medical treatment, nursing care, preventative care, diagnostic and laboratory services, and physical therapy. Care may be provided on an inpatient, overnight, or outpatient basis. **Uses** include **hospitals**, **nursing homes**, and medical labs. Health Services **uses** do not include medical and dental offices and clinics (which constitute an Office **use**), assisted living facilities or group homes (which focus on providing personal care rather than medical care to residents, and constitute a **Group Living use**). **Accessory uses** may include food preparation and dining facilities, recreation areas, offices, meeting rooms, teaching facilities, hospices, **maintenance** facilities, staff residences, and limited accommodations for members of patients' families.

2. Use Types and Definitions

Hospital

A facility organized and administered to provide overnight medical or surgical care or nursing care of illness, injury, or infirmity, and may provide obstetrical care. This **use** type does not include **nursing homes**. It also does not include medical clinics and doctors' or dentists' offices.

Nursing Home

A facility with an organized nursing staff to maintain and operate organized facilities and services to accommodate two or more unrelated **persons** over a period exceeding twenty-four hours, which is operated for the express or implied purpose of providing intermediate or skilled nursing care for **persons** who are not in need of **hospital** care, but have limited capacity to care for their health care needs.

Other Health Services

A facility other than a **hospital** or **nursing home** that primarily provides clinically related, diagnostic, treatment, or rehabilitative services, including alcohol, drug abuse, and mental health services. This **use** type does not include medical clinics and doctors' or dentists' offices, or post incarceration facilities.

D. Resort Accommodations

1. Description

The Resort Accommodation **use** classification includes **uses** providing lodging units or rooms for short-term stays of less than 30 days for rent or lease. **Uses** include **bed and breakfasts, hotels and interval occupancy**. **Accessory uses** may include pools and other recreational facilities, restaurants, bars, limited storage, laundry facilities, gift shops, supporting retail sales and services, meeting facilities, and offices. Resort Accommodations do not include **recreational vehicle (RV) parks** (which are considered Residential **Uses**).

2. Use Types and Definitions

Bed and Breakfast

A commercial establishment whose outside appearance is that of a residential property with no more than ten guest rooms designed for and occupied by transients renting rooms on a daily basis and usually staying less than seven days. The rooms are connected by internal corridors for **access**.

Hotel

A **building** or group of **buildings** with guest rooms for sleeping designed for and occupied by transients renting rooms on a daily basis and usually staying less than seven days. **Accessory uses** include check-in and reception facilities, a dining room providing meals for guests, business and conference rooms, and guest amenities such as a swimming pool. A **hotel** is generally distinguished from a **bed and breakfast** primarily by the number of rooms and the residential appearance of the **bed and breakfast**.

Interval Occupancy

The **use**, occupancy or possession of any real property or any interest in real property that is subject to either a "Vacation Time Sharing Ownership Plan" as that term is defined in S. C. Code Ann. § 27-32-10(7), or a "Vacation Time Sharing Lease Plan" as that term is defined in S. C. Code Ann. § 27-32-10(8), and which is authorized and governed by the terms of S. C. Code Ann. § 27-32-10, et seq.

E. Commercial Recreation Uses

1. Description

Commercial Recreational **Uses** involve providing indoor or outdoor facilities for recreation or entertainment-oriented activities by patrons or members. There are two types of Commercial Recreation **uses**: indoor commercial recreation and outdoor commercial recreation. These **uses** do not include banquet halls that are accessory to a **hotel**, restaurants (considered an **Eating Establishment use**), or recreational facilities that are accessory to a **community service use** or **religious institution use**, or **uses** reserved for use by a particular residential **development's** residents and their guests (and thus considered accessory to the Residential **Use**). **Accessory uses** may include offices, concessions, snack bars, and **maintenance** facilities.

2. Use Types and Definitions

Indoor Commercial Recreation

An establishment that offers entertainment activities, events, or attractions to the general public on a commercial or fee basis. Indoor commercial recreation **uses** include: movie theaters, stage theaters, auditoriums, amusement and electronic game arcades (video games, pinball, etc.), pool or billiard tables, theme or amusement parks, boardwalks, midway type attractions such as rides, bumper cars, go-cart tracks, game booths, bowling alleys, pool halls, dance studios and dance halls, indoor firing ranges, indoor tennis and **swimming pools**, and indoor archery ranges.

Outdoor Commercial Recreation Other than a Water Park

An establishment that offers entertainment and recreation activities, events, or attractions to the general public, outdoors, on a commercial or fee basis. Outdoor commercial recreation **uses** include golf courses; driving ranges; miniature golf courses; zip line courses, and active sports complexes with such **uses** as tennis courts, ball fields and basketball courts; and facilities that are available for the benefit of spectators like stadiums, amphitheaters, and band shells. This **use** does not include **Water Parks**.

Water Park

A type of **outdoor commercial recreation use** that includes water slides, wave pools, and **swimming pools** and is open to the general public on a commercial basis. **Accessory uses** may include food and beverage concessions, parking, and **maintenance** facilities.

(Revised 8-18-2020 - Ordinance 2020-19)

F. Office Uses

1. Description

Establishments that primarily accommodate activities conducted in an office setting, and generally focusing on professional offices or business service offices. Office **Uses** also include health services offices. A special type of Office **Use** is the **contractor's office**. Office **Uses** do not include offices that are accessory to a **principal use** in another **use** category, or government administration offices (considered a government use), or banks or financial institutions (considered a Commercial Services **Use**). Except for doctors' or dentists' offices, **accessory uses** may include cafeterias, child care facilities, recreational or fitness facilities, incidental commercial **uses**, or other amenities primarily for the use of employees

of the business or in the **building** in which the establishment is located. In doctors' and dentists' offices, **accessory uses** may include support labs.

2. Use Types and Definitions

Contractor's Office

A **contractor's office** is a suite of rooms, or **building** used to house **construction** services, including builders and specialty contractors such as firms involved in roofing, installing doors and windows, painting, flooring, heating and air conditioning, general contracting, plumbing, electrical, or other similar businesses where the majority of client contact generally occurs at the job **site**. No contractor materials are stored or housed at the **site**.

Other Office Uses

Office **Uses** other than a **contractor's office**. This includes establishments that primarily accommodate the provision of business services and professional services in an office setting. Such office **uses** include, but are not limited to: employment agencies; insurance agents; real estate sales and service; travel agencies; utility company offices; accounting, auditing and bookkeeping services; advertising agencies; attorneys; business associations; chambers of commerce; commercial art and design services; counseling services; court reporting services; architecture, engineering, landscape architecture, urban planning, and other design services; detective agencies; educational, scientific and research organizations; financial management and investment counseling; literary and talent agencies; management and public relations services; media and postproduction services; news services; photographers and photography studios; political campaign headquarters; secretarial, stenographic, word processing, and temporary clerical employee services; security and commodity brokers; and writers and artists offices. This **use** type also includes offices providing health care services—including medical treatment, nursing care, preventative care, diagnosis, and physical therapy—in an office setting. Such health services office **uses** include, but are not limited to, medical doctors' and dentists' offices (with support labs) and psychiatrists' and psychologists' offices. Such health care office **uses** do not include **hospitals** or other health service **uses** where health care services are provided in a more intensive manner and in a more institutional setting.

G. Commercial Services

1. Description

Establishments involved in the sale, rental, and incidental servicing of goods and commodities that are generally delivered or provided on the **premises** to a consumer. Commercial Services may also include **uses** that provide personal services, or product **repair**, or services for consumer and business goods. Commercial Services does not include sales or service establishments related to vehicles (considered Vehicle Sales and Services), or establishments primarily selling supplies to contractors or retailers (considered **Wholesale Sales**), or the provision of financial, professional, or business services in an office setting (considered Office **Uses**), or **uses** providing recreational or entertainment opportunities (considered Commercial Recreation **Uses**). **Accessory uses** may include offices, storage of goods, assembly or repackaging of goods for **on-site** sale, concessions, ATM machines, and outdoor display of merchandise.

2. Use Types and Definitions

Adult Entertainment Use

An establishment offering any of the products, entertainment or services defined in Section 16-7-20 of the Municipal Code.

Animal Services

An establishment that provides for the care and treatment of animals, primarily household pets and other domestic animals. This **use** includes veterinary facilities that provide medical care and treatment of animals, and may provide boarding and grooming services. It includes kennels that provide boarding, as well as establishments providing grooming services. Also included are retail pet stores that sell household pets and related goods.

Bicycle Shop

An establishment that sells, services, or rents new or used bicycles, and accessories, with screened **outdoor storage** facilities permitted in certain zoning districts.

Commercial Parking Lot

A facility that provides parking that is not accessory to a specific use. A fee may or may not be charged. A facility that provides both accessory parking for a specific use and regular fee parking for people not connected to the use is also classified as a Commercial Parking Lot. This use includes short and long-term fee parking facilities.

Convenience Store

A retail establishment that offers for sale any of the following types of articles: bread, milk, cheese, canned and bottled foods and drinks, tobacco products, beer, wine, candy, papers and magazines, general hardware articles, gasoline, and related petroleum products. Fast food may be offered, but only as a secondary activity of a **convenience store**. A **convenience store** may also provide **gasoline sales** (but not **auto repair**).

Eating Establishment

An establishment that involves the preparation and selling of food and beverages for immediate or direct on- or off-premise sale and consumption. Examples include restaurants, fast food establishments, yogurt or ice cream stores, pizza establishments that deliver, and specialty **eating establishments**. **Accessory uses** may include kitchens for food preparation, decks and patios for outdoor seating and dining, and **drive-through** facilities.

Grocery Store

An establishment primarily engaged in the retail sale of a broad range of prepackaged and perishable foods, but may also sell other convenience and household goods. It is distinguished from a **convenience store** primarily by its size and the broader range of foods and products it sells.

Landscape Business

An establishment that grows, stores, or sells garden plants, shrubs, **trees**, vines, groundcovers, and other related landscaping materials, either for retail or wholesale. Landscape business **uses** may include greenhouses, **outdoor storage** of goods, materials, equipment, and irrigation systems.

Liquor Store

An establishment licensed by the **State** exclusively for the retail sale of liquor or spirits in sealed containers for consumption off the **premises**.

Nightclub or Bar

An establishment that sells alcoholic beverages for consumption on the **premises**, and that may provide live or televised entertainment or dancing. Food items may be offered for sale to patrons, but the sale of food items is not a major source of revenue.

Open Air Sales

An establishment that sells goods or products that are displayed or otherwise merchandised outdoors, and not in enclosed **buildings**.

Shopping Center

A group of three or more architecturally unified commercial establishments located on a single **site** with common parking facilities which is planned, developed, and owned or managed as a single operating unit.

Tattoo Facility

An establishment primarily engaged in the practice of tattooing—i.e., the indelible marking or coloring of human skin by subcutaneous introduction of nontoxic dyes or pigments.

Other Commercial Services

A Commercial Services establishment other than those listed and defined above that primarily involves the sale, rental, and incidental servicing of consumer goods and commodities, or the provision of personal services or business-related services to consumers. This **use** includes, but is not limited to, day care centers, banks and other financial institutions, clothing stores, department and discount stores, furniture stores, hair and nail salons, health clubs and spas, laundry and dry-cleaning establishments, funeral homes, home electronics and small appliance stores, shoe **repair** shops, and tanning salons.

(Revised 4-18-2017 - Ordinance 2017-05; revised 8-18-2020 - Ordinance 2020-19)

H. Vehicle Sales and Services

1. Description

The Vehicle Sales and Services classification includes **uses** involving the direct sales, leasing, and servicing of automobiles (including motorcycles and light trucks), whether for personal transport, commerce, or recreation. The **uses** include but are not limited to: **auto rental, auto repair, auto sales, car wash, gas sales, taxicab service**, towing service, truck or trailer rental, and commercial parking lots. This **use** classification does not include airports (considered an Aviation and Surface Transportation **use** type) or the storage, recycling, and resale of inoperable vehicles or vehicle parts (considered a salvage and recycling facility and thus part of the **Waste-Related Services Use** Other than a Waste Treatment Plant). **Accessory uses** may include offices, sales of parts, **maintenance** facilities, outdoor display, and vehicle storage.

2. Use Definitions

Auto Rental

An establishment where new or used passenger automobiles are offered for short-term lease to the general public.

Auto Repair

An establishment that **repairs**, rebuilds, or reconditions passenger automobiles, not including bodywork, framework, welding, and major painting service.

Auto Sales

An establishment where new or used passenger automobiles or light trucks in operating condition are offered for sale or long-term lease to the general public.

Car Wash

An establishment containing special equipment and facilities for the washing, waxing, and cleaning of private motor vehicles, but not commercial fleets. The **use** may involve automatic operations whereby vehicles are manually driven or pulled by a conveyor through a system of rollers or brushes, or self-service operations whereby vehicles are driven into a **structure** and their operators use equipment to wash, wax, and clean the vehicle themselves. Interior cleaning or drying may be conducted manually by vehicle operator or **on-site** attendants.

Gas Sales

An establishment where gasoline, motor oils, lubricants, batteries, tires and automobile accessories may be supplied and sold. **Uses** permissible at a **gas sales** establishment do not include major mechanical and body work, straightening of body parts, painting, welding, storage of automobiles not in operating condition, or other work involving noise, glare, fumes, smoke or other characteristics to an extent greater than normally found in a gas service station. A towing service may be allowed as an **accessory use** to a **gas sales use**.

Taxicab Service

An establishment that offers transportation in passenger automobiles and vans to **persons**, in return for remuneration. The business shall not include facilities for servicing, repairing, and fueling the automobiles **on-site**.

Towing Service

An establishment engaged in the towing of vehicles or equipment from one location to another. Such an establishment may also include storage for towed vehicles, but may not include storage of junked, salvage, or inoperable vehicles or equipment.

Truck or Trailer Rentals

An establishment where new or used light trucks or trailers are offered for short-term lease to the general public.

Watercraft Sales, Rentals, or Service

An establishment that rents, sells, or services watercrafts to or for the general public.

I. Industrial Uses

1. Description

The Industrial **Uses** classification includes **uses** primarily engaged in the manufacture, fabrication, processing, assembly, packaging, storage, and distribution of goods or commodities, where the end product is generally not acquired by the ultimate user on the **premises**. Industrial **uses** also include related **uses** that provide support services to any of the above **uses**.

2. Use Types and Definitions

Grinding

The reduction of vegetative materials in size or volume into materials such as but not limited to mulch or chips.

Light Industrial, Manufacturing, or Warehouse Use

An establishment or business primarily engaged in the manufacturing, fabrication, processing, assembly, packaging of goods, or the provision of equipment, **repair**, storage, distribution, and other services related to industrial **uses**. This **use** type excludes **uses** involving the manufacturing, processing, or storage of significant amounts of materials that are flammable, explosive, or toxic, or create hazardous conditions. Relatively few customers come to the **site** and there is little **on-site** sales activity with the customer present.

A light industrial **use** is primarily engaged in the **repair** or servicing of industrial, business, or consumer machinery, equipment, products or by-products. Examples of light industrial **uses** include: welding shops; machine shops; tool **repair**; electric motor **repair**; **repair** of scientific or professional instruments; **building**, heating, plumbing or electrical contractors; printing, publishing and lithography; exterminators; janitorial and **building maintenance** services; fuel oil distributors; research, testing and **development** laboratories; laundry, dry-cleaning and carpet cleaning facilities; and photo-finishing laboratories.

A manufacturing **use** is primarily engaged in the manufacturing, processing, fabrication, packaging, or assembly of goods. Examples of manufacturing **uses** include catering establishments; woodworking, cabinet makers; production of chemical, rubber, leather, clay, bone, plastic, stone, or glass materials or products; motion picture production facilities; concrete batching and asphalt mixing; production or fabrication of metals or metal products including enameling and galvanizing; manufacture or assembly of equipment, instruments, including musical instruments, appliances, precision items and other electrical items; production of artwork and toys; sign making; and breweries;. This **use** type does not include **seafood processing**. This **use** type does not include small scale breweries such as nano or micro-breweries, which are classified as a Nightclub, Bar or Eating Establishment.

A warehouse **use** is primarily engaged in the storage or movement of goods for themselves or other businesses. Examples of warehouse **uses** include separate warehouses used by retail stores (such as furniture and appliance stores); household moving and general freight storage; food storage; cold storage plants, including frozen food lockers; parcel services; and the stockpiling of sand, gravel, or other aggregate materials.

Seafood Processing

A manufacturing establishment that processes seafood for human consumption through canning, curing, or byproduct processing.

Self Service Storage

An establishment providing individual, self-contained units or areas leased to individuals, organizations, or businesses for **self-service storage** of household and personal property. The storage units or areas are designed to allow private **access** by the tenant for storing or removing personal property. This **use** is also called a "mini-warehouse." The **use** does not include a transfer and storage business not involving individual storage areas and businesses where employees are the primary movers of property being stored or transferred (an Industrial, Manufacturing, and Warehouse **Use**). **Accessory uses** may include leasing offices, **outdoor storage** of boats and **recreational vehicles**, incidental sales or rental of moving supplies and equipment, and living quarters for a resident manager or security guard. Use of the storage areas for sales, service, **repair**, or manufacturing operations is not considered accessory to **self-service storage**. The rental of trucks or equipment is also not considered accessory to the **use**.

Waste Treatment Plant

An establishment that receives solid or liquid wastes from others for disposal **on-site** or for the transfer to another location.

Waste-Related Services Use Other than a Waste Treatment Plant

An establishment that receives solid or liquid wastes from others for disposal on the **site** or for transfer to another location, that collects sanitary wastes, or that manufactures or produces goods or energy from the composting of organic material. **Uses** include: waste transfer or composting centers; salvage and recycling facilities; resource recovery facilities; recycling drop-off centers; and water treatment plants. **Accessory uses** may include offices, **outdoor storage**, recycling of materials, and repackaging and transshipment of by-products. Disposal of dirt, concrete, asphalt, and similar non-biodegradable materials is considered fill.

Wholesale Sales

An establishment involved in the sale, lease, or rent of products primarily intended for industrial, institutional, or commercial businesses. This **use** emphasizes **on-site** sales or order taking and often includes display areas. Businesses may or may not be open to the general public, but sales to the general public are limited. **Uses** include the sale or rental of machinery, equipment, heavy trucks, **building** materials, special trade tools, welding supplies, machine parts, electrical supplies, janitorial supplies, restaurant equipment, and store fixtures; mail order houses; and wholesalers of food, clothing, auto parts, and **building** hardware. **Accessory uses** may include offices, product **repair**, warehouses, parking, minor fabrication services, and repackaging of goods. Businesses that engage primarily in sales to the general public or on a membership basis are classified as Retail Sales and Service. Businesses that are primarily storing goods with little **on-site** business activity are considered an Industrial, Manufacturing, and Warehouse **Use**.

(Revised 8-18-2020 - Ordinance 2020-19; revised 3-7-2023 - Ordinance 2023-04)

J. Other Uses

1. Use Types and Definitions

Agriculture

Activities that involve the noncommercial raising, producing, or keeping of plants or animals, including: the noncommercial breeding or raising of fowl or other animals; stables; riding academies; kennels; or other animal boarding places; and gardening. Agriculture **accessory uses** include produce stands, **dwellings** for proprietors and employees of the **use**, and animal training. Processing of animal or plant products are considered light industrial, manufacturing, and warehouse **uses**. Plant nurseries that are oriented to retail sales are classified as landscape businesses.

Boat Ramp

A facility to launch and retrieve recreational boats from a trailer. **Accessory uses** may include parking and restrooms.

Docking Facility

A **structure** built over or floating on the water used as a landing place for boats or other marine transport, fishing, swimming, and other recreational **uses**. Docks may include boat houses, seating areas, gazebos, boat lifts, and storage facilities.

Marina

A commercial harbor, boat basin, or other facility that provides storage or **docking facilities**, supplies, or other services for water craft, including facilities for storing water craft in or out of the water, but excluding storage of water craft at a private dock associated with a residential unit or on private property where no fee is charged.

Sec.16-2-103. Application Specific Review Procedures

T. Appeal of Administrative Decisions and Written Interpretations to Board of Zoning Appeals

1. Purpose

The purpose of this subsection is to establish procedures and standards for the review of and decision on **applications** for an appeal to the **Board of Zoning Appeals** from an administrative decision or written interpretation of the **Official**.

2. Who May File Appeal

- a. A decision or written interpretation made by the **Official** or other administrative official pursuant to this **Ordinance** may be appealed to the **Board of Zoning Appeals** by any **person** aggrieved by the decision or interpretation—or any officer, department, board, or bureau of the **Town**—who alleges that the **Official** or other administrative official erred in making the decision or interpretation.
- b. For the purposes of this subsection, a **person** is aggrieved if there is some special or particularized injury to that **person** or that **person's** property resulting from the decision or written interpretation.

3. Types of Appeal

Appeals of the following decisions or interpretations made by the **Official** shall be heard and decided by the **Board of Zoning Appeals** in accordance with the procedures and standards in this subsection.

- a. Minor Deviations to a PUD (see Sec. 16-2-103.D.8, Minor Deviations from Approved Master Plan);
- b. Natural Resources Permits (see Sec. 16-2-103.K, Natural Resources Permit);
- c. Wetlands Alteration Permits (see Sec. 16-2-103.L, Wetlands Alteration Permit);
- d. Certificates of Compliance (see Sec. 16-2-103.P, Certificate of Compliance);
- e. Written Interpretations (see Sec. 16-2-103.R, Written Interpretation); and
- f. Any action to enforce the provisions of this **Ordinance**.

4. Appeal Procedure

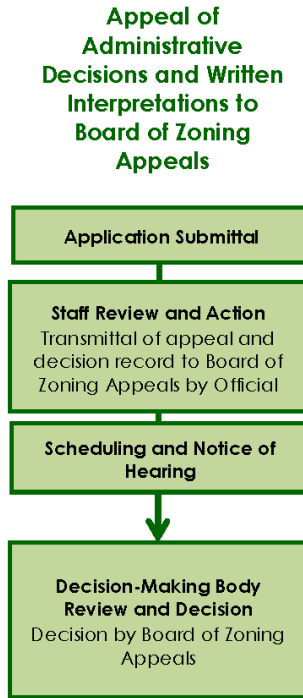
a. Application Submittal

An **application** for an Appeal to the **Board of Zoning Appeals** may be submitted by **persons** identified in paragraph 2 above, and shall be submitted in accordance with Sec. 16-2-102.C. The **application** shall specify the grounds for the appeal and shall be **delivered** to the **Official** within 14 calendar days after **delivery** of notice of the decision being appealed (see Sec. 16-2-102.H.1, Notice of Decision).

b. Staff Review and Action

On receiving the **application**, the **Official** shall transmit to the **Board of Zoning Appeals** the **application** and the record of materials considered in making the decision being appealed

(including but not limited to, the **application** and support materials, staff report, other plans, documents, reports, and studies considered in making the decision, and any minutes, transcripts, or record of the meetings held to consider and make the decision). These materials constitute the record of the appeal.



c. Hearing Scheduling and Notice

A hearing on the **application** shall be scheduled, and required notice provided, for the **Board of Zoning Appeals** hearing in accordance with Sec. 16-2-102.E. The **Official** shall also provide notice of the hearing to the **applicant** for the decision being appealed (if different from the appellant), as well as the appellant.

d. Decision-Making Body Review and Decision

- i. The **Board of Zoning Appeals** shall review the **application**, hold a hearing on the **application**, and make a final decision on the **application** in accordance with Sec. 16-2-102.G. The decision of the **Board of Zoning Appeals** shall be based solely on the record of the appeal, as supplemented by arguments presented at the hearing, and the standards in Sec. 16-2-103.T.5, Board of Zoning Appeals Appeal Review Standards , and shall be one of the following:
 - 01. Affirmation of the decision or interpretation, in whole or in part;
 - 02. Modification of the decision or interpretation, in whole or in part (in modifying the decision, the **Board of Zoning Appeals** shall have all the powers of the **Official**, and may issue a permit or **development** approval or direct that a permit or **development** approval be issued); or

03.Reversal of the decision or interpretation, in whole or in part (in reversing the decision the **Board of Zoning Appeals** shall have all the powers of the **Official**, and may issue a permit or **development** approval or direct that a permit or **development** approval be issued, provided that with respect to the **Board of Zoning Appeals** a majority vote of the Board shall be required to reverse the decision).

- ii. The Board's final decision shall be in writing and include findings of fact and conclusions of law separately stated.

e. Post-Decision Actions and Limitations

- i. **Notice of Decision**

The **Official** shall provide notice of the decision of the **Board of Zoning Appeals** in accordance with Sec. 16-2-102.H.1. Notice to interested parties shall be provided via certified mail.

- ii. **Appeal**

Appeals from the final decision of the **Board of Zoning Appeals** on an **application** for an Appeal are governed by S.C. Code Ann. § 6-29-820.

5. Board of Zoning Appeals Appeal Review Standards

- a. The **Board of Zoning Appeals** may modify or reverse a decision or interpretation only on determining that the **applicant** is an aggrieved **person** under subparagraph 2.b above, and making one of the following determinations, which shall be based on evidence in the record:
 - i. The **Official** made an error in determining whether a requirement of this **Ordinance** was met. The record must indicate that an error in judgment occurred or facts, plans, or regulations were misread in determining whether the particular requirement was or was not met; or
 - ii. The **Official** made the decision based on a requirement not contained in this **Ordinance** or other appropriate **Town ordinances**, regulations, or **State** law; or
 - iii. The **Official** made an error in applying a requirement of this **Ordinance**.
- b. Unless the **Board of Zoning Appeals** makes the determinations in subparagraph a above, it shall affirm the **Official's** decision or interpretation.

6. Effect of Pending Appeal

A pending appeal stays all Town actions in furtherance of the decision being appealed unless the **Official** certifies to the **Board of Zoning Appeals** that because of facts stated in the certificate, a stay would cause imminent peril to life or **land**. In that case, proceedings may not be stayed other than by a restraining order that may be granted by the **Board of Zoning Appeals** or by the **Circuit Court** on **application**, upon notice to the officer from whom the appeal is taken, and on due cause shown.

Sec.16-1-103. Purpose and Intent

The purpose and intent of the LMO is to guide the **development** and **use** of property in accordance with the **Town's** Comprehensive Plan and existing and future needs of the **Town** in order to protect, promote, and improve the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare of the **landowners** and residents of the **Town**. The LMO is enacted and designed to exercise the full range of authority available to the **Town** in accordance with the enabling authority in Title 6 of the Code of Laws of South Carolina, and including all provisions located elsewhere in the Code granting any applicable authority, to:

- A. Promote the public health, safety, and general welfare, while recognizing the rights of real **property owners**, by adopting a comprehensive zoning **ordinance** for the **Town** and providing for administrative procedures and **development** standards.
- B. Prevent the overcrowding of **land** and avoid undue concentration of population by creating zoning districts consistent with the character and desired **development** form of each area of the **Town** and each area's suitability for particular **development** and **uses** by adopting an **Official Zoning Map** consistent with the zoning districts.
- C. Through the zoning districts, regulate the areas and dimensions to be occupied by **buildings** and **structures**.
- D. Provide for the safe, orderly, and convenient movement of vehicular, pedestrian, and bicycle traffic.
- E. Minimize risk to life and property from natural disaster, fire, panic, and other dangers.
- F. Facilitate the adequate provision of transportation, water, sewerage, drainage, schools, parks, and other public facility **improvement** requirements by regulating, as appropriate, the impact of **development** on community infrastructure.
- G. Ensure orderly **development** with concurrent provision of appropriate and necessary public facility infrastructure that is consistent with the capacity of public facility infrastructure systems to serve **development**.
- H. Provide for the imposition of impact fees to finance the expansion, **maintenance**, and **repair** of the **Town's** transportation systems to meet growth-related demand.
- I. Protect designated corridors, natural resource areas, historic areas, scenic areas, and the **Town's** general aesthetic by establishing conservation and corridor overlay zoning districts, as appropriate, and regulations related to ensure **maintenance** of quality aesthetics and environmental standards.
- J. Assist to achieve the goals, objectives, and policies of the Town of Hilton Head Island **Comprehensive Plan**.
- K. Carry out such other purposes in the public interest as may be specifically cited in the LMO and **Comprehensive Plan**.

Sec.16-3-104. Residential Base Zoning Districts

E. Low to Moderate Density Residential (RM-4) District

<h1 style="margin: 0;">RM-4</h1> <h2 style="margin: 0;">Low to Moderate Density Residential District</h2>				
1. Purpose				
<p>The purpose of the Low to Moderate Density Residential (RM-4) District is to protect and preserve the character of these areas and <i>neighborhoods</i> at <i>densities</i> up to four <i>dwelling units</i> per <i>net acre</i>. This district is used to encourage a variety of residential opportunities, including <i>multifamily</i> residential units, <i>single-family</i> residences, and <i>group living</i>. The regulations of the district are intended to discourage <i>development</i> that would substantially interfere with, or be detrimental to, residential character.</p>				
2. Allowable Principal Uses				
USE CLASSIFICATION/TYPE		USE-SPECIFIC CONDITIONS	MINIMUM NUMBER OF OFF-STREET PARKING SPACES	
Residential Uses				
<i>Family Compound</i>	PC	Sec. 16-4-102.B.1.e	2 per du	
<i>Family Subdivision</i>	PC	Sec. 16-4-102.B.1.f	2 per du	
<i>Group Living</i>	P		1 per 3 rooms	
<i>Multifamily</i>	P		1 bedroom	1.4 per du
			2 bedroom	1.7 per du
			3 or more bedrooms	2 per du
<i>Recreational Vehicle</i>	PC	16-4-102.B.1.c	1 per <i>Recreational Vehicle</i>	
<i>Single-Family</i>	P		2 per du + 1 per 1,250 GFA over 4,000 GFA	
<i>Workforce Housing</i>	PC	Sec. 16-4-102.B.1.d	See Sec. 16-5-107.D.2	
Public, Civic, Institutional, and Educational Uses				
<i>Cemeteries</i>	P		1 per 225 GFA of office area + 1 per 500 GFA of <i>maintenance</i> facilities	
<i>Community Service Uses</i>	P		1 per 400 GFA	
<i>Education Uses</i>	P		Colleges and High Schools	10 per classroom
			Elementary and Junior High/Middle Schools	4 per classroom
			Other <i>Education Uses</i>	See Sec. 16-5-107.D.2
<i>Government Uses</i>	PC	Sec. 16-4-102.B.2.d	Fire Stations	4 per bay + 1 per 200 GFA of office area
			Other	1 per 200 GFA of office area
<i>Major Utilities</i>	SE		1 per 1,500 GFA	
<i>Minor Utilities</i>	P		n/a	
<i>Public Parks</i>	P		See Sec. 16-5-107.D.2	

Religious Institutions	P		1 per 3 seats in main assembly area
Telecommunication Antenna, Collocated or Building Mounted	PC	Sec. 16-4-102.B.2.e	n/a
Telecommunication Towers, Monopole	PC	Sec. 16-4-102.B.2.e	1
Resort Accommodations			
Bed and Breakfasts	PC	Sec. 16-4-102.B.4.a	1 per guest room
Commercial Services			
Convenience Stores	PC	Sec. 16-4-102.B.7.d	1 per 200 GFA
Open Air Sales	PC	Sec. 16-4-102.B.7.i	1 per 200 GFA of sales/display area
Other Commercial Services	PC	Sec. 16-4-102.B.7.l	See Sec. 16-5-107.D.2
Other Uses			
Agriculture Uses	P		Stables or Riding Academies
			Other
			1 per 5 stalls
Boat Ramps, Docking Facilities, and Marinas	PC	Sec. 16-4-102.B.10.a	1 per 200 GFA of enclosed floor space not used for storage + 1 per 3 wet slips + 1 per 5 dry storage slips
3. Development Form Standards			
MAX. DENSITY (PERNET ACRE)²		LOT COVERAGE	
Residential ²	4 du (6 du if lot area is at least 3 acres; 8 du if lot area is at least 5 acres)	Max. Impervious Cover for All Development Except Single-Family ¹	35%
Bed and Breakfast	10 rooms		
Nonresidential	6,000 GFA	Min. Open Space for Major Residential Subdivisions	16%
MAX. BUILDING HEIGHT			
All Development	35 ft		
USE AND OTHER DEVELOPMENT STANDARDS			
See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.			
TABLE NOTES:			
P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = dwelling units ; sf = square feet; GFA = gross floor area in square feet; ft = feet; n/a = not applicable			
1. Each adjacent parcel abutting the Town right-of-way acquired under the Town's Dirt Road Paving Program shall be permitted to develop to its full density potential based on the size of the parcel prior to the establishment of the Town right-of-way. See Section 16-5-105.D for additional details.			
2. Density for development that includes the Workforce Housing shall be determined based on Sec. 16-4-105.A.			

(Revised 4-18-2017 - Ordinance 2017-05; revised 9-17-2019 - Ordinance 2019-20; revised 11-18-2020 - Ordinance 2020-27; revised 2-16-2021 - Ordinance 2021-02; revised 7-20-2021 - Ordinance 2021-15; revised 3-7-2023 - Ordinance 2023-04)

Sec.16-4-102. Principal Uses

A. Principal Use Table

1. Structure of Principal Use Table

a. Organization and Classification of Principal Uses

- i. The Principal Use Table organizes allowable **principal uses** with the following hierarchy of classifications:
 - 01.Use** Classifications are relatively broad and general and represent major groups of **use** types that have common functional or physical characteristics, such as the type and amount of activity, type of occupants or users/customers, or operational characteristics.
 - 02.Use** Types are a mix of relatively broad **uses** and specific **uses** within the various **use** classifications. They represent **uses** that this **Ordinance** treats differently in terms of where they are permitted, what **use**-specific conditions apply to them, what parking requirements apply to them, and, to a lesser extent, what **development** standards apply to them. All **principal use** types are defined and many accessory and temporary **use** types are also defined.
- ii. The **Use** Classifications and **Use** Types that make up the Principal Use Table are identified and described in Sec. 16-10-103, Use Classifications, Use Types, and Definitions.

2. Designation of Principal Uses as Permitted Use, Permitted Use Subject to Conditions, Special Exception Use, or Prohibited Use

The Principal Use Table uses the following abbreviations to designate whether and how a **principal use** is allowed in a particular zoning district:

- a.A "P" indicates that the **use** is allowable as a **principal use by right** in the corresponding **base zoning district**, subject to all other applicable regulations of this **Ordinance**.
- b.A "PC" indicates that the **use** is allowable as a **principal use** in the corresponding **base zoning district**, subject to referenced **use**-specific conditions and all other applicable regulations of this **Ordinance**.
- c.An "SE" indicates that the **use** is allowable as a **principal use** in the corresponding **base zoning district** only if reviewed and approved as a special exception **use**, in accordance with Sec. 16-2-103.E, Special Exception, and subject to any referenced **use**-specific conditions and all other applicable regulations of this **Ordinance**.
- d.A blank cell indicates that the **use** is prohibited as a **principal use** in the corresponding **base zoning district**.
- e.With its limited **land** area, sensitive **lands**, and resort character, the Town of Hilton Head Island is primarily suited for residential, recreational, and some commercial **uses**. Although it is essential to the community to allow certain **uses** with a light industrial character, few industrial or heavy commercial **uses** are appropriate in the Town. Thus, only industrial and heavy commercial **uses** expressly set forth in the Principal Use Table and accompanying definitions shall be permitted in the Town. All other industrial and heavy commercial **uses** are otherwise expressly prohibited.

3. Reference to Use-Specific Conditions

As noted above, a **use** allowable as a **principal use** in a zoning district may be subject to additional conditions that are specific to the **use**. The applicability of such **use**-specific conditions is noted through a section reference in the last column of the Principal Use Table titled "Use-Specific Conditions." References refer to standards in Use-Specific Conditions for Principal Uses.

4. Development with Multiple Principal Uses

When all **principal uses** of a **development** fall within one **Use** Type, the entire **development** is assigned to that **Use** Type. A **development** that contains a coffee shop, bookstore, and bakery, for example, would be classified as **Other Commercial Services** because all of the **development's principal uses** are in that **Use** Type. When the **principal uses** of a **development** fall within different **Use** Types, each **principal use** is classified in the applicable **Use** Type and is subject to all applicable regulations for that **Use** Type. **Development** with multiple **principal uses**, such as **shopping centers**, shall incorporate only those **uses** allowed in the underlying district.

5. Interpretation of Unlisted Uses

a. Procedure for Interpreting Unlisted Uses as Permitted

The **Official** may interpret a **use** not expressly listed in the Principal Use Table as allowed in a zoning district, in accordance with the procedure in Sec. 16-2-103.R, Written Interpretation, and based on the standards in subparagraph b below.

b. Standards for Interpreting Unlisted Uses as Permitted

The **Official** shall interpret an unlisted **use** as permitted in a particular zoning district only after determining that the nature, function, and duration of the **use** and the impact of allowing it in the zoning district are so similar to those of a **Use** Type allowable in the zoning district that the unlisted **use** should be deemed allowable in the same manner as the similar **Use** Type. In making such determination, the **Official** shall consider the purpose and intent statements in this **Ordinance** concerning the zoning district, the character of **uses** allowable in the district, and all relevant characteristics of the unlisted **use**, including but not limited to the following:

- i. The actual or projected characteristics of the unlisted **use** in relationship to the stated characteristics of each listed **Use** Type;
- ii. The relative amount of site area or floor space and equipment devoted to the unlisted **use**;
- iii. The relative amounts of sales from each unlisted **use**;
- iv. The customer type for each unlisted **use**;
- v. The relative number of employees in each unlisted **use**;
- vi. The hours of operation;
- vii. The **building** and site arrangement;
- viii. The vehicles used with the unlisted **use**;
- ix. The relative number of vehicle trips generated by the unlisted **use**; and
- x. Whether the unlisted **use** is likely to be found independent of the other listed **uses** on the site.

c. Unlisted Use Not Permitted

If, after applying the criteria in subparagraph b above, the **Official** determines that a proposed unlisted **use** is not similar to a listed **Use** Type, the proposed **use** shall be prohibited.

d. Effect of Approval of Unlisted Use

- i. After interpreting an unlisted **use** as permitted in a zoning district, the **Official** shall determine whether the unlisted **use** is likely to be common or will recur frequently, or whether its omission from the Principal Use Table is likely to lead to uncertainty and confusion. On determining that the unlisted **use** is likely to be common or would lead to confusion if unlisted, the **Official** shall ask the **Planning Commission** to initiate a text amendment to list the **use** in the Principal Use Table. Until final action is taken on the text amendment **application**, or the **Planning Commission** decides not to initiate the requested text amendment, the **Official's** interpretation shall be binding.
- ii. If after interpreting an unlisted **use** as permitted in a particular zoning district, the **Official** determines that the unlisted **use** is of an unusual or transitory nature, and unlikely to recur frequently, the interpretation shall be binding in accordance with Sec. 16-2-103.R.6, Effect of Interpretation, without further action or amendment of this **Ordinance**.
- iii. The **Official's** interpretation may be appealed in accordance with Sec. 16-2-103.T, Appeal of Administrative Decisions and Written Interpretations to Board of Zoning Appeals.

6. Principal Use Table

TABLE 16-4-102.A.6: PRINCIPAL USE TABLE																	
P = Permitted by Right PC = Permitted Subject to Use-Specific Conditions																	
SE = Allowed as a Special Exception Blank Cell = Prohibited																	
USE CLASSIFICATION/ USE TYPE	SPECIAL DISTRICTS		RESIDENTIAL DISTRICTS						MIXED-USE AND BUSINESS DISTRICTS								
	CON	PR	RSF-3	RSF-5	RSF-6	RM-4	RM-8	RM-12	CR	SPC	CC	MS	WMU	S	MF	MV	NC
RESIDENTIAL USES																	
<i>Family Compound</i>						PC	PC	PC				PC	PC	PC	PC	PC	PC
<i>Family Subdivision</i>						PC	PC	PC				PC	PC	PC	PC	PC	PC
<i>Group Living</i>						P	P	P				P					
<i>Mixed-Use</i>									PC	PC	PC	PC	PC	PC	PC	PC	PC
<i>Multifamily</i>						P	P	P	PC	P	PC	P	P	P	P	P	P
<i>Recreational Vehicle</i>						PC	PC	PC					PC	PC	PC	PC	PC

Recreation Vehicle (RV) Parks																	
Single-Family			P	P	P	P	P	P					P	P	P	P	P
Workforce Housing						PC				PC	PC	PC	PC	PC		PC	
Islander Mixed-Use										PC							
PUBLIC, CIVIC, INSTITUTIONAL, AND EDUCATIONAL USES																	
Aviation and Surface Transportation Uses																	
Aviation Services Uses																	
Cemeteries		P				P							P			P	P
Community Service Uses		P				P	P	P	P	P	P	P	P	P	P	P	P
Education Uses						P			P	P	P	P					
Government Uses		PC	PC	PC	PC	PC	PC	PC	P	P	P	P		P	P		P
Major Utilities		SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE
Minor Utilities		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Public Parks		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Religious Institutions		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Telecommunication Antenna, Collocated or Building Mounted		PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Telecommunication Towers, Monopole		PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
HEALTH SERVICES																	
Hospitals																	
Nursing Homes																	
Other Health Services										P	P	P					P
RESORT ACCOMMODATIONS																	
Bed and Breakfasts						PC				PC			PC	PC	PC	PC	PC
Hotels									PC				P	P	PC		P

Interval Occupancy										P				P			P		
COMMERCIAL RECREATION USES																			
Indoor Commercial Recreation Uses										P	P	P	P	P	PC	P	P		
Outdoor Commercial Recreation Uses Other than Water Parks										SE				SE			SE		
Water Parks										P				P			P		
OFFICE USES																			
Contractor's Office										PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Other Office Uses										P	P	P	P	P	P	P	P	P	P

TABLE 16-4-102.A.6: PRINCIPAL USE TABLE																			
P = Permitted by Right PC = Permitted Subject to Use-Specific Conditions																			
SE = Allowed as a Special Exception Blank Cell = Prohibited																			
USE CLASSIFICATION/ USE TYPE	SPECIAL DISTRICTS		RESIDENTIAL DISTRICTS						MIXED-USE AND BUSINESS DISTRICTS										
	CON	PR	RSF-3	RSF-5	RSF-6	RM-4	RM-8	RM-12	CR	SPC	CC	MS	WMU	S	MF	MV	NC	IC	LC
COMMERCIAL SERVICES																			
Adult entertainment uses										SE									
Animal Services										PC	PC			PC					PC
Bicycle Shops									PC	PC	PC	PC	PC	PC	PC	PC			PC
Convenience Stores						PC			PC	PC	PC		PC	PC	PC	PC	PC	PC	PC
Eating Establishments									PC	P	P	PC	PC	PC	PC	PC	PC	PC	P
Grocery Stores									P	P	P	P		P					P
Landscape Businesses														PC					PC

<i>Liquor Stores</i>										SE	SE	SE	SE	SE	SE	SE	SE	SE	SE
<i>Nightclubs or Bars</i>										PC	PC	PC		PC	PC	PC	PC		PC
<i>Open Air Sales</i>		PC					PC			PC	PC		PC	PC	PC	PC	PC	PC	PC
<i>Shopping Centers</i>										PC	PC	PC	PC		PC	PC			PC
<i>Tattoo Facilities</i>																			PC
<i>Other Commercial Services Uses</i>							PC	PC		P	P	P	P	P	P	P	P	P	P
VEHICLE SALES AND SERVICES																			
<i>Auto Rentals</i>										PC	PC	P		PC		P	PC		P
<i>Auto Repairs</i>												PC							PC
<i>Auto Sales</i>												P							P
<i>Car Washes</i>											P	P			PC	P			P
<i>Commercial Parking Lot</i>										PC	PC	PC		PC					PC
<i>Gas Sales</i>										PC	PC	PC			PC	PC			PC
<i>Taxicab Services</i>												P			P				P
<i>Towing Services or Truck or Trailer Rentals</i>																			

TABLE 16-4-102.A.6: PRINCIPAL USE TABLE																			
P = Permitted by Right PC = Permitted Subject to Use-Specific Conditions																			
SE = Allowed as a Special Exception Blank Cell = Prohibited																			
USE CLASSIFICATION/	SPECIAL DISTRICTS		RESIDENTIAL DISTRICTS						MIXED-USE AND BUSINESS DISTRICTS										
USE TYPE	CON	PR	RSF-3	RSF-5	RSF-6	RM-4	RM-8	RM-12	CR	SPC	CC	MS	WMU	S	MF	MV	NC	IC	IC

Watercraft Sales, Rentals, or Services														PC	P		PC		PC
INDUSTRIAL USES																			
Grinding																			
Light Industrial, Manufacturing, and Warehouse Uses																			PC
Seafood Processing Facilities														PC	PC		PC		
Self-Service Storage										PC									PC
Waste-Related Services Other than Waste Treatment Plants																			
Waste Treatment Plants																			SE
Wholesale Sales																			P
OTHER USES																			
Agriculture Uses		P	P	P	P	P	P	P	P					P	P	P	P	P	P
Boat Ramps, Docking Facilities, and Marinas	PC	P	PC	PC		PC	PC						P			P			

(Revised 5-17-2016 - Ordinance 2016-07; revised 4-18-2017 - Ordinance 2017-05; revised 9-17-2019 - Ordinance 2019-20; revised 8-18-2020 - Ordinance 2020-19; revised 11-4-2020 - Ordinance 2020-26; revised 2-16-2021 - Ordinance 2021-02; revised 7-20-2021 - Ordinance 2021-15; revised 10-3-2023 - Ordinance 2023-12)

B. Use-Specific Conditions for Principal Uses

1. Residential Uses

a. Mixed-Use

- i. **Mixed-use development** shall designate separate parking spaces for **use** by the residential units. The parking spaces designated for residential **use** shall not be included as part of a **shared parking** plan.

- ii. In the CR District, there shall be no **dwelling units** located on the first floor of any **mixed-use development** unless there are **commercial services uses** located between the street and the proposed **dwelling units**.
- iii. The density for the redevelopment/conversion of an existing nonresidential structure to mixed-use shall be based on the existing gross floor area and minimum unit sizes as described in Sec. 16-10-102.B.1.
- iv. Mixed-use development that includes workforce housing shall comply with the Workforce Housing Program as outlined in Sec. 16-4-105.

(Revised 5-17-2016 - Ordinance 2016-07; revised 11-4-2020 - Ordinance 2020-26)

b. Multifamily

- i. In the CR District, there shall be no **dwelling units** located on the first floor of any **multifamily development** unless there are **commercial services** uses located between the street and the proposed **dwelling units**.
- ii. Multifamily use in the CC and MED Districts shall only be permitted as part of a commercial conversion that includes WFH per Sec. 16-10-102.B.1.
- iii. Multifamily development that includes workforce housing shall comply with the Workforce Housing Program as outlined in Sec. 16-4-105.

(Revised 5-17-2016 - Ordinance 2016-07; revised 11-4-2020 - Ordinance 2020-26)

c. Recreational Vehicles

Use of a recreational vehicle for residential purposes, except within a Recreational Vehicle Park, is only permitted with the following conditions:

- i. The lot on which the recreational vehicle will be located and occupied must have an active residential building permit for either a new single family residence that is replacing an existing single family residence or the renovation of at least 50% of an existing single family residence on the lot; and
- ii. If the existing residence is being renovated, it cannot be safely occupied; and
- iii. The recreational vehicle may be occupied for up to 180 consecutive days or for the life of the building permit, whichever comes first. The Administrator may approve up to two extensions of up to 90 consecutive days each if the new or renovated residence is not yet habitable; and
- iv. The recreational vehicle must be occupied by the owner of the lot on which the recreational vehicle is located; and
- v. Only one recreational vehicle may be located and occupied on the lot at a time; and
- vi. The owner of the lot on which the recreational vehicle will be located must demonstrate how electricity, water and sewer service for the recreational vehicle will be provided; and
- vii. The recreational vehicle must not be located within any required setbacks or buffers; and
- viii. The request to use a recreational vehicle on a lot must be submitted by a 501(c)(3) organization.

(Revised 5-17-2016 - Ordinance 2016-07; revised 9-17-2019 - Ordinance 2019-20; revised 1-7-2020 - Ordinance 2020-02)

d. Workforce Housing

- i. Any development that includes workforce housing shall comply with the Workforce Housing Program as outlined in Sec. 16-4-105.
- ii. Workforce housing may be permitted in the PD-1 District through a Zoning Map Amendment in accordance with Sec. 16-2-103.C.
- iii. In the MS District, properties developed for WFH shall not be permitted on properties currently utilized as a school or fire station.
- iv. In the S District, properties developed for WFH shall not have vehicular access to U.S. Route 278 (William Hilton Parkway).
- v. In the WMU District, properties developed for WFH shall not have vehicular access to Marshland Road.
- vi. In the LC District, properties developed for WFH shall not have vehicular access to U.S. Route 278 (William Hilton Parkway) between Wexford Drive and Singleton Beach Road.
- vii. In the RM-4 District, properties developed for Group Living use are not be eligible to participate in the WFH Program.
- viii. In the RM-4 District, existing mobile home parks, located on property that is a minimum of 3 acres, shall be eligible to participate in the WFH Program.
- ix. Except for paragraph viii above, workforce housing use in the RM-4 District shall comply with the following conditions:
 - a. The property shall be a single parcel that is a minimum of 3 acres.
 - b. The property shall not have frontage on Jarvis Creek, Broad Creek, or Old House Creek.
 - c. The site of the WFH use shall not be located within 750 linear feet of the Hilton Head Island Airport property. This distance shall be measured as the length of an imaginary straight line between the two closest points of the perimeter boundary of the property on which any WFH use is located, and the perimeter boundary of the Hilton Head Island Airport.
 - d. The site of the WFH use shall be located within 3,500 linear feet of a minor arterial in accordance with Sec. 16-5-105.B, Street Hierarchy. This distance shall be measured from the centerline of the closest vehicular access on the property where the WFH is located, and shall be measured along the centerline of the travel lane of the street providing the shortest route to the minor arterial.
 - e. Lots within an existing legally platted and developed single family subdivision, including open space are not eligible to participate in the WFH Program.
 - f. Properties developed with a non-single family residential use that is permanent in nature are not eligible to participate in the WFH Program.

(Revised 11-4-2020 - Ordinance 2020-26; revised 2-16-2021 - Ordinance 2021-02)

e. Family Compound

- i. Applications for Family Compound Review are only permitted on property that meets these qualifications:
 - a. located on a property within a historic neighborhood as shown in Appendix B-5. Historic Neighborhoods Map; and
 - b. where a single member of the family, multiple members of the family, or an unbroken succession of family members have owned the property since 1956 or earlier; or
 - c. where the property has been sold to a family who has owned property on Hilton Head Island since 1956 or earlier.
- ii. The owner of record of the property shall request the family compound.
- iii. For the purposes of this section family shall be defined as spouse, parent(s), biological or legally adopted child(ren), group of persons related by blood, and descended from common ancestor (as in extended family).
(Revised 7-20-2021 - Ordinance 2021-15)

f. Family Subdivision

- i. Applications for Family Subdivision Review are only permitted on property that meets these qualifications:
 - a. located on a property within a historic neighborhood as shown in Appendix B-5. Historic Neighborhoods Map; and
 - b. where a single member of the family, multiple members of the family, or an unbroken succession of family members have owned the property since 1956 or earlier; or
 - c. where the property has been sold to a family who has owned property on Hilton Head Island since 1956 or earlier.

g. Islander Mixed-Use

- i. **Islander Mixed-Use development** shall designate separate parking spaces for **use** by the residential units. The parking spaces designated for residential **use** are eligible to be included as part of a **shared parking** plan meeting the requirements in Section 16-5-107.H.3.
- ii. **Islander Mixed-Use development** may utilize **shared parking** on **Education Use** property if the development provides student housing, and for so long as the property is used for **Education Use**. The **shared parking** on **Education Use** property is limited to 75 parking spaces.
- iii. **Islander Mixed-Use development** must be on property which is within 500 feet (measured at nearest property line to property line) of **Education Uses**.
- iv. **Islander Mixed-Use** shall not be a **Short-Term Rental Property** as defined in the Municipal Code Section 10-2-20(6).
- v. 20% of **Islander Mixed-Use** units shall be workforce housing units, excluding any units for student housing for USCB; for households earning between 60% to 120% of the Area

Median Income (AMI) per the Town's Workforce Housing Agreement requirements. Rental workforce housing units, excluding student housing units for USCB, shall remain subject to the workforce housing unit requirements in the Town's Workforce Housing Agreement for a minimum of 15 years from the date of the initial certificate of occupancy for the completion of construction of the last workforce housing units as evidenced by restrictive covenants or other compliant documents recorded in the Office of Beaufort County Register of Deeds.

- vi. A minimum average unit size of 750 square feet per dwelling unit is required. Minimum average unit size is calculated by taking the building's total gross floor area without commercial use less the non-habitable areas (hallways, lobbies, mechanical rooms, etc.) divided by the total number of dwelling units.
- vii. **Islander Mixed-Use** shall not exceed a floor area ratio of 0.68.
- viii. **Islander Mixed-Use** shall not exceed a Site Coverage Index (SCI) of 50%. The Site Coverage Index is defined as the percentage of lot coverage by the building's footprint square footage.
- ix. **Islander Mixed-Use** shall have a 10% requirement of functional open space or common amenity space that is accessible to the residents. This designated area must offer outdoor active or passive recreational and gathering spaces for the use of residents.
- x. **Islander Mixed-Use** requires an adjacent street setback that shall meet or exceed an average of 35 feet or the minimum setback distance required per Table 16-5-102.C. whichever is greater.
- xi. **Islander Mixed-Use** shall require a 4 bedroom per dwelling unit maximum.

(Revised 7-20-2021 - Ordinance 2021-15; revised 10-3-2023 - Ordinance 2023-12)

2. Public, Civic, Institutional, and Education Uses

a. Aviation and Surface Transportation Uses

The length of the runway at an aviation/surface passenger terminal shall be no longer than 5,000 linear feet.

b. Aviation Services

Aviation services are allowed if the site is located within 2,460 linear feet of the airport runway.

c. Community Services

In the IL District, **community services** are allowed only if at least $\frac{2}{3}$ of the total floor area is devoted to warehouse space.

d. Government Uses

Government facilities in the Residential (RSF- and RM-) districts and the PR district shall be those related to the provision of public safety, such as fire stations, police stations, and emergency medical and ambulance stations.

e. Telecommunications Facilities

i. Applicability

All new **telecommunications facilities**, whether a principal or accessory **use**, shall comply with these conditions unless specifically exempted in Sec. 16-4-102.B.2.e.ii below.

ii. **Exemptions**

The following telecommunication facilities shall be exempt from the conditions in this section (but shall be required to comply with other relevant standards in this **Ordinance**):

01. **Satellite dish** antennas less than 39 inches in diameter.
02. Wireless communications equipment and antennas located entirely within an enclosed nonresidential, **mixed-use**, or **multifamily building**.
03. Receive-only **television or radio antennas** for noncommercial **use**.
04. Antennas legally operated by FCC-licensed amateur radio operators, provided the antenna meets all FAA regulations and is less than 150 feet high.
05. Modifications of an existing telecommunications tower—including the collocation, removal, or replacement of transmission equipment on the tower—or its base station (i.e., a **building** at the base of the tower that houses equipment associated with the **telecommunications facility**) that do not substantially change the physical dimensions of the tower or base station.

iii. **Conditions Applicable to All Telecommunications Facilities**

All **telecommunications facilities**, including collocated facilities and **monopole telecommunication towers**, shall comply with the following conditions:

01. No telecommunications tower, antenna, or supporting equipment shall disturb or diminish radio, television, telecommunication, or similar reception.
02. No signage shall be allowed on any tower, antennae, **accessory structure**, or equipment except that provided for in Sec. 16-5-114, Sign Standards.

iv. **Additional Conditions for Collocated Telecommunications Facilities**

Telecommunication antennas may be collocated on existing telecommunications towers, water tanks, electrical transmission towers, or similar utility **structures**, or mounted on non-**single-family** or **mixed-use principal buildings** subject to the following conditions:

01. Any ground-based equipment shall be placed within an existing equipment **building** or screened in accordance with Sec. 16-4-102.B.2.e.vi.05.
02. Any antenna mounted on a **building facade** visible from a public **right-of-way** or residentially-zoned **land** shall be painted or otherwise camouflaged to minimize its appearance.

v. **Timely Action on Telecommunications Facility Applications**

The **Town** shall process all **applications** for a **telecommunications facility** in a timely manner in accordance with the review procedures in Chapter 16-2: Administration, and shall make a decision on such **applications** within a reasonable period of time after the **application** is submitted (see Sec. 16-2-102.C, Application Submittal), taking into account the nature and scope of the **application**. Specifically, the **Town** shall decide all **applications** for collocation of a **telecommunications facility** on an existing telecommunications tower or other existing **structure** within 90 days after acceptance of an **application**, and shall decide **applications** for telecommunications towers within 90 days after acceptance of a complete **application**.

vi. **Additional Conditions for Monopole Telecommunication Towers**

Monopole telecommunication towers, whether as a principal or accessory *use*, shall be reviewed by the **Design Review Board**, and shall comply with the following conditions:

01.Height

The maximum overall *height* of the tower and all associated equipment shall be 180 feet above grade.

02.Collocation

- (A) New towers shall be designed to accommodate the present and future needs of the owner and at least two comparable users.

03.Lighting

All towers with a *height* of 150 feet or more shall be lighted. Lighting shall be in accordance with FAA Advisory Circular AC 70/7460-1K (and all future updates) and FAA Advisory Circular AC 150/5345-43E (and all future updates) and shall be red strobe lights (L-864) at night and medium-intensity flashing white lights (L-865) during daylight and twilight *use* unless otherwise required by the FAA. No general illumination shall be permitted. All commercial communication towers approved by the **Town** and by the South Carolina State Historic Preservation Office prior to February 3, 2009 and operating in conformance with those approvals shall be deemed to be a lawful **nonconforming use** and **structure** and are not subject to these lighting requirements. Status as a lawful **nonconforming use** or **structure** under this provision shall terminate upon the expiration or revocation of a commercial communication tower's permit or upon any modification to the *height* of the tower.

04.Setbacks

- (A) The tower shall be set back from all major arterials, the OCRM critical line, and the OCRM base line by a minimum distance of 70 feet.
- (B) The tower shall be set back from all minor arterials by a minimum distance of 50 feet.
- (C) The tower shall be set back from all other **streets** by a minimum distance equal to the **fall zone** of the tower plus twenty feet.
- (D) The minimum setback from a **street** required by (A) through (C) above may be reduced where it is demonstrated that the tower would be screened from the view of motorists on the **adjacentstreet** if located at the reduced setback—provided that the setback shall not be reduced to a distance within the **fall zone** of the tower.
- (E) The minimum setback from a **street** required by (A) through (C) above may be reduced by up to 35 percent in all Residential (RSF- and RM-) districts, and the CR, SPC, CC, MS, WMU, S, and LC Districts, on demonstration to the **Official** that:
 - (1) The reduction is consistent with the character of **development** on surrounding **land**;
 - (2) **Development** resulting from the reduction is consistent with the purpose and intent of the tower setback standards;

- (3) The reduction either (a) is required to compensate for some unusual aspect of the site or the proposed **development**, or (b) results in improved site conditions;
- (4) The reduction will pose a danger to the public health or safety;
- (5) Any adverse impacts directly attributable to the reduction are mitigated;
- (6) The reduction, when combined with all previous reductions allowed under this provision, does not result in a cumulative reduction greater than 30 percent in the S District, 20 percent in the RD and IL Districts, or 15 percent in all other districts;
- (7) The setback exceeds the **fall zone** of the tower; and
- (F) The tower shall be set back from all **adjacentuses** by a minimum distance of 50 feet.
- (G) The tower shall be set back from any **structures** located on the subject property outside the tower and associated equipment area by a minimum distance of 50 feet, unless the **landowner** waives this requirement in writing.

05. Screening

The tower and its associated equipment areas shall be surrounded by a fence or wall with a minimum **height** of seven feet and a 15-foot-wide vegetated area outside the fence or wall. Equipment and equipment **buildings** shall not be required to be set back from fencing surrounding the compound. The **Design Review Board** may waive this requirement upon finding existing vegetation or other screening techniques will provide more effective screening.

vii. Discontinued Use

If a **telecommunications facility** is not used for a period of six consecutive months, the **Official** shall provide the facility owner notice indicating that the facility must be removed within six months from the date of notice. An interruption of operations due to **repair** work on the facility shall not be deemed a cessation of the **telecommunications facility use**.

3. Health Services

[reserved]

4. Resort Accommodations

a. Bed and Breakfasts

- i. A **bed and breakfast** shall contain no more than ten guest rooms.
- ii. In the CR District, there shall be no guest rooms located on the first floor of any **bed and breakfast** unless there are **commercial services uses** located between the street and the proposed **bed and breakfast** rooms.

(Revised 5-17-2016 - Ordinance 2016-07)

b. Hotels

- i. **Hotels** located in the CR District shall have guest rooms with **gross floor area** no smaller than 100 square feet. Such rooms shall not be located on the first floor of any **hotel** unless there are **commercial services uses** located between the street and the proposed **hotel** rooms.
(Revised 5-17-2016 - Ordinance 2016-07)
- ii. **Hotels** in the LC, MS and S Districts shall not have direct vehicular **access** to a major arterial.

5. Commercial Recreation Uses

a. Indoor Commercial Recreation Uses

The site of an **indoor commercial recreation use** in the S District shall not have direct vehicular **access** to a major arterial.

b. Outdoor Commercial Recreation Uses other than Water Parks

The site of an **outdoor commercial recreation use** shall have direct vehicular **access** to a minor arterial in accordance with Sec. 16-5-105.B, Street Hierarchy.

6. Office Uses

a. Contractor's Office

- i. In the CR, SPC, MS, WMU, MF, MV, and RD Districts, a **contractor's office** shall not have any **outdoor storage**.
- ii. In the CC, NC, S, and LC Districts, **outdoor storage** shall be fully screened.
- iii. In the LC District, a **contractor's office** with **outdoor storage** shall not have direct vehicular **access** to a major arterial.

7. Commercial Services

a. Adult Entertainment Uses

i. **Types of Adult Entertainment Uses**

An **adult entertainment use** is classified as follows (see definitions in Section 10-7-20 of the **Municipal Code**):

- 01.**Adult arcades.
- 02.**Adult bookstores or adult video stores.
- 03.**Adult cabarets.
- 04.**Adult motion picture theaters.
- 05.**Nude dancing establishments.
- 06.**Nude model studios
- 07.**Sexual encounter centers.

08. Other similar *uses* or businesses.

ii. **Locational Restrictions**

An *adult entertainment use* shall comply with the following locational restrictions:

01. It shall not be operated within 750 feet of:

- (A) A *religious institution*;
- (B) Publicly owned *land*;
- (C) The boundaries of a residential (RSF-, RM-) zoning district;
- (D) A daycare or youth activity center, public or private elementary or secondary school; or
- (E) Another *adult entertainment use*.

02. This distance shall be measured as the length of an imaginary straight line between the two closest points of the perimeter boundary of the property on which any *adult entertainment use* is located, and the perimeter boundary of the property on which any *use* from which the separation is required (see provision 01 above).

03. An *adult entertainment use* shall not be approved or established if any part of the property on which the adult entertainment *use* is located has any *frontage* on a major arterial as defined in Sec. 16-5-105.B, Street Hierarchy.

iii. **Additional Exhibition-Related Requirements**

A *person* who operates, or causes to be operated, an *adult entertainment use* that exhibits on the *premises*, in a viewing room of less than 150 square feet of floor space, a film, video cassette, or other video reproduction that depicts specified sexual activities or specified anatomical areas, shall comply fully with the applicable portions of Section 10-7-30 of the *Municipal Code*, but shall additionally comply with the following requirements:

01. Upon application for an adult entertainment permit or license, the *application* shall be accompanied by a diagram of the *premises* showing a plan specifying:

- (A) The location of one or more manager's stations that does not exceed 32 square feet in area and that is designed so there is an unobstructed view from a manager's station of every area of the *premises* to which any patron is permitted *access* for any purpose excluding restrooms.
- (B) The location of all overhead lighting fixtures.
- (C) Areas on the *premises* designating where patrons will be permitted.
- (D) Areas within the *premises* where the permit will be conspicuously posted, if granted.
- (E) The location within the *premises* that will be equipped with overhead lighting fixtures with illumination of not less than one foot-candle as measured at the floor level.

02. Assurances shall be provided by the owner(s) and operator(s) of the *premises* that:

- (A) At least one employee will be on duty and situated in each manager's station at all times that any patron is present inside the *premises*.

- (B) They and any agents and employees present will ensure that the viewing area remains unobstructed by any doors, walls, merchandise, display racks or other materials at all times, and that no patron is permitted **access** to any area of the **premises** that is designated as an area where patrons are not permitted.
- (C) No patron viewing room will be occupied by more than one **person** at any time.
- (D) The illumination of the lighting in the plan is maintained at all times that any patron is present in the **premises**.

03. A professionally prepared diagram in the nature of an engineer's or architect's blueprint is not required. However, each diagram shall be oriented to the north or to some designated **street** or object and shall be drawn to a designated scale or with marked dimensions sufficient to show the various internal dimensions of all areas of the interior of the **premises** to an accuracy of plus or minus six inches.

04. The **Official** may waive the foregoing diagram for renewal **applications** if the **applicant** adopts a diagram that was previously submitted and certifies that the configuration of the **premises** has not been altered since it was prepared and approved in accordance with this **Ordinance** and the **Municipal Code**.

05. No alteration in the configuration or location of a manager's station shall be made without the prior approval of the **Official**.

06. Restrooms may not contain video reproduction equipment. If the **premises** has two or more manager's stations designated, then the interior of the **premises** shall be configured in such a manner that there is an unobstructed view of each area of the **premises** to which any patron is permitted **access** for any purpose from at least one of the manager's stations.

07. A **person** having a duty under this subparagraph commits a misdemeanor if that **person** knowingly fails to fulfill that duty.

iv. **Exemptions**

01. Any **adult entertainment use** lawfully operating as a conforming **use** is not rendered a **nonconforming use** by the subsequent location of a **religious institution**, public **land**, residential district, daycare or youth activity center, or public or private elementary or secondary school within 750 feet. This provision applies only to the renewal of a valid permit or license, and does not apply when an **application** for a permit or license is submitted after a permit or license has expired or has been revoked, or to an **application** for a new **adult entertainment use**.

02. Exempted from the provision of this section, and prosecution in accordance with the provisions of this **Ordinance** are **persons** in a state of nudity or semi-nudity appearing in a modeling class operated:

- (A) By a proprietary school licensed by the State of South Carolina or a college, junior college or university supported entirely or partly by taxation;
- (B) By a private college or university that maintains and operates educational programs where credits are transferable to a college, junior college, or

university supported entirely or partly by taxation, or any other school defined and regulated by Title 59 of S.C. Code Ann.; and

- (C) In a **structure** that has no sign visible from the exterior of the **structure** and no other advertising that indicates a nude **person** is available for viewing; and where, in order to participate in a class, a student must enroll at least three days in advance of the class; and where no more than one nude model is on the **premises** at one time.

b. Animal Services

A boarding facility, grooming facility, pet store, or veterinary hospital shall comply with the following conditions:

- i. Those parts of **structures** in which animals are received (e.g., receiving area), boarded (e.g., cages, pens, kennels), groomed, treated (e.g., treatment rooms, recovery rooms), or bred (e.g., mating, birthing, and nursing areas) shall be fully enclosed and sufficiently insulated so no unreasonable noise or odor can be detected off the **premises**.
- ii. Runs or areas for the training or periodic exercise of animals may be located outside provided:
 - 01.They are not used for regular boarding of animals;
 - 02.They are not used between the hours of 10:00 p.m. and 8:00 a.m.; and
 - 03.A Type D buffer (see Section Sec. 16-5-103.F, Buffer Types) is provided between the animal services **use** and a **lot** line.

c. Bicycle Shops

A **bicycle shop** shall comply with the following conditions.

- i. Outdoor storage for **bicycle shops** includes the storage of bicycles and all bicycle accessories.
- ii. Bicycle processing, which includes the loading, unloading and washing of bicycles, is not considered **outdoor storage**. The location for the bicycle processing shall be identified on a site plan and approved by staff.
- iii. Vegetation, fences, or walls shall be installed to screen **outdoor storage** areas.
- iv. Each **outdoor storage** area shall be incorporated into the overall design of the principal **structure** on the site.
- v. In the S District, a **bicycle shop** shall not have direct vehicular **access** to a major arterial.
(Revised 12-5-2017 - Ordinance 2017-19; revised 3-7-2023 - Ordinance 2023-04)

d. Convenience Stores

A **convenience store** shall comply with the following conditions:

- i. The site shall have direct vehicular **access** to a minor arterial in accordance with Sec. 16-5-105.B, Street Hierarchy. There shall not be direct vehicular **access** onto a major arterial.
- ii. **Convenience stores** located in the RM-4 District shall not have a maximum **gross floor area** of more than 1,200 square feet.

- iii. **Convenience stores** located in the MF District shall not have a maximum **gross floor area** of more than 3,000 square feet.

e. Eating Establishments

In the CR, MS, WMU, S, MF, MV, IL, NC, and RD Districts, an **eating establishment** shall not have **drive-through** service.

f. Landscape Businesses

Landscape businesses that involve frequent deliveries by large trucks or substantial **outdoor storage** areas for equipment or nonliving landscaping materials shall not have **frontage** on a major arterial.

g. Liquor Stores

A **liquor store** shall comply with the following locational restrictions:

- i. It shall not be located within 500 feet of an existing **liquor store**; and
- ii. It shall not be located within 200 feet of:
 - 01.A religious institution**; or
 - 02.**The boundary of a residential (RSF- or RM-) district; or
 - 03.**A public or private elementary or secondary school.
- iii. These distances shall be measured as the length of an imaginary straight line between the two closest points of the perimeter boundary of the property on which any **liquor store** is located, and the perimeter boundary of the property on which any **use** from which the separation is required (see provision i above).

h. Nightclubs or Bars

A **nightclub** or **bar** shall comply with the following locational restrictions:

- i. It shall not be located within 200 feet of:
 - 01.A religious institution**;
 - 02.**A public or private elementary or secondary school; or
 - 03.**The boundary of a residential (RSF- or RM-) district.
- ii. These distances shall be measured as the length of an imaginary straight line between the two closest points of the perimeter boundary of the property on which any nightclub or bar **use** is located, and the perimeter boundary of the property on which any **use** from which the separation is required (see provision i above).
- iii. In the S District, a **nightclub** or **bar** shall not have direct vehicular **access** to a major arterial.

i. Open Air Sales

Open air sales shall comply with the following conditions.

- i. Temporary **open air sales** shall comply with all of the requirements of Sec. 16-4-104, Temporary Uses and Structures.

- ii. **Open air sales** that are not considered temporary **uses** in accordance with Sec. 16-4-104, Temporary Uses and Structures, shall occur only out of a **structure** that is allowed by this **Ordinance**.

j. Shopping Centers

A **shopping center** shall comply with the following conditions:

- i. The site shall have direct vehicular **access** to a major or minor arterial, in accordance with Sec. 16-5-105.B, Street Hierarchy.
- ii. **Shopping centers** located in the MF District shall not have a maximum **gross floor area** of more than 100,000 square feet.

k. Tattoo Facilities

A **tattoo facility** shall comply with the following locational restrictions:

- i. The site shall not be located within 500 feet of an existing **tattoo facility**; and
- ii. The site shall not be located within 1,000 feet of:
 - 01.A religious institution**; or
 - 02.A daycare or youth activity center or public or private elementary or secondary school**; or
 - 03.A playground**; or
 - 04.A place that is provided by the public for recreation**; or
 - 05.Publicly owned land**.
- iii. This distance shall be measured as the length of an imaginary straight line between the two closest points of the perimeter boundary of property on which any **tattoo facility use** is located, and the perimeter boundary of the property on which any **use** from which the separation is required.

l. Other Commercial Services

Other commercial services located in the RM-4 District or RM-8 District shall have a **gross floor area** no greater than 1,200 square feet.

8. Vehicle Sales and Services

a. Auto Rentals

An **auto rentals use** in the CR, SPC, WMU, MV and RD Districts shall comply with the following conditions:

- i. The **auto rental use** shall be co-located with a Resort Accommodation **use**.
- ii. No more than ten rental vehicles shall be stored on the site at any one time.

b. Auto Repairs

An **auto repair use** shall comply with the following conditions:

- i. The site shall not be located within 200 feet of the boundary of a residential (RSF- or RM-) district. This distance shall be measured as the length of an imaginary straight line between the two closest points of the perimeter boundary of property on which any **auto repair use** is located, and the perimeter boundary of the property on which any **use** from which the separation is required.
- ii. **Repair** and storage of all vehicles shall occur within an enclosed **building**. Temporary outdoor vehicle storage may be allowed in an **outdoor storage** area located behind or to the side of the principal **structure** that is screened from public view.
- iii. All automobile parts and similar materials shall be stored within an enclosed **building** or totally screened from view by an opaque or privacy fence.

c. Car Wash

In the S District, a **car wash** shall not have direct vehicular **access** to a major arterial.

d. Commercial Parking Lots

Commercial parking lots shall comply with the following conditions:

- i. No sale, display, storage, repair, servicing or dismantling of any vehicles, equipment or merchandise shall occur in the parking lot.
- ii. The parking of vehicles awaiting service or repair shall not occur in the parking lot.

(Revised 4-18-2017 - Ordinance 2017-05)

e. Gas Sales

A gas station shall comply with the following conditions:

- i. The site shall have direct vehicular **access** to a minor arterial or other **street**, in accordance with Sec. 16-5-105.B, Street Hierarchy. No direct vehicular **access** to a major arterial shall be permitted.
- ii. The site shall be located at either:
 - 01.a signalized intersection; or
 - 02.the intersection of at least two **streets**, one of which shall be a minor arterial.
- iii. If the site is within 500 feet of an intersection of any **street** with a major arterial, there shall be a traffic signal at that intersection. The distance shall be measured from the center line of the closest vehicular **access** on the property where the **gas sales use** is located, and shall be measured along the centerline of the travel lane of the **street** providing the shortest route to the intersection, and shall be measured to the closest point along the right of way line at the intersection.
- iv. No more than two **uses** offering **gas sales** shall be located at the intersection of a major arterial with a minor arterial. The two **uses** shall be located on opposite sides of the major arterial.
- v. No more than 16 pumps (defined as a fueling area for an individual vehicle) shall be permitted at a **gas sales** establishment.
- vi. No **signs** shall be located on any canopy over the pumps.

(Revised 4-18-2017 - Ordinance 2017-05)

f. Watercraft Sales, Rental or Service

- i. In the WMU and MV Districts, **watercraft sales, rentals, or services** shall be located at the site of a **boat ramp, docking facility**, or marina.
- ii. In the LC District, **watercraft sales, rentals, or services** shall not have direct vehicular **access** to a major arterial.

(Revised 4-18-2017 - Ordinance 2017-05)

9. Industrial Uses

a. Grinding

All facility operations, including but not limited to, operating trucks and other equipment, loading and unloading of logs and materials, and grinding must comply with the decibel levels as stated in Title 17 (Noise Control) of the Municipal Code of the Town of Hilton Head Island. Additionally, all **grinding uses** in the IL district shall comply with the following conditions:

- i. Locational Restrictions

A **grinding use** shall comply with the following locational restrictions:

- 01. It shall not be located within 200 feet of the boundary of an RM-4, RM-8 or PD-1 zoning district.
- 02. These distances shall be measured as the length of an imaginary straight line between the two closest points of the perimeter boundary of the property on which any **grinding use** is located, and the perimeter boundary of the property on which any use from which the separation is required.

- ii. The minimum acreage for a **grinding use** shall be four net acres.
- iii. The site shall not have direct vehicular access onto a major or minor arterial.

The above conditions do not apply to properties located within the PD-1 zoning district.

b. Light Industrial, Manufacturing, and Warehouse Uses

Light Industrial, manufacturing, and warehouse uses in the LC District shall comply with the following conditions:

- i. No **outdoor storage** shall be permitted unless the **outdoor storage** is fully screened.
- ii. There shall be no **frontage** on a major arterial.

c. Seafood Processing Facilities

A **seafood processing** facility shall have direct boat **access** to a navigable waterway.

d. Self-Service Storage

Self-service storage facilities shall comply with the following conditions:

- i. The only **uses** allowed **on-site** shall be the rental of storage bays, the pickup and deposit of goods or property in dead storage, the rental of two-axle moving trucks and trailers, and limited incidental sales of storage and moving materials (e.g., boxes, tape).

- ii. Storage bays shall not be used to manufacture, fabricate, or process goods, to service or **repair** vehicles, small engines or electrical equipment, or conduct similar **repair** activities, to conduct garage sales or retail sales of any kind, or to conduct any other commercial or industrial activity on the site.

e. [Reserved]

(Revised 5-17-2016 - Ordinance 2016-07; revised 8-18-2020 - Ordinance 2020-19)

10. Other Uses

a. Boat Ramps, Docking Facilities, and Marinas

- i. A **boat ramp, docking facility**, or marina in the CON District shall be associated with an approved **use** in the **adjacent** zoning district.
- ii. A **boat ramp** is allowed in the RSF-3, RSF-5, RM-4, or RM-8 District only if the purpose is to serve the **adjacent neighborhoods**.

(Ord. No. 2015-23, 11-3-2015)

Sec.16-4-103. Accessory Uses and Structures

A. Purpose

This section authorizes the establishment of accessory **uses** that are incidental and customarily subordinate to **principal uses**. Specific accessory **uses** are also considered incidental and subordinate accessory **uses**, if they comply with all relevant provisions of this **Ordinance**. The purpose of this section is to allow a broad range of accessory **uses**, so long as such **uses** are located on the same site as the **principal use** and comply with the standards set forth in this section to reduce potentially adverse impacts on surrounding **lands**, and all requirements under this **Ordinance** for the **principal use** to which it is accessory, and all other relevant provisions of this **Ordinance**.

B. Applicability

1. Any **use** that is customarily incidental and subordinate to a **principal use** on the same **lot** is allowed as an accessory **use** to the **principal use**, and any **structure** that is detached from a principal **structure** on the same **lot** and incidental and subordinate in **use** and size to the principal **structure** and the **principal use** of the **lot** is allowed as an **accessory structure** to the principal **structure** and **use**. The Accessory Use/Structure Table in Sec. 16-4-103.D.2 does not list all allowable accessory **uses** and **structures**. If a **use** or **structure** proposed as an accessory **use** or **structure** is not listed in the Accessory Use/Structure table, the characteristics of the particular **use** or **structure** relative to the **principal use** or **structure** will be considered to determine if the **use** or **structure** is an allowable accessory **use** or **structure**.
2. Sec. 16-4-103.C, General Standards for All Accessory Uses and Structures, establishes general standards that apply to all allowed accessory **uses** and **structures**. Sec. 16-4-103.D.2, Accessory Use/Structure Table, shows whether certain types of accessory **uses** or **structures** are permitted or prohibited within the various zoning districts. Sec. 16-4-103.E, Use-Specific Conditions for Accessory Uses and Structures, establishes conditions that apply to certain types of accessory **uses** or **structures** regardless of the zoning district in which they are allowed, unless expressly stated to the contrary.

C. General Standards for All Accessory Uses and Structures

1. An accessory **use** or **structure** shall not be established or constructed before the establishment or **construction** of the **principal use** or **structure**.
2. If the **principal use** or **structure** is destroyed or removed, and is not rebuilt or replaced within 24 months after the date of the destruction or removal, the **accessory use** or **structure** shall no longer be allowed.

D. Accessory Use/Structure Table

1. Abbreviations Used In Accessory Use/Structure Table

- a. In the table designating the zoning districts in which an **accessory use** or **structure** is allowed, the following abbreviations apply:
 - i. A "P" indicates that the **use** or **structure** is allowable as an **accessory use** or **structure by right** in the corresponding zoning district, subject to compliance with Sec. 16-4-103.C, General Standards for All Accessory Uses and Structures, and all other applicable regulations of this **Ordinance**.
 - ii. A "PC" indicates that the **use** or **structure** is allowable as an **accessory use** or **structure** in the corresponding **base zoning district**, subject to compliance with Sec. 16-4-103.C,

General Standards for All Accessory Uses and Structures, Sec. 16-4-103.E, Use-Specific Conditions for Accessory Uses and Structures, and all other applicable regulations of this **Ordinance**.

- iii. A blank cell indicates that the **use** or **structure** is prohibited as an **accessory use** or **structure** in the corresponding zoning district.

2. Accessory Use/Structure Table

TABLE 16-4-103.D.2: ACCESSORY USE/STRUCTURE TABLE																	
P = Permitted by Right PC = Permitted Subject to Use-Specific Conditions																	
Blank Cell = Prohibited																	
ACCESSORY USE/ STRUCTURE	SPECIAL DISTRICTS		RESIDENTIAL DISTRICTS						MIXED-USE AND BUSINESS DISTRICTS								
	CON	PR	RSF-	RSF-	RSF-	RM-	RM-	RM-	CR	SPC	CC	MS	WM	S	MF	MV	NC
Amateur radio antenna			PC	PC	PC	PC	PC	PC					PC	PC			PC
Automatic teller machine (ATM)									P	P	P	P	P	P	P		
Crematory (as accessory to funeral homes)											P						
Home Occupation			PC	PC	PC	PC	PC	PC	PC	PC		PC	PC	PC	PC	PC	PC
Outdoor display and sale of merchandise									PC	PC	PC	PC	PC	PC			PC
Outdoor storage (as an accessory use)									PC	PC	PC			PC			
Satellite dish	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Small wind energy conversion system (WEC)	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Solar collection device			PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Telecommunications Facility, Collocated	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC

(Revised 5-2-2023 - Ordinance 2023-06)

E. Use-Specific Conditions for Accessory Uses and Structures

1. Amateur Radio Antenna

Amateur radio (ham radio) antennas shall comply with the following conditions:

- a. The antenna shall not exceed a **height** of 150 feet above **grade**.
- b. An antenna attached to a principal **structure** shall be located on a side or rear elevation of the **structure**.
- c. A freestanding antenna shall be located to the rear of the principal **structure** on the **lot**, but shall be set back from any **lot** line by a distance equal to or exceeding its **height** and shall not be located within a required minimum setback or buffer.
- d. The **Official** may grant modifications of the above standards if the amateur radio operator can satisfactorily demonstrate that the modification is necessary to reasonably accommodate the operator's amateur radio communications needs, as guaranteed by federal law.

2. [Reserved]

(Revised 4-18-2017 - Ordinance 2017-05; revised 5-2-2023 - Ordinance 2023-06)

3. Home Occupation

Home occupations are allowed as accessory to a **dwelling unit** in accordance with the following conditions:

- a. The **home occupation** is conducted entirely within a **single-family dwelling** or integral part thereof and has no outside storage of any kind related to the **home occupation** or in the case where activities take place away from the **dwelling** such activities are in full compliance with the provisions of this **Ordinance**.
- b. The **home occupation** is clearly incidental and secondary to the **principal use** of the **dwelling**. It shall not occupy an area exceeding 25 percent of the **gross floor area** of the **dwelling unit**.
- c. The **home occupation** is conducted only by **persons** residing on the **premises** (nonresident employees are not permitted).
- d. The **home occupation** does not necessitate or cause the exterior appearance of any **structure** to be other than residential and is not disruptive of the residential character of the **neighborhoods**.
- e. There is no advertising of the **home occupation** on the site.
- f. The **home occupation** creates no disturbing or offensive noise, vibration, smoke, dust, odor, heat, glare, unhealthy or unsightly condition, traffic or parking problem.

4. Outdoor Display and Sale of Merchandise

Where the outdoor display and sales of merchandise is allowed as accessory to commercial service **uses** and **wholesale sales** establishments, it shall comply with the following conditions, which are intended to allow such outdoor display and sales to the extent it does not impede the flow of pedestrian or vehicular traffic or create an unsafe condition:

- a. Outdoor display/sales areas shall be depicted on any Site Plan for the **principal use**.
- b. All outdoor display of goods shall be located immediately **adjacent** to the front or side of the **principal building**, and not in **drive aisles**, loading zones, fire lanes, or parking lots.

- c. Outdoor display/sales areas shall be limited to no more than one-half of the length of the front or side of the **principal building**. In the case of a multitenant **building**, outdoor display/sales areas for each tenant shall not exceed one-half the length of the front of that part of the **building** used by the tenant.
- d. Outdoor display/sales areas shall be located to maintain a clearance area in front of primary **building** entrances for a depth of at least ten feet, projected straight out from the width of entrance doors.
- e. An obstruction-free area at least five feet wide shall be maintained through the display/sales area or between it and **adjacent** parking areas for the length of the front **building facade**, so as to allow pedestrians and handicapped **persons** to safely and conveniently travel between parking areas or **drive aisles** to the **building**, or along the front of the **building**, without having to detour around the display/sales area.
- f. No goods shall be attached to a **building's** wall surface.
- g. The **height** of the outdoor display shall not exceed six feet.

5. Outdoor Storage (as an accessory use)

Outdoor storage may be allowed as an **accessory use** in accordance with the following conditions:

- a. Each **outdoor storage** area shall be incorporated into the overall design of the principal **structure** on the site, and shall be located to the side or rear of the principal **structure**.
- b. Each **outdoor storage** area shall be screened from view from all property lines and **adjacent rights-of-way** by any combination of an opaque fence, wall, or landscaped berm that is at least six feet high.
- c. Materials in **outdoor storage** areas shall not be stored higher than the **height** of the primary **structure**.

6. Satellite Dish

Satellite dishes are allowed as accessory to any **principal use** or **structure**, provided they are no more than 39 inches in diameter.

7. Small Wind Energy Conversion (WEC) System

Small-scale wind energy conversion (WEC) systems are allowed as accessory to any **principal use** or **structure** in accordance with the following conditions.

a. Location and Setback

- i. Tower-mounted WEC systems shall not be located within a minimum required setback. On beachfront properties, a tower-mounted WEC system shall not be located between a principal **structure** and the **beach**.
- ii. A small WEC system shall be set back a distance equal to its total extended **height** (e.g., if on a roof, roof **height** plus the **height** of any tower extending from the roof) plus five feet from all property lines, public **street rights-of-way**, and overhead utility lines. Guy wires and other support devices shall be set back at least five feet from all property lines.

b. Height

The maximum extended **height** of a small WEC system shall be the maximum **height** allowed in the zoning district plus 70 feet—provided that on beachfront properties, a small WEC system shall extend no more than 15 feet above the **height** of the **structure**.

c. Blade Clearance

The blade tip or vane of any small WEC system shall have a minimum ground clearance of 15 feet, as measured at the lowest point of the arc of the blades. No blades may extend over parking areas, public right of ways, **driveways**, or sidewalks.

d. Access to Tower

On a freestanding tower, any climbing foot pegs or rungs below 12 feet shall be removed to prevent unauthorized climbing. For lattice or guyed towers, sheets of metal or wood or similar barriers shall be fastened to the bottom tower section such that it cannot readily be climbed.

8. Solar Collection Devices

Solar collection devices are allowed as accessory to any **principal use** or **structure** in accordance with the following conditions:

- a. The system may be located on the roof of a principal or **accessory structure**, on the side of such **structures**, on a pole, or on the ground.
- b. The system shall comply with all the requirements of this **Ordinance**, except that the maximum **height** standards for the zoning district may be varied by up to eight feet for a roof-mounted system if it can be demonstrated that the system needs to be extended above the **height** limit to properly operate.
- c. The system shall not be located within a required minimum setback or buffer.

9. Telecommunications Facility, Collocated

Telecommunications facilities collocated on an existing telecommunications tower or other existing **building** or **structure** are allowed as accessory to such tower, **building**, or **structure** in accordance with the applicable standards in Sec. 16-4-102.B.2.e, Telecommunications Facilities.

Sec.16-10-101. General Rules for Interpretation

The following rules shall apply for construing or interpreting the terms and provisions of this *Ordinance*.

C. Lists and Examples

Unless otherwise specifically indicated, lists of items or examples that use terms like "for example," "including," and "such as," or similar language are intended to provide examples and are not exhaustive lists of all possibilities.

Sec.16-7-101. General Provisions

B. Applicability

This Chapter applies to *uses, structures, signs*, and *site* features that were made nonconforming by initial adoption of this **Ordinance** or a subsequent amendment to this **Ordinance**. It also applies to *uses, structures, signs*, and *site* features that were a lawful nonconformity under a provision of a previously applicable **ordinance** of the **Town** and that remain nonconforming with one or more provisions of this **Ordinance**, even if the type or extent of nonconformity is different.

Sec.16-1-104. Applicability and Jurisdiction

A. General Applicability

The provisions of the LMO shall apply to the **development** of all **land** within the **Town** together with such **adjacent** unincorporated areas of Beaufort County that the **Town Council** and the Beaufort County Council jointly agree shall be governed by this **Ordinance**, unless expressly exempted by a specific section, subsection, or paragraph of this **Ordinance**.

B. Development Activities Constituting Development

1. Except as otherwise provided in subsection C below, the following **development** activities, whether public or private, are considered **development** under the LMO and shall comply with the procedures and standards of the LMO.
 - a. The establishment, re-establishment or change in **use** of a **structure** or **land**, whether temporary or permanent, unless expressly exempted by this **Ordinance**.
 - b. A **building** activity involving the **construction**, reconstruction, or alteration of the size of a **structure**, unless expressly exempted by this **Ordinance**.
 - c. An increase in the intensity of **land use**, such as an increase in the number or size of nonresidential or residential **uses** in a **structure** or on **land**, or in the number of parking spaces or amount of **impervious cover**, unless expressly exempted by this **Ordinance**.
 - d. Commencement of any **filling** or excavating operation on a **parcel** of **land** or **filling** or dredging of intertidal or underwater **land**.
 - e. Material alteration of a shore, bank, or floodplain of the ocean or other **natural water body**.
 - f. The **construction** or extension of any utility service line or facility.
 - g. The **subdivision** of **land** within the **Town** except in accordance with paragraph C.5 below.
2. **Development** as defined in the LMO shall include all other activities associated with it unless otherwise expressly specified in this Ordinance. The change or **repair** of a **structure** or site infrastructure (e.g., parking, **access** drives) may result in **development** as defined in this **Ordinance**.

C. Activities Not Constituting Development

The following activities are not considered **development** under the LMO, unless specifically stated otherwise in this **Ordinance**, and determined so by the **Official**. Except for paragraph 1 below, if any of these activities necessitates the recording of documents or plats, such documents and plats shall be submitted to the **Official** for review and stamping prior to recording.

1. A transfer of title to **land** not involving the division of **land** into separate **parcels**.
2. The creation or termination of leases and **easements** concerning **development** of **land**, or other rights.
3. The recording of any documents or plats expressly for the purposes of reference or attachment to a publicly recorded document when such recording does not result in **subdivision** of **land** into **parcels**. Such recording may include, but is not limited to, documents such as master deeds or covenants, or plats for mortgage or HUD filing purposes only.
4. The combination or recombination of portions of previously platted **lots** where the total number of **lots** is not increased and the resultant **lots** comply with all standards of this **Ordinance**.

5. The division of **land** into **parcels** of five acres or more where no new **street** is involved.
6. The combination or recombination of entire **lots of record** where no new **street** or change in existing **streets** is involved.

D. Exemption of Homes for the Handicapped

This **Ordinance** does not apply to a home providing 24-hour care to nine or fewer mentally or physically handicapped **persons** in accordance with S.C. Code Ann. § 6-29-770(E).

E. Application to Governmental Units

1. The provisions of this **Ordinance** shall apply to **development** by the **Town** or its agencies and departments, or on **land** owned or otherwise controlled by the **Town**.
2. To the extent allowed by law, the provisions of the LMO shall also apply to **development** by any **County, State**, or federal government or its agencies, departments, or corporate services, or on **land** owned or otherwise controlled by a **County, State**, or federal government.

F. Appropriate Development Permits or Approvals Required

No **development** shall occur until the permits or **development** approvals have been obtained by the **person** required to obtain them, as set forth in this **Ordinance**.

G. Compliance with Code Required

Development shall not occur except in accordance with the requirements of this **Ordinance** and all other applicable **Town, State**, and federal **ordinances**, laws, statutes, and regulations. Development undertaken without approval of all permits and **development** approvals required is a violation of this **Ordinance**.

TOWN OF HILTON HEAD ISLAND
ONE TOWN CENTER COURT, HILTON HEAD ISLAND, SC 29928

Business License No. 31997

LICENSE INFORMATION

MAILING ADDRESS

ENTERPRISE ASSOCIATES LLC
13 BLUE HERON PT
HILTON HEAD ISLAND, SC 29926-1209

Classification
5310 STR

Issue Date
05/31/2024

Expiration Date
04/30/2025

BUSINESS NAME AND ADDRESS

ENTERPRISE ASSOCIATES LLC
170 DILLON RD
HILTON HEAD ISLAND, SC 29926-3772



AUTHORIZED SIGNATURE

TO BE POSTED IN A CONSPICUOUS PLACE

NON TRANSFERABLE

This license may be revoked any time by Town Council.

1 STR: 170 DILLON RD

The Business License is subject to the following regulations/procedures:

Anyone generating gross income in the Town is required to obtain a Business License annually. The license fees shall be paid on or before April 30th, of each calendar year to avoid penalties.

(NOTIFICATION TO THE REVENUE SERVICES OFFICE IS REQUIRED PRIOR TO ANY CHANGE IN LOCATION, NAME OR OWNERSHIP)

Account Number	Business Name	Account Phone
31997	ENTERPRISE ASSOCIATES LLC	
Business Address	Mailing Address	
170 DILLON RD HILTON HEAD ISLAND, SC 29926-3772	13 BLUE HERON PT HILTON HEAD ISLAND, SC 29926-1209	

CONTACTS BPhone (843)681-6950	Status 3232531322XPXP0	Business Type 5310 STR	Location Code In Town	FEIN 56-2276031	Expiration Date 4/30/2025
SIC/Description 531110R Lessors of Residential Property	Current Balance \$0.00	Business Subtype Class 7 In Town	BEAN	SEIN	License Issued Dat 5/31/2024
	License Frequency A	Contractor Number	PARCEL	CORPORATE ID STR: 170 DILLON R	Start Date 3/3/2023
			EMPLOYEES 0	CONTRACTOR EXP	Cease Date

Contact Code	Owner	Contact Name	DOB	DL#
		BILL WINANS		
		Contact Address	PHONE	
			Business (843)681-6950	
			Email INFO@MITCHELVILLE	

Contact Code	Owner	Contact Name	DOB	DL#
		WILLARD ROSS WINANS		
		Contact Address	PHONE	
		HILTON HEAD ISLAND, SC 29928	Business (843)301-5808	

Contact Codemanagement	Contact Name	DOB	DL#
	MITCHELVILLE HOSPITALITY GROUP DBA MITCHELVILLE PL		
	Contact Address	PHONE	
	HILTON HEAD ISLAND, SC 29928		

Contact Code	Owner	Contact Name	DOB	DL#
		NICOLE HOPE KOLAT		
		Contact Address	PHONE	
		HILTON HEAD ISLAND, SC 29928		

Contact Code	Owner	Contact Name	DOB	DL#
		SANDRA LEE WINANS		
		Contact Address	PHONE	
		HILTON HEAD ISLAND, SC 29928		

Payment History

<u>PAYTYPE</u>	<u>POSTDATE</u>	<u>AMOUNT</u>	<u>CHECK #</u>	<u>NOTES</u>
Fxrpt	05/31/2024	\$114.98	80467453289	Bill Winans
Fxrpt	03/13/2023	\$269.10	9001	2023 BL GIF

CODE	NOTES	<u>Entered</u>	<u>Entered By</u>
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Query Email TO : INFO@MITCHELVILLEPLACE.COM 5/14/25 10:19 am TAMIG
CC:
Subject: Town of Hilton Head Island Business License Renewal Reminder
Body: <p>Dear ENTERPRISE ASSOCIATES LLC,

The Town of Hilton Head Island appreciates your business. However, we have not received your business license renewal application and tax payment, which were due by April 30th.</p>

<p>

</p>

<p>As of May 1st, business owners who are delinquent are accruing a 5% penalty on the unpaid amount each month, or a portion thereof until paid in full. Additionally, delinquent business owners may be subject to a municipal summons, including a fine of \$500.00. If you are no longer operating your business within the Town of Hilton Head Island, please email buslic@hiltonheadislandsc.gov with the following information:</p>

<p>

</p>

<p>a. Business License Account # </p>

<p>

</p>

<p>b. The date your business closed & amp; why (property sold or no longer renting) </p>

<p>

</p>

<div>Below is your business license account number and pin code, which will enable you to perform services through our website and renew your business license: Business License Renewals</div>

<div style="margin-left: 40px;">Account: 31997</div>

<div style="margin-left: 40px;">Security Code: 21966</div>

<p> </p>

<p>Business licenses are calculated using the prior year's gross revenue. </p>

<p>Thank you for operating your business in the Town of Hilton Head Island.</p>

<p>

</p>

<p>Revenue Services</p>

<p>

</p>

<p>Tami Groff</p>

<p>

</p>

<p>Revenue Collector</p>

<p>buslic@hiltonheadislandsc.gov</p>

<p>

</p>

<p>(843) 341-4611</p>

Query Email TO : INFO@MITCHELVILLEPLACE.COM

4/28/25 3:18 pm TAMIG

CC:

Subject: Friendly Reminder from The Town of Hilton Head Island

Body: <p>Dear ENTERPRISE ASSOCIATES LLC,

This is a friendly reminder that the deadline for your Business License renewal is April 30th.</p>

<div>Below is your Business License Account Number and Pin Code, which will enable you to renew your Town of Hilton Head Island business license and perform other services through our website: Business License Renewals</div>

<div style="margin-left: 40px;">Account: 31997</div>

<div style="margin-left: 40px;">Security Code: 21966</div>

<p>If you have any questions, please contact us at (843) 341-4611 or via email at buslic@hiltonheadislandsc.gov</p>

For further information about the Town of Hilton Head Island please visit our website: https://hiltonheadislandsc.gov/

<p>Thank you,</p>

<p>Town of Hilton Head Island</p>

<p>Revenue Services</p>

Query Email TO : INFO@MITCHELVILLEPLACE.COM 4/21/25 8:42 am TAMIG
CC:
Subject: Friendly Reminder from The Town of Hilton Head Island
Body: <p>Dear ENTERPRISE ASSOCIATES LLC,

This is a friendly reminder that the deadline for your Business License renewal is April 30th.</p>

<div>Below is your Business License Account Number and Pin Code, which will enable you to renew your Town of Hilton Head Island business license and perform other services through our website: Business License Renewals</div>

<div style="margin-left: 40px;">Account: 31997</div>

<div style="margin-left: 40px;">Security Code: 21966</div>

<p>If you have any questions, please contact us at (843) 341-4611 or via email at buslic@hiltonheadislandsc.gov</p>

For further information about the Town of Hilton Head Island please visit our website: https://hiltonheadislandsc.gov/

<p>Thank you,</p>
<p>Town of Hilton Head Island</p>

Query Email TO : INFO@MITCHELVILLEPLACE.COM 4/7/25 10:42 am TAMIG
CC:
Subject: Friendly Reminder from The Town of Hilton Head Island
Body: <p>Dear ENTERPRISE ASSOCIATES LLC,

This is a friendly reminder that the deadline for your Business License renewal is April 30th.</p>

<div>Below is your Business License Account Number and Pin Code, which will enable you to renew your Town of Hilton Head Island business license and perform other services through our website: Business License Renewals</div>

<div style="margin-left: 40px;">Account: 31997</div>

<div style="margin-left: 40px;">Security Code: 21966</div>

<p>If you have any questions, please contact us at (843) 341-4611 or via email at buslic@hiltonheadislandsc.gov</p>

For further information about the Town of Hilton Head Island please visit our website: https://hiltonheadislandsc.gov/

<p>Thank you,</p>
<p>Town of Hilton Head Island</p>
<p>Revenue Services</p>

License Repr	License was reprinted.	3/12/25 11:49 am	ABBYR
Account Lett	Printed Business License Renewal Custom Letter.rpt	12/14/24 1:32 pm	APRIL-ADMIN
Comment	EM FOR DELINQUENT 2024 BLR	5/29/24 2:12 pm	KIMBERLYC
Miscellaneous	PD 2023 BUSINESS LICENSE/PENDING PERMIT APPROVAL	3/13/23 4:16 pm	KRISW
Archived data	Field "Long Term Rental" changed: (1) to (0)	3/3/23 3:48 pm	ABBYR
Change	Old mailing address: 13 BLUE HERON PT HILTON HEAD ISLAND, SC 29926-1209	3/3/23 3:48 pm	ABBYR
Change	Old mailing address: 13 BLUE HERON PT HILTON HEAD ISLAND, SC 29926-1209	3/3/23 3:48 pm	ABBYR
Parcel Number	R510 005 000 013A 0000	3/3/23 3:46 pm	ABBYR
License Note	1 STR: 170 DILLON RD	3/3/23 3:45 pm	ABBYR
GROSS RECI	EMAILED GIF AND STR PERMIT INFO	3/3/23 12:00 am	ABBYR



Account: 31997

Name: ENTERPRISE ASSOCIATES LLC

DBA:

Address: 170 DILLON RD

City: HILTON HEAD ISLAND State: SC Zip: 29926-3772

Phone: Business () - -

- Business
- Mailing
- Same Address
- Do Not Validate Addresses
- Private

Status: Renewal Sent Print Notice

Current Due \$0.00

Receive Email Notices
Not Assigned

RateType: Class 7 In Town Edit

- Business Attributes
- Account Notes
- Contacts
- Approvals
- Billing Info
- Transaction History
- Linked Accounts
- Linked Files
- Additional Fields**
- Permits

<input type="checkbox"/> Change Bus Type for Space	<input type="checkbox"/> Restoration/ Construction/ Expansion	<input type="checkbox"/> Home Occupation	<input type="checkbox"/> Space Vacant 12 Months
<input checked="" type="checkbox"/> Short Term Rental	Zoning <i>Select a Value</i>	LMO Use	Development <i>Select a Value</i>
Restriction <i>Select a Value</i>	<input type="checkbox"/> Long Term Rental	OLD SIC	OLD BusType
OLD BusSub	Audit Status <i>Select a Value</i>	<input type="checkbox"/> Timeshare	BL Gross Year 1
Audit Amount Billed	Audit \$ Collected	Audit Performed By <i>Select a Value</i>	Revenue Recovery Year <i>Select a Value</i>

	Approval	Note	Priority	Entered	Entered By	Approved/Denied Time	Approved/Denied By	Assigned To
963 77	STR Permit	Automatically created by renewal merge.	None	12/16/2024 12:03:36 PM	APRIL - ADMIN			
763 81	STR Permit	Automatically created by renewal merge. Status Updated: Approved Status Changed: 06/03/2024 9:52:43 AM By: LONNAS	None	12/9/2023 1:00:48 PM	APRIL - ADMIN	6/3/2024 12:00:00 AM	LONNAS	
657 55	STR Permit	Status Updated: Approved Status Changed: 03/17/2023 9:15:08 AM By: KATHYL	None	3/3/2023 3:48:32 PM	ABBY R	3/17/2023 12:00:00 AM	KATHYL	

Flagged	Code	Entered	Entered By	Note
623213	Query Email	5/14/2025	TAMIG	TO :
617270	Query Email	4/28/2025 3:18:46 PM	TAMIG	TO : INFO@MITCHELVILLEPLACE.COMCC: Subject: Friendly Reminder from The Town of Hilton Head IslandBody: Dear ENTERPRISE ASSOCIATES LLC,This is a friendly reminder that the deadline for your Business License renewal is April 30th.Below is your Business License Account Number and Pin Code, which will enable you to renew your Town of Hilton Head Island business license and perform other services through our website: Business License RenewalsAccount: 31997Security Code: 21966
612361	Query Email	4/21/2025	TAMIG	TO :
602858	Query Email	4/7/2025 10:42:51 AM	TAMIG	TO : INFO@MITCHELVILLEPLACE.COMCC: Subject: Friendly Reminder from The Town of Hilton Head IslandBody: Dear ENTERPRISE ASSOCIATES LLC,This is a friendly reminder that the deadline for your Business License renewal is April 30th.Below is your Business License Account Number and Pin Code, which will enable you to renew your Town of Hilton Head Island business license and perform other services through our website: Business License RenewalsAccount: 31997Security Code: 21966
595986	License	3/12/2025	ABBYR	License was reprinted.
524217	Account Letter	12/14/2024 1:32:29 PM	APRIL- ADMIN	Printed Business License Renewal Custom Letter.rpt
504959	Comment	5/29/2024	KIMBERLYC	EM FOR DELINQUENT 2024 BLR

425328	Miscellaneous	3/13/2023 4:16:12 PM	KRISW	PD 2023 BUSINESS LICENSE/PENDING PERMIT APPROVAL
423555 423554	Archived data Change	3/3/2023 3/3/2023 3:48:47 PM	ABBYR ABBYR	Field "Long Term Rental" changed: Old mailing address: 13 BLUE HERON PTHILTON HEAD ISLAND, SC 29926- 1209
423553 423550	Change Parcel Number	3/3/2023 3/3/2023 3:46:07 PM	ABBYR ABBYR	Old mailing address: 13 BLUE HERON R510 005 000 013A 0000
423549 423556	License Note GROSS RECEIPTS FORM SENT	3/3/2023 3/3/2023 12:00:00 AM	ABBYR ABBYR	1 STR: 170 DILLON RD EMAILED GIF AND STR PERMIT INFO

2024 BUSINESS AND PROFESSIONAL LICENSE

TOWN OF HILTON HEAD ISLAND
ONE TOWN CENTER COURT, HILTON HEAD ISLAND, SC 29928

Attachment N - Business License
#31996 (Property and Event Manager
Business License), APL-000245-2025

Business License No. 31996

LICENSE INFORMATION

MAILING ADDRESS

ATTN:BILL WINANS
MITCHELVILLE HOSPITALITY GROUP LLC DBA MITCHELVILLE PLACE
PO BOX 23131
HILTON HEAD ISLAND, SC 29925

Classification

5310M IT

Issue Date

05/22/2024

Expiration Date

04/30/2025

BUSINESS NAME AND ADDRESS

MITCHELVILLE HOSPITALITY GROUP LLC DBA MITCHELVILLE
5 ENTERPRISE LN STE A
HILTON HEAD ISLAND, SC 29926-3645



AUTHORIZED SIGNATURE

TO BE POSTED IN A CONSPICUOUS PLACE

NON TRANSFERABLE

This license may be revoked any time by Town Council.

PROPERTY AND EVENT MANAGER FOR ENTERPRISE ASSOCIATES LLC (13 BLUE HERON POINT)

The Business License is subject to the following regulations/procedures:

Anyone generating gross income in the Town is required to obtain a Business License annually. The license fees shall be paid on or before April 30th, of each calendar year to avoid penalties.

(NOTIFICATION TO THE REVENUE SERVICES OFFICE IS REQUIRED PRIOR TO ANY CHANGE IN LOCATION, NAME OR OWNERSHIP)

SPOKE WITH WILLARD & HE ADVISED ADDRESS IS NOT NEEDING TO BE CHANGED-IT REMAINS 5 ENTERPRISE LN-HE STATED BUSINESS PREVIOUSLY THOUGHT ABOUT MOVING TO A DIFFERENT LOCATION AND PUT IN THE REQUEST TO SEE HOW THAT WOULD GO PRIOR TO MAKING ARRANGEMENTS-UPDATED ACCOUNT & UNLOCKED FOR ONLINE RENEWAL.

BUSINESS CANNOT USE 170 DILLON RD AS BUSINESS ADDRESS AS THE PROPERTY IS STR.
REMOVED ADDRESS CHANGE REQUEST. Appended: 04/30/2024 3:20:19 PM By: MELINDAS

Account Number	Business Name	Account Phone
31996	MITCHELVILLE HOSPITALITY GROUP LLC DBA MITCHELVILLE PLACE	(843)304-6950
Business Address	Mailing Address	
BILL WINANS 5 ENTERPRISE LN STE A HILTON HEAD ISLAND, SC 29926-3645	BILL WINANS PO BOX 23131 HILTON HEAD ISLAND, SC 29925	

CONTACTS BPhone (843)681-6950	Status 253P3M313212P2PCPBF	Business Type 5310M IT	Location Code In Town	FEIN 88-1249287	Expiration Date 4/30/2025
SIC/Description 531311M Rental Property Managers	Current Balance \$0.00	Business Subtype Class 7 In Town	BEAN 112-08756-2	SEIN	License Issued Dat 5/22/2024
	License Frequency A	Contractor Number	PARCEL	CORPORATE ID IT MANAGER FOR 1:	Start Date 3/3/2023
			EMPLOYEES 0	CONTRACTOR EXP	Cease Date

Contact Code	Officer	Contact Name	DOB	DL#
		BILL WINANS		
		Contact Address	PHONE	
		HILTON HEAD ISLAND, SC 29928	Business (843)681-6950	
			Email BILL@MEETINGDYNA	

Contact Code	Owner	Contact Name	DOB	DL#
		ENTERPRISE ASSOCIATES LLC		
		Contact Address	PHONE	
			Business (843)681-6950	
			Email INFO@MITCHELVILLE	

Contact Code	Officer	Contact Name	DOB	DL#
		SANDRA LEE WINANS		
		Contact Address	PHONE	
		HILTON HEAD ISLAND, SC 29928		

Contact Code	Officer	Contact Name	DOB	DL#
		NICOLE HOPE KOLAT		
		Contact Address	PHONE	
		HILTON HEAD ISLAND, SC 29928		

Contact Code	Officer	Contact Name	DOB	DL#
		WILLARD ROSS WINANS		
		Contact Address	PHONE	
		HILTON HEAD ISLAND, SC 29928	Business (843)301-5808	

Payment History

<u>PAYTYPE</u>	<u>POSTDATE</u>	<u>AMOUNT</u>	<u>CHECK #</u>	<u>NOTES</u>
Fxrpt	04/22/2025	\$277.86	20010941	Willard Winans
Fxrpt	01/23/2025	\$35.70	20008305	Willard Winans
Fxrpt	10/15/2024	\$1,074.03	20007644	Willard Winans
Fxrpt	07/26/2024	\$747.75	20007219	Willard Winans
Fxrpt	05/22/2024	\$141.75	20006601	Bill Winans
Fxrpt	04/30/2024	\$206.80	80417330584	Willard Winans
Fxrpt	02/26/2024	\$109.20	80295812651	Willard Winans
Fxrpt	12/27/2023	\$240.81	80196788781	Willard Winans
?	09/06/2023	\$0.00		
?	09/06/2023	\$0.00		
Fxrpt	06/02/2023	\$269.10	na	2023 BAL DUE

NOTES

CODE

Query Email TO : INFO@MITCHELVILLEPLACE.COM
CC:

Subject: Town of Hilton Head Island Business License Renewal Reminder
Body: <p>Dear MITCHELVILLE HOSPITALITY GROUP LLC DBA MITCHELVILLE PLACE,

Entered
5/14/25 2:22 pm

Entered By
MELINDAS

The Town of Hilton Head Island appreciates your business. However, we have not received your business license renewal application and tax payment, which were due by April 30th.</p>

<p>As of May 1, business owners who are delinquent are accruing a 5% penalty on the unpaid amount each month, or a portion thereof until paid in full. Additionally, delinquent business owners may be subject to a municipal summons, including a fine of \$500.00. If you are no longer operating your business within the Town of Hilton Head Island, please respond to this email with the following information:</p>

<p>a. The date your business closed.</p>

<p>b. Explain the reason why your business was closed.</p>

<p>c If your business was sold, provide the date it was sold and the name and contact information of the new owner.</p>

<div>Below is your business license account number and pin code, which will enable you to perform services through our website or renew your business license: Business License Renewals</div>

<div style="margin-left: 40px;">Account: 31996</div>

<div style="margin-left: 40px;">Security Code: 16450</div>

<p> </p>

<p>Thank you for operating your business in the Town of Hilton Head Island.</p>

<p>Revenue Services</p>

<p>Melinda Standridge</p>

<p>Revenue Collector</p>

<p>(843) 341-4603</p>

License Repr License was reprinted.

5/2/25 8:05 am

LONNAS

WebReceiptP

4/21/25 5:41 pm

WEB

Query Email	TO : INFO@MITCHELVILLEPLACE.COM CC: Subject: Friendly Reminder from The Town of Hilton Head Island Body: <p>Dear MITCHELVILLE HOSPITALITY GROUP LLC DBA MITCHELVILLE PLACE, <p>This is a friendly reminder that the deadline for your Business License renewal is April 30th.</p> <div>Below is your Business License Account Number and Pin Code, which will enable you to renew your Town of Hilton Head Island business license and perform other services through our website: Business License Renewals</div> <div style="margin-left: 40px;">Account: 31996</div> <div style="margin-left: 40px;">Security Code: 16450</div> <p>If you have any questions, please contact us at (843) 341-4603 or via email at buslic@hiltonheadislandsc.gov</p> <p>For further information about the Town of Hilton Head Island please visit our website: https://hiltonheadislandsc.gov/ <p>Thank you,</p> <p>Town of Hilton Head Island</p> <p>Revenue Services</p>	4/18/25 2:06 pm	MELINDAS
License Repr	License was reprinted.	3/12/25 12:12 pm	ABBYR
License Repr	License was reprinted.	3/12/25 10:35 am	LONNAS
WebReceiptP	Attention added: BILL WINANS Mailing address changed from 170 DILLON RD to PO BOX 23131 mzipcode changed from 29926-3772 to 29925 Business Phone changed from (843)681-6950 to (843)304-6950	1/21/25 7:20 pm	WEB
Comment	EMAILED DELINQ 2024 BLR REMINDER	5/17/24 10:10 am	ABBYR
Comment	SPOKE WITH WILLARD & HE ADVISED ADDRESS IS NOT NEEDING TO BE CHANGED-IT REMAINS 5 ENTERPRISE LN-HE STATED BUSINESS PREVIOUSLY THOUGHT ABOUT MOVING TO A DIFFERENT LOCATION AND PUT IN THE REQUEST TO SEE HOW THAT WOULD GO PRIOR TO MAKING ARRANGEMENTS-UPDATED ACCOUNT & UNLOCKED FOR ONLINE RENEWAL.	4/30/24 3:22 pm	MELINDAS
Comment	EM BLR REMINDER	3/28/24 10:44 am	MELINDAS
Comment	BUSINESS CANNOT USE 170 DILLON RD AS BUSINESS ADDRESS AS THE PROPERTY IS STR. REMOVED ADDRESS CHANGE REQUEST. Appended: 04/30/2024 3:20:19 PM By: MELINDAS Business Phone added: (843)681-6950	2/29/24 10:36 am	APRIL-ADMIN
Delinquent L	MAILED FOR ATAX 4Q 2023	2/24/24 3:43 pm	Web
Quarterly Not	SPOKE WITH BILL. RESENT EMAIL FOR 2023 Q3 ATAX	2/20/24 1:05 pm	KIMBERLYC
Quarterly Not	EM FOR 2023 Q4	2/13/24 3:36 pm	TAMIG
Notice of Viol	MAILED NOV FOR 2023 Q3 ATAX 9489 0090 0027 6279 6371 96 Appended: 12/11/2023 9:30:24 AM By: TAMIG	2/2/24 10:48 am	TAMIG
Comment	EM FOR 2023 Q3 ATAX	12/11/23 9:26 am	TAMIG
Delinquent L	MAILED DELQ ATX Q3 LETTER	12/4/23 11:08 am	TAMIG
Supervisor	PM REPORT NOT REQUIRED ON THIS ACCOUNT-ONLY MANAGES ONE PROPERTY	11/21/23 11:02 am	TAMIG
Comment	RESENT 2023 ATAX Q3 EM	11/21/23 10:48 am	APRIL-ADMIN
Quarterly Not	EM 2023 DELQ ATAX Q3	11/14/23 8:46 am	TAMIG
		11/8/23 3:20 pm	TAMIG

GROSS RECI	2023 BL GIF HANDED AT WINDOW	9/11/23 12:00 am	CAROLINER
Delinquent L	MAILED DELINQUENT LETTER FOR ATAX 1-2Q 2023 W PENALTY & LOG-IN.	8/22/23 2:38 pm	KIMBERLYC
EMAIL	TO : INFO@MITCHELVILLEPLACE.COM; CC: Subject: Hilton Head Island Delinquent Tax Priority: Normal Body: <div>Dear MITCHELVILLE HOSPITALITY GROUP LLC DBA MITCHELVILLE PLACE,</div> <p>This is a notice that a quarter or month has ended and the Local Hospitality Tax or Accommodations Tax/Beach Preservation Fee has not been paid by the due date. Penalties are calculated as follows: 5% per month penalty on the unpaid amount for each month...or portion thereof after due date until paid. Additionally, delinquent taxes may be subject to a \$1,092.50 municipal summons. <p>Payments can paid in person between the hours of 8 am to 4:30pm at 1 Town Center Court, mailed, faxed in with a credit card, or through our website.</p> <div>Below is your Account Number and Pin Code which will enable you to perform services through our website: www.hiltonheadislandsc.gov</div> <div style="margin-left: 40px">Account: 31996</div> <div style="margin-left: 40px">Security Code: 16450</div> <div>At the present time, these services include:</div> <div style="margin-left: 40px">Business License Renewal</div> <div style="margin-left: 40px">Payment of Hospitality and Accommodation Taxes</div> <div style="margin-left: 40px">Update Business Mailing Address</div> <div style="margin-left: 40px">Update Business Phone Number</div> <div style="margin-left: 40px">Update E-Mail Address</div> <div style="margin-left: 40px">Close Business License</div> <p>Thank you for operating your business in Hilton Head Island.</p> <p>Revenue Services (843)341-4611</p>	8/14/23 8:55 am	TAMIG

EMAIL TO : BILL@METTINGDYNAMICS.COM; 8/14/23 8:55 am TAMIG
CC:
Subject: Hilton Head Island Delinquent Tax
Priority: Normal
Body: <div>Dear MITCHELVILLE HOSPITALITY GROUP LLC DBA MITCHELVILLE PLACE,</div>

<p>This is a notice that a quarter or month has ended and the Local Hospitality Tax or Accommodations Tax/Beach Preservation Fee has not been paid by the due date. Penalties are calculated as follows: 5% per month penalty on the unpaid amount for each month...or portion thereof after due date until paid. Additionally, delinquent taxes may be subject to a \$1,092.50 municipal summons.

Payments can paid in person between the hours of 8 am to 4:30pm at 1 Town Center Court, mailed, faxed in with a credit card, or through our website.</p>

<div>Below is your Account Number and Pin Code which will enable you to perform services through our website: www.hiltonheadislandsc.gov</div>

<div style="margin-left: 40px">Account: 31996</div>

<div style="margin-left: 40px">Security Code: 16450</div>

<div>At the present time, these services include:</div>

<div style="margin-left: 40px">Business License Renewal</div>

<div style="margin-left: 40px">Payment of Hospitality and Accommodation Taxes</div>

<div style="margin-left: 40px">Update Business Mailing Address</div>

<div style="margin-left: 40px">Update Business Phone Number</div>

<div style="margin-left: 40px">Update E-Mail Address</div>

<div style="margin-left: 40px">Close Business License</div>

<p>Thank you for operating your business in Hilton Head Island.</p>

<p>Revenue Services

(843)341-4611</p>

<p>EMAIL</p>	<p>TO : INFO@MITCHELVILLEPLACE.COM; BILL@METTINGDYNAMICS.COM; CC: Subject: Hilton Head Island Delinquent Tax Priority: Normal Body: <div>Dear MITCHELVILLE HOSPITALITY GROUP LLC DBA MITCHELVILLE PLACE,</div></p> <p><p>This is a notice that a quarter or month has ended and the Local Hospitality Tax or Accommodations Tax/Beach Preservation Fee has not been paid by the due date. Penalties are calculated as follows: 5% per month penalty on the unpaid amount for each month...or portion thereof after due date until paid. Additionally, delinquent taxes may be subject to a \$1,092.50 municipal summons.
</p> <p>Payments can paid in person between the hours of 8 am to 4:30pm at 1 Town Center Court, mailed, faxed in with a credit card, or through our website.</p></p> <p><div>Below is your Account Number and Pin Code which will enable you to perform services through our website: www.hiltonheadislandsc.gov</div></p> <p><div style="margin-left: 40px">Account: 31996</div></p> <p><div style="margin-left: 40px">Security Code: 16450</div></p> <p>
</p> <p><div>At the present time, these services include:</div></p> <p><div style="margin-left: 40px">Business License Renewal</div></p> <p><div style="margin-left: 40px">Payment of Hospitality and Accommodation Taxes</div></p> <p><div style="margin-left: 40px">Update Business Mailing Address</div></p> <p><div style="margin-left: 40px">Update Business Phone Number</div></p> <p><div style="margin-left: 40px">Update E-Mail Address</div></p> <p><div style="margin-left: 40px">Close Business License</div></p> <p><p>Thank you for operating your business in Hilton Head Island.</p></p> <p><p>Revenue Services
</p> <p>(843)341-4611</p></p>	<p>8/1/23 8:24 am TAMIG</p>
<p>Gross Receipt</p>	<p>CALLED AND SPOKE TO ROSS REGARDING 2023 GIF; WILL COMPLETE, EMAIL BACK TO ME, AND PAY OVER THE PHONE</p>	<p>5/30/23 9:46 am ABBYR</p>
<p>Comment</p>	<p>MOVED TO CE FOR ABBY TO FOLLOW UP</p>	<p>5/18/23 10:24 am APRIL-ADMIN</p>
<p>GROSS RECI</p>	<p>EMAILED 2023 GIF</p>	<p>4/19/23 12:00 am ABBYR</p>
<p>Change of co</p>	<p>Business subtype's code has been changed from 07B to 07A.</p>	<p>3/30/23 3:05 pm LONNAS</p>
<p>Change of co</p>	<p>Business type's code has been changed from 5310M OT to 5310M IT.</p>	<p>3/30/23 3:05 pm LONNAS</p>
<p>Change</p>	<p>Old account address:</p>	<p>3/30/23 1:16 pm LONNAS</p>
	<p>13 BLUE HERON PT</p>	
	<p>HILTON HEAD ISLAND, SC 29926-1209</p>	

Change	Old mailing address: 170 DILLON RD HILTON HEAD ISLAND, SC 29926-3772	3/30/23 1:16 pm	LONNAS
Archived data	Field "Home Occupation" changed: (1) to (0)	3/30/23 1:14 pm	MICHAELC
GROSS RECI	emailed and mailed 2023 gif	3/30/23 12:00 am	LONNAS
Quarterly Not	MAILED ATAX FORMS AND GEN INFO	3/30/23 12:00 am	LONNAS
Comment	SEND 2023 GIF ONCE ADD CHG APPROVALS COME BACK Appended: 03/30/2023 3:08:00 PM By: ABBYR	3/18/23 10:36 am	ABBYR
Change of co	Business subtype's code has been changed from 07A to 07B.	3/18/23 10:34 am	ABBYR
Change of co	Business type's code has been changed from 5310M IT to 5310M OT.	3/18/23 10:34 am	ABBYR
Change	Old account address: 5 ENTERPRISE LN STE A HILTON HEAD ISLAND, SC 29926-3645	3/18/23 10:33 am	ABBYR
Change of co	Business type's code has been changed from 5310M OT to 5310M IT.	3/18/23 10:32 am	ABBYR
Change	Old account address: 13 BLUE HERON PT HILTON HEAD ISLAND, SC 29926-1209	3/18/23 10:32 am	ABBYR
GROSS RECI	EMAILED 2023 GIF	3/13/23 12:00 am	ABBYR
Comment	RECD PHONE CALL FROM MICHAEL CONNOLLY; BUSINESS ADDRESS IS ON JENKINS ISLAND. I UPDATED THE NAICS CODES AND REMOVED OUTSTANDING APPROVALS./WILL SEND GIF Appended: 03/09/2023 9:56:38 AM By: ABBYR	3/9/23 9:55 am	ABBYR
Change of co	Business type's code has been changed from 5310M IT to 5310M OT.	3/9/23 9:54 am	ABBYR
Comment	PLEASE NOTIFY ABBY WHEN APPROVALS ARE COMPLETE; I WILL SEND ACCOMMODATIONS TAX FORMS AND INFORMATION. Appended: 03/13/2023 11:35:08 AM By: ABBYR	3/3/23 3:51 pm	ABBYR
License Note	PROPERTY AND EVENT MANAGER FOR ENTERPRISE ASSOCIATES LLC (13 BLUE HERON POINT)	3/3/23 3:28 pm	ABBYR



Account: 31996

Name: MITCHELVILLE HOSPITALITY GROUP LLC DBA MITCHELVILLE PLACE

DBA:

Address: 5 ENTERPRISE LN STE A

City: HILTON HEAD ISLAND State: SC Zip: 29926-3645

Phone: Business (843)304-6950

- Business
- Mailing
- Same Address
- Do Not Validate Addresses
- Private

Status: Renewal Sent Print Notice

Current Due \$0.00

Receive Email Notices
Not Assigned

RateType: Class 7 In Town Edit

- Business Attributes
- Account Notes
- Contacts
- Approvals
- Billing Info
- Transaction History
- Linked Accounts
- Linked Files
- Additional Fields
- Permits

- Change Bus Type for Space
- Restoration/ Construction/ Expansion
- Home Occupation
- Space Vacant 12 Months

Short Term Rental

Restriction *Select a Value*

OLD BusSub

Audit Amount Billed

Zoning LC-Light Commercial

Long Term Rental

Audit Status *Select a Value*

Audit \$ Collected

LMO Use Other Office Uses

OLD SIC

Timeshare

Audit Performed By *Select a Value*

Development *Select a Value*

OLD BusType

BL Gross Year 1

Revenue Recovery Year *Select a Value*

	Approval	Note	Prior ity	Entered	Enter ed By	Approved/D enied Time	Approved/D enied By	Assig ned To
985 13	PM REPORT	Automaticall y created by renewal merge.	Non e	12/16/2 024 3:26:56 PM	APRI L- ADM IN			
777 02	PM REPORT	Automaticall y created by renewal merge. Status Updated:Ap proved Status Changed: 12/09/2023 3:58:36 PM By: APRIL- ADMIN	Non e	12/9/20 23 3:06:20 PM	APRI L- ADM IN	12/9/2023 12:00:00 AM	APRIL- ADMIN	
659 65	911_ADDR	ADD CHG: 5 ENTERPRISE LN STE AAssigned to Derall Marshall Appended: 03/20/2023 8:00:48 AM By: DANIELLET Status Updated:Ap proved Status Changed: 03/20/2023 1:31:20 PM	Non e	3/18/20 23 10:33:4 6 AM	ABBY R	3/20/2023 12:00:00 AM	DERALLM	

			By:				
			DERALLM				
659	PLAN	ADD CHG: 5	Non	3/18/20	ABBY	3/30/2023	MICHAELC
64		ENTERPRISE	e	23	R	12:00:00	
		LN STE A		10:33:3		AM	
		Status		5 AM			
		Updated:Ap					
		proved					
		Status					
		Changed:					
		03/30/2023					
		1:15:02 PM					
		By:					
		MICHAELC					
659	FIRE_PREVE	ADD CHG: 5	Non	3/18/20	ABBY	3/20/2023	DERALLM
63	NTION	ENTERPRISE	e	23	R	12:00:00	
		LN STE		10:33:2		AM	
		AAssigned to		9 AM			
		Derall					
		Marshall					
		Appended:					
		03/20/2023					
		8:00:38 AM					
		By:					
		DANIELLET					
		Status					
		Updated:Ap					
		proved					
		Status					
		Changed:					
		03/20/2023					
		1:31:18 PM					
		By:					
		DERALLM					
659	CE	ADD CHG: 5	Non	3/18/20	ABBY	3/20/2023	WENDYC
62		ENTERPRISE	e	23	R	12:00:00	
		LN STE A		10:33:2		AM	
		Status		2 AM			
		Updated:Ap					
		proved					

Status
Changed:
03/20/2023
11:59:44 AM
By: WENDYC

657	CE	Status	Non	3/3/202	ABBY	3/6/2023	WENDYC
53		Updated:Ap	e	3	R	12:00:00	
		proved		3:40:31		AM	
		Status		PM			
		Changed:					
		03/06/2023					
		1:57:00 PM					
		By: WENDYC					

Flagged	Code	Entered	Entered By	Note
62449	Query Email	5/14/2025	MELINDAS	TO :
62011	License Reprint	5/2/2025	LONNAS	License was reprinted.
1		8:05:34 AM		
61444	WebReceiptPrin	4/21/2025	WEB	
61071	Query Email	4/18/2025	MELINDAS	TO :
5		2:06:25 PM		INFO@MITCHELVILLEPLACE.COMCC : Subject: Friendly Reminder from The Town of Hilton Head IslandBody: Dear MITCHELVILLE HOSPITALITY GROUP LLC DBA MITCHELVILLE PLACE,This is a friendly reminder that the deadline for your Business License renewal is April 30th.Below is your Business License Account Number and Pin Code, which will enable you to renew your Town of Hilton Head Island business license and perform other services through our website: Business License RenewalsAccount
59599	License Reprint	3/12/2025	ABBYR	License was reprinted.
59596	License Reprint	3/12/2025	LONNAS	License was reprinted.
0		10:35:12 AM		
58173	WebReceiptPrin	1/21/2025	WEB	
50390		5/21/2024	Web	Attention added: BILL
5		6:17:21 PM		WINANS Mailing address changed from 170 DILLON RD to PO BOX 23131mzipcode changed from 29926-3772 to 29925Business Phone changed from (843)681-6950 to (843)304-6950
50311	Comment	5/17/2024	ABBYR	EMAILED DELINQ 2024 BLR
50020	Comment	4/30/2024	MELINDAS	SPOKE WITH WILLARD & HE
6		3:22:15 PM		ADVISED ADDRESS IS NOT NEEDING TO BE CHANGED-IT REMAINS 5

				ENTERPRISE LN-HE STATED BUSINESS PREVIOUSLY THOUGHT ABOUT MOVING TO A DIFFERENT LOCATION AND PUT IN THE REQUEST TO SEE HOW THAT WOULD GO PRIOR TO MAKING ARRANGEMENTS-UPDATED ACCOUNT & UNLOCKED FOR ONLINE RENEWAL.
49517	Comment	3/28/2024	MELINDAS	EM BLR REMINDER
48777	Comment	2/29/2024	APRIL-	BUSINESS CANNOT USE 170 DILLON
1		10:36:39 AM	ADMIN	RD AS BUSINESS ADDRESS AS THE PROPERTY IS STR. REMOVED ADDRESS CHANGE REQUEST. Appended: 04/30/2024 3:20:19 PM By: MELINDAS
48719		2/24/2024	Web	Business Phone added: (843)681-
48642	Delinquent	2/20/2024	KIMBERLY	MAILED FOR ATAX 4Q 2023
4	Letter	1:05:02 PM	C	
48534	Quarterly	2/13/2024	TAMIG	SPOKE WITH BILL. RESENT EMAIL
48181	Quarterly	2/2/2024	TAMIG	EM FOR 2023 Q4
8	Notice Sent	10:48:22 AM		
47705	Notice of	12/11/202	TAMIG	MAILED NOV FOR 2023 Q3 ATAX
47647	Comment	12/4/2023	TAMIG	EM FOR 2023 Q3 ATAX
8		11:08:29 AM		
47578	Delinquent	11/21/202	TAMIG	MAILED DELQ ATX Q3 LETTER
47572	Supervisor	11/21/202	APRIL-	PM REPORT NOT REQUIRED ON
3		3 10:48:21 AM	ADMIN	THIS ACCOUNT-ONLY MANAGES ONE PROPERTY
47506	Comment	11/14/202	TAMIG	RESENT 2023 ATAX Q3 EM
47467	Quarterly	11/8/2023	TAMIG	EM 2023 DELQ ATAX Q3
5	Notice Sent	3:20:04 PM		
47120	GROSS	9/11/2023	CAROLINE	2023 BL GIF HANDED AT WINDOW

46983 3	Delinquent Letter	8/22/2023 2:38:33 PM	KIMBERLY C	MAILED DELINQUENT LETTER FOR ATAX 1-2Q 2023 W PENALTY & LOG-IN.
46883 46883 1	EMAIL EMAIL	8/14/2023 8/14/2023 8:55:26 AM	TAMIG TAMIG	TO : TO : BILL@METTINGDYNAMICS.COM; CC: Subject: Hilton Head Island Delinquent TaxPriority: NormalBody: Dear MITCHELVILLE HOSPITALITY GROUP LLC DBA MITCHELVILLE PLACE,This is a notice that a quarter or month has ended and the Local Hospitality Tax or Accommodations Tax/Beach Preservation Fee has not been paid by the due date. Penalties are calculated as follows: 5% per month penalty on the unpaid amount for each month...or portion thereof after due date until paid. Additionally, delinquent
46693 45548 4	EMAIL Gross Receipts Form Follow Up	8/1/2023 5/30/2023 9:46:02 AM	TAMIG ABBYR	TO : CALLED AND SPOKE TO ROSS REGARDING 2023 GIF; WILL COMPLETE, EMAIL BACK TO ME, AND PAY OVER THE PHONE
45144 44138 3	Comment GROSS RECEIPTS FORM SENT	5/18/2023 4/19/2023 12:00:00 AM	APRIL- ABBYR	MOVED TO CE FOR ABBY TO EMAILED 2023 GIF
43435 43435 2	Change of code Change of code	3/30/2023 3/30/2023 3:05:51 PM	LONNAS LONNAS	Business subtype's code has been Business type's code has been changed from 5310M OT to 5310M IT.
43430 43430 4	Change Change	3/30/2023 3/30/2023 1:16:19 PM	LONNAS LONNAS	Old account address: 13 BLUE Old mailing address: 170 DILLON RDHILTON HEAD ISLAND, SC 29926- 3772

43430 43435 4	Archived data GROSS RECEIPTS FORM SENT	3/30/2023 3/30/2023 12:00:00 AM	MICHAELC LONNAS	Field "Home Occupation" changed: emailed and mailed 2023 gif
43435 42635 9	Quarterly Comment	3/30/2023 3/18/2023 10:36:59 AM	LONNAS ABBYR	MAILED ATAX FORMS AND GEN SEND 2023 GIF ONCE ADD CHG APPROVALS COME BACK Appended: 03/30/2023 3:08:00 PM By: ABBYR
42635 42635 6	Change of code Change of code	3/18/2023 3/18/2023 10:34:06 AM	ABBYR ABBYR	Business subtype's code has been Business type's code has been changed from 5310M IT to 5310M OT.
42635 42635 4	Change Change of code	3/18/2023 3/18/2023 10:32:57 AM	ABBYR ABBYR	Old account address: 5 ENTERPRISE Business type's code has been changed from 5310M OT to 5310M IT.
42635 42523 2	Change GROSS RECEIPTS FORM SENT	3/18/2023 3/13/2023 12:00:00 AM	ABBYR ABBYR	Old account address: 13 BLUE EMAILED 2023 GIF
42450 42450 2	Comment Change of code	3/9/2023 3/9/2023 9:54:40 AM	ABBYR ABBYR	RECD PHONE CALL FROM MICHAEL Business type's code has been changed from 5310M IT to 5310M OT.
42355 42354 5	Comment License Note	3/3/2023 3/3/2023 3:28:13 PM	ABBYR ABBYR	PLEASE NOTIFY ABBY WHEN PROPERTY AND EVENT MANAGER FOR ENTERPRISE ASSOCIATES LLC (13 BLUE HERON POINT)

Sec.16-3-105. Mixed-Use and Business Districts

D. Light Commercial (LC) District

<h1 style="margin: 0;">LC</h1> <h2 style="margin: 0;">Light Commercial District</h2>				
1. Purpose				
The purpose of the Light Commercial (LC) District is to provide <i>lands</i> for light commercial <i>uses</i> such as offices, banks, restaurants, and lower intensity retail sales and services <i>uses</i> . Permitted <i>uses</i> are generally auto-oriented and easily accessed.				
2. Allowable Principal Uses				
USE CLASSIFICATION/TYPE		USE-SPECIFIC CONDITIONS	MINIMUM NUMBER OF OFF-STREET PARKING SPACES	
Residential Uses				
<i>Family Compound</i>	PC	Sec. 16-4-102.B.1.e	2 per du	
<i>Family Subdivision</i>	PC	Sec. 16-4-102.B.1.f	2 per du	
<i>Group Living</i>	P		1 per 3 rooms	
<i>Mixed-Use</i> ³	PC	Sec. 16-4-102.B.1.a	Residential	1.125 per du
			Nonresidential	1 per 650 GFA
<i>Multifamily</i>	P		1 bedroom	1.4 per du
			2 bedroom	1.7 per du
			3 or more bedrooms	2 per du
<i>Recreational Vehicle</i>	PC	16-4-102.B.1.c	1 per <i>Recreational Vehicle</i>	
<i>Recreational Vehicle (RV) Park</i>	P		1 per 300 GFA of office and clubhouse	
<i>Single-Family</i>	P		2 per du + 1 per 1,250 GFA over 4,000 GFA	
<i>Workforce Housing</i>	PC	Sec. 16-4-102.B.1.D	See Sec. 16-5-107.D.2	
Public, Civic, Institutional, and Educational Uses				
<i>Community Service Uses</i>	P		1 per 400 GFA	
<i>Education Uses</i>	P		Colleges and High Schools	10 per classroom
			Elementary and Junior High/Middle Schools	4 per classroom
			Other <i>Education Uses</i>	See Sec. 16-5-107.D.2
<i>Government Uses</i>	P		Fire Stations	4 per bay + 1 per 200 GFA of office area
			Other	1 per 200 GFA of office area
<i>Major Utilities</i>	SE		1 per 1,500 GFA	

Minor Utilities	P		n/a	
Public Parks	P		See Sec. 16-5-107.D.2	
Religious Institutions	P		1 per 3 seats in main assembly area	
Telecommunication Antenna, Collocated or Building Mounted	PC	Sec. 16-4-102.B.2.e	n/a	
Telecommunication Towers, Monopole	PC	Sec. 16-4-102.B.2.e	1	
Health Services				
Other Health Services	P		1 per 225 GFA	
Resort Accommodations				
Hotels	P		1 per guest room	
Commercial Recreation				
Indoor Commercial Recreation Uses	P		1 per 3 persons + 1 per 200 GFA of office or similarly used area	
Outdoor Commercial Recreation Uses Other than Water Parks	PC	Sec. 16-4-102.B.5.b	Golf Courses, Miniature Golf Courses, or Driving Ranges	1 per tee
			Stadiums	1 per 4 spectator seats
			Other	1 per 3 persons max. occupancy + 1 per 200 GFA of office or similarly used area
Office Uses				
Contractor's Office	PC	Sec. 16-4-102.B.6.a	1 per 350 GFA of office/administrative area	
Other Office Uses	P		1 per 350 GFA	
Commercial Services				
Animal Services	PC	Sec. 16-4-102.B.7.b	1 per 225 GFA	
Bicycle Shops	PC	Sec. 16-4-102.B.7.c	1 per 200 GFA	
Convenience Stores	PC	Sec. 16-4-102.B.7.d	1 per 200 GFA	
Eating Establishments	P		1 per 100 sf of gross floor area and outdoor eating area	
Grocery Stores	P		1 per 200 GFA	
Landscape Businesses	PC	Sec. 16-4-102.B.7.f	1 per 200 GFA	
Liquor Stores	SE	Sec. 16-4-102.B.7.g	1 per 200 GFA	
Nightclubs or Bars	PC	Sec. 16-4-102.B.7.h	1 per 70 GFA	
Open Air Sales	PC	Sec. 16-4-102.B.7.i	1 per 200 sf of sales/display area	
Shopping Centers	PC	Sec. 16-4-102.B.7.j	1 per 335 GFA	
Tattoo Facilities	PC	Sec. 16-4-102.B.7.k	1 per 200 GFA	
Other Commercial Services	P		See Sec. 16-5-107.D.2	
Vehicle Sales and Services				

Auto Rentals	P		See Sec. 16-5-107.D.2	
Auto Repairs	PC	Sec. 16-4-102.B.8.b	2 per service bay + 1 per 200 GFA of office and waiting area	
Auto Sales	P		See Sec. 16-5-107.D.2	
Car Washes	P		10 per wash unit for automatic wash + 5 per bay for manual wash	
Gas Sales	PC	Sec. 16-4-102.B.8.d		
Taxicab Services	P		1 per 200 GFA of office or waiting area	
Watercraft Sales, Rentals, or Services	PC	Sec. 16-4-102.B.8.e	1 per 200 GFA	
Industrial Uses				
Light Industrial, Manufacturing, and Warehouse Uses	PC	Sec. 16-4-102.B.9.a	1 per 1,300 GFA of indoor storage or manufacturing area + 1 per 350 GFA of office and administrative area	
Self-Service Storage	PC	Sec. 16-4-102.B.9.c	1 per 15,000 GFA of storage and office area	
Waste Treatment Plants	SE		See Sec. 16-5-107.D.2	
Wholesale Sales	P		1 per 1,000 GFA	
Other Uses				
Agriculture Uses	P		Stables or Riding Academies	1 per 5 stalls
			Other	n/a
3. Development Form Standards				
MAX. DENSITY (PERNET ACRE)		LOT COVERAGE		
Residential ⁴	4 du	Max. Impervious Cover	60%	
Hotel	35 rooms	Min. Open Space for Major Residential Subdivisions	16%	
Nonresidential ^{1,2}	10,000 GFA			
MAX. BUILDING HEIGHT				
All Development	45 ft			
USE AND OTHER DEVELOPMENT STANDARDS				
See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.				
TABLE NOTES:				
P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = dwelling units ; sf = square feet; GFA = gross floor area in square feet; ft = feet; n/a = not applicable				
1. The gross floor area per building shall be 20,000 square feet for buildings devoted to Commercial Services or Industrial Uses .				
2. Each building shall be separated by a minimum of 15 feet.				
3. The minimum number of off-street parking spaces for mixed-use development that contains workforce housing shall be calculated based on Section 16-5-107.D.2.				
4. For development that converts nonresidential square footage to residential use refer to Sec. 16-10-102.B.1.				

(Revised 5-17-2016 - Ordinance 2016-07; revised 9-17-2019 - Ordinance 2019-20; revised 11-4-2020 - Ordinance 2020-26; revised 7-20-2021 - Ordinance 2021-15; revised 3-7-2023 - Ordinance 2023-04)

			65% - Nonresidential
		Max. Impervious Cover in Areas with Restricted Access	Shall not cause overall impervious cover for the PUD in that PD-1 District to exceed 45%
		Min. Open Space in Areas without Restricted Access and Open to the Public	50% - Residential 25% - Nonresidential
		Min. Open Space in Areas with Restricted Access	Shall not cause overall open space for the PUD in that PD-1 District to be less than 55%
MAX. BUILDING HEIGHT			
All Development	75 ft	Min. Open Space for Major Residential Subdivisions	16%
USE AND OTHER DEVELOPMENT STANDARDS			
See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.			
TABLE NOTES:			
P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = dwelling units ; sf = square feet; GFA = gross floor area in square feet; ft = feet; n/a = not applicable			
1. For development that converts nonresidential square footage to residential use refer to Sec. 16-10-102.B.1.			

(Revised 8-18-2020 - Ordinance 2020-19; revised 11-4-2020 - Ordinance 2020-26)

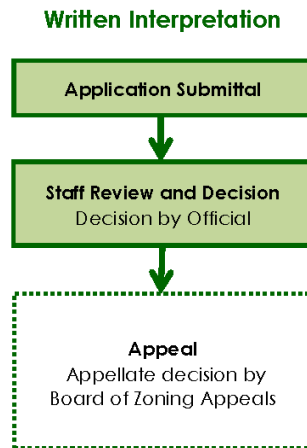
Sec.16-2-103. Application Specific Review Procedures

R. Written Interpretation

1. Purpose

The purpose of this subsection is to establish procedures and standards for rendering formal written interpretations of this **Ordinance**.

2. Applicability



The **Official** is authorized to and shall be responsible for making interpretations of this **Ordinance**—including, but not limited to, interpretations of:

- a. The text of this **Ordinance**;
- b. Zoning district boundaries; and
- c. Whether an unspecified **use** is comparable to a listed **use** or not, and whether any unspecified **use** should be allowed in a zoning district or prohibited in that district.

3. Written Interpretation Procedure

a. Application Submittal

An **application** for a Written Interpretation shall be submitted in accordance with Sec. 16-2-102.C, except that **applications** may be submitted only by **persons** with a direct interest in the matter requested for interpretation (e.g., **landowner** or contract purchaser of a relevant property, **applicant** for or holder of an affected permit). The **application** shall include a statement of the **applicant's** direct interest.

b. Staff Review and Action

On receiving an **application**, the **Official** shall review and render an interpretation in accordance with Sec. 16-2-102.D. The **Official's** written interpretation shall be limited to the matters for which an interpretation is requested and shall be based on the standards in Sec. 16-2-103.R.4, Written Interpretation Standards.

c. Post-Decision Actions and Limitations

i. **Notice of Decision**

The **Official** shall provide notice of the interpretation in accordance with Sec. 16-2-102.H.1.

ii. **Appeal**

Appeals from the **Official's** interpretation are governed by Sec. 16-2-103.T, Appeal of Administrative Decisions and Written Interpretations to Board of Zoning Appeals and SC Code Ann. 6-29-800.

4. Written Interpretation Standards

a. Zoning Map Boundaries

Interpretation of zoning district boundaries on the **Official Zoning Map** shall be in accordance with the criteria in Sec. 16-1-107.C, Zoning District Boundaries.

b. Unspecified Uses

Interpretation of whether an unspecified **use** is similar to a **use** or is prohibited in a zoning district shall be based on Sec. 16-4-102.A.5, Interpretation of Unlisted Uses, and whether the interpretation is in accordance with the **Comprehensive Plan**.

c. Text Provisions

Interpretation of text provisions and their application shall be based on the standards in Sec. 16-10-101, General Rules for Interpretation, and the following considerations:

- i. The plain language used in the text, considering (a) any defined term set out in Sec. 16-10-105, General Definitions, and (b) the common and accepted usage of other words in the text;
- ii. The general purposes served by the provision and this **Ordinance**; and
- iii. The **Comprehensive Plan**.

5. Official Record of Interpretations

The **Official** shall maintain a record of written interpretations that shall be available in the Town Hall for public inspection, on reasonable request, during normal business hours.

6. Effect of Interpretation

A written interpretation shall be binding on subsequent decisions by the **Official** in applying the same provision of this **Ordinance** in the same circumstance.

Chapter 16-8: Enforcement

Sec.16-8-101. Purpose

This chapter establishes procedures to ensure compliance with the provisions of this **Ordinance** and obtain corrections for violations. It also sets forth the remedies and penalties that apply to violations of this **Ordinance**. The provisions of this chapter are intended to encourage the voluntary correction of violations, where possible.

Sec.16-8-102. Compliance Required

A. Compliance Required

Compliance with all the requirements, procedures and standards of this **Ordinance**, and all terms and conditions of permits and **development** approvals is required by all **persons** owning, developing, managing, using, or occupying **land, structures, or signs** in the **Town**.

B. Violations Generally

1. Any failure to comply with a standard, requirement, prohibition, or limitation imposed by this **Ordinance**, or the terms or conditions of any permit or **development** approval granted in accordance with this **Ordinance**, shall constitute a violation of this **Ordinance** punishable as provided in this chapter.
2. Permits or **development** approvals issued on the basis of **applications** approved by the **Town Council, Planning Commission, Board of Zoning Appeals, Design Review Board, or Official** authorize only the **use, arrangement, location, design, density/intensity, and development** set forth in such permits or **development** approvals, and no other **development**.
3. Violations of this **Ordinance** continue until the violation is abated and the **land** is brought into compliance with this **Ordinance**. Violations of this **Ordinance** run with the **land, structure or development**. The sale or transfer of **land, structure or development** that is in violation of this **Ordinance** does not affect the nature or existence of the violation or the requirement that the violation be corrected.

Sec.16-8-103. Violations

Doing any of the following constitutes a violation of this **Ordinance**. The following list is illustrative and is not intended to be all inclusive or to limit the variety or number of acts that constitute a violation of this **Ordinance**. The fact that any specific act does not appear on this list does not exclude the act from being a violation of this **Ordinance**.

- A. Develop or attempt to develop **land** or a **structure** in any way not consistent with the requirements of the LMO.
- B. Erect or attempt to erect a **building** or other **structure** in any way not consistent with the requirements of the LMO.
- C. Develop **land** or a **structure** without first obtaining the appropriate permits or **development** approvals.
- D. Occupy or use **land** or a **structure** without first obtaining the appropriate permits or **development** approvals.

-
- E. Develop **land** or a **structure** without complying with the terms or conditions of the permits or **development** approvals required to engage in **development**.
 - F. Occupy or use **land** or a **structure** in violation of the terms or conditions of the permits or **development** approvals.
 - G. Subdivide **land** without first obtaining the appropriate permits or **development** approvals required to engage in **subdivision**.
 - H. Subdivide **land** without complying with the terms or conditions of the permits or **development** approvals required to engage in **development**.
 - I. Transfer title to any newly created **lots** or parts of a **development** unless the **development** plan or **subdivision** has received all **development** approvals or permits required under this **Ordinance** and an approved plan or plat, if required, has been filed in the appropriate **County** office.
 - J. Submit for recording with a **County** office any **subdivision** plat or other **development** plan that has not been approved in accordance with the requirements of this **Ordinance**.
 - K. Excavate, grade, cut, clear, or undertake any **land disturbing activity** without first obtaining the appropriate permits or **development** approvals, and complying with their terms and conditions.
 - L. Remove existing **trees** or other landscaping from a **site** or **parcel of land** without first obtaining the appropriate permits and **development** approvals, and complying with their terms and conditions.
 - M. Install, create, erect, alter, or maintain any sign without first obtaining the appropriate permits or **development** approvals.
 - N. Fail to remove any sign installed, created, erected, or maintained in violation of this **Ordinance**, or for which the permits have lapsed.
 - O. Create, expand, replace, or change any nonconformity except in compliance with this **Ordinance**.
 - P. Reduce or diminish the requirements for **development**, design, or dimensional standards below the minimum required by this **Ordinance**.
 - Q. Increase the intensity or **density** of **development**, except in accordance with the standards of this **Ordinance**.
 - R. Obscure or obstruct a notice required to be posted or otherwise given in accordance with this **Ordinance**.
 - S. Violate any lawful order issued by any **person** or board in accordance with this **Ordinance**.
 - T. Through any act or omission, fail to comply with any other provisions, procedures, or standards as required by this **Ordinance**.
 - U. Continue any violation as defined above, with each day of continued violation to be considered a separate violation for purposes of computing cumulative civil or criminal penalties.

Sec.16-8-104. Responsible Persons

Any **person** who violates this **Ordinance** shall be subject to the remedies and penalties set forth in this chapter.

Sec.16-8-105. Enforcement Responsibility, Complaints

A. Responsibility

The responsibility for enforcement of this **Ordinance** is delegated to the **Official**.

B. Complaints

1. Whenever a violation of this **Ordinance** occurs, or is alleged to have occurred, any **person** may file a signed written complaint with the **Official**. The complaint shall state fully the causes of the alleged violation and the basis thereof.
2. The **Official** shall properly record such complaint, immediately investigate the complaint to determine the validity of the charge, and take whatever action is necessary to ensure compliance with this **Ordinance**.

C. Notice of Violation

1. On determining that any provisions of this **Ordinance** are being or have been violated, the **Official** shall deliver to the **person** responsible for the violation(s), a written **notice of violation** that sets forth the nature of the violation(s) and orders the action necessary to correct it.
2. If no one is present to accept the **notice of violation**, or acceptance of the notification is refused, the **Official** shall post the notice on a primary entrance to a **principal building** on the **site** of the violation. If the **land** is unimproved, the notice should be posted visibly on the subject property.
3. A written notice containing the same information as the notice delivered or posted on the **land** shall be mailed by certified mail, return receipt requested, to the record owner of the **land** subject to the violation, or the record owner's **authorized agent**, and to any other **person** responsible for the violation.

D. Authority

Upon presentation of proper credentials, the **Official** may enter upon **land** or inspect any **structure** to ensure compliance with the provisions of this **Ordinance**. These inspections shall be carried out during normal business hours unless the **Official** determines there is an emergency necessitating inspections at another time.

Sec.16-8-106. Town Enforcement Actions

On behalf of the **Town**, the **Official** may take any one or more of the following actions as a remedy for any violation of this **Ordinance**:

- A. Withhold any pending or subsequent **development** approvals or permits required by this **Ordinance**;
- B. Issue stop work orders against any work undertaken by an entity not having a proper **development** approval or permit required by this **Ordinance**;
- C. Issue stop work orders against any actions in violation of this **Ordinance**;
- D. Revoke a permit **development** approval if:
 1. There is a failure to comply with the approved permit, **development** approval, plans, specifications, or terms or conditions required under the permit or **development** approval;
 2. The permit or **development** approval was procured by false representation; or
 3. The permit or **development** approval was issued in error;
- E. Bring an action for an injunction (or, in appropriate cases, for mandamus) to prevent the violation or to prevent the occupancy or **use** of any **site** or **structure** involved in the violation;
- F. Bring an action for injunction or mandamus to abate a violation;

-
- G. Prosecute the violation as a misdemeanor; or
 - H. Take any other action at law or in equity to prevent or remedy any violation, or otherwise enforce the provisions of this **Ordinance**.

Sec.16-8-107. Private Civil Relief

An **adjacent** or neighboring **landowner** who would be specially damaged by any violation of this **Ordinance** may in addition to other remedies, institute injunction, mandamus, or other appropriate action or proceeding to prevent the unlawful erection, **construction**, reconstruction, alteration, conversion, **maintenance**, or **use**, or to correct or abate the violation, or to prevent the occupancy of the **building, structure** or **land**. This is in addition to the right of the **Town** to bring an enforcement action.

Sec.16-8-108. Tree Protection Violation

- A. Each unauthorized removal or destruction of a **tree**, or failure to replace a **tree**, shall constitute a separate offense. Nothing herein shall prevent the **Town** from taking such other lawful action as is necessary to prevent or remedy any violations.

Sec.16-8-109. Impoundment of Signs

- A. In addition to other remedies identified in this chapter, the **Official** shall have the authority to remove and impound:
 - 1. Any prohibited sign listed in Sec. 16-5-114.I, Prohibited Signs, without notice to the owner; and
 - 2. Any sign that is installed or used in any way that is not consistent with the requirements of this **Ordinance**, provided that notice has been given as set forth in Sec. 16-8-105.C, Notice of Violation, and no action to correct the violation has been taken by the owner within the specified timeframe.
- B. The owner of an impounded sign or **sign structure** may recover the impounded sign or **sign structure** upon the payment of \$50.00 for each sign plus the costs of removal. If the sign or **sign structure** is not claimed within ten days after the date of impoundment, the **Official** shall have authority to dispose of the sign or **sign structure** without compensation to the owner.

Sec.16-8-110. Violations Continue

Any violation of the previous Title 16 shall continue to be a violation under the terms of this **Ordinance**. Resolving the violation shall require conformance to the regulations in effect at the time the violation is terminated, not regulations that may have been in effect at the time the violation was initiated. Any violation that was not discovered by the **Town** under the previous Title 16, shall be resolved under the provisions of this **Ordinance**. The lack of prior enforcement shall not constitute any degree of recognition, approval, waiver, or enforcement.

Sec.16-8-111. Penalties

A. Fine and Imprisonment

Any **person** violating any provision of this **Ordinance** shall be guilty of a misdemeanor and upon conviction shall forfeit and pay such penalties as the court may decide as prescribed by South Carolina law, not to exceed \$500.00 plus applicable court fees or 30 days imprisonment or both for each violation. Each day's continued violation shall constitute a separate offense.

B. Further Penalties

If any person is found guilty by a court of competent jurisdiction of undertaking any **development** activity prior to approval and issuance of a **development** approval or permit in accordance with this **Ordinance**, the **Official** shall not consider that person's **application** for **development** approval or permit nor issue a **development** approval or permit for that project for a period not to exceed 90 days from the date of determination of violation.

Sec.16-8-112. Remedies Cumulative

The remedies provided for violations of this **Ordinance**, whether civil or criminal, shall be cumulative and in addition to any other remedy provided by law, and may be exercised in any order.

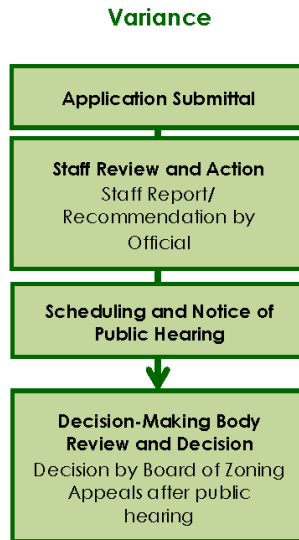
Sec.16-2-103. Application Specific Review Procedures

S. Variance

1. Purpose

The purpose of this subsection is to establish procedures and standards for the review and decision on *applications* for a Variance.

2. Applicability



The Variance procedure may be used to seek and obtain relief from the standards of this LMO except for *uses* outlined in LMO Section 16-4-102.A.6, Principal Use Table, *height* and *density* standards.

(Revised 3-7-2023 - Ordinance 2023-04)

3. Variance Procedure

a. Application Submittal

An *application* for a Variance may be submitted by *persons* identified in Sec. 16-2-102.C.1, and shall be submitted in accordance with Sec. 16-2-102.C.

b. Staff Review and Action

On receiving an *application*, the *Official* shall review the *application* and prepare a staff report with a recommendation for action on the *application* in accordance with Sec. 16-2-102.D. The *Official's* recommendation shall be based on the standards in Sec. 16-2-103.S.4, Variance Review Standards.

c. Hearing Scheduling and Notice

A public hearing on the *application* shall be scheduled, and required notice provided, for the *Board of Zoning Appeals* hearing in accordance with Sec. 16-2-102.E.

d. Decision-Making Body Review and Decision

- i. The **Board of Zoning Appeals** shall review the **application and staff report, hold a public hearing on the application, and make a final decision on the application in accordance with Sec. 16-2-102.G. The Board's decision shall be based on the standards in Sec. 16-2-103.S.4, Variance Review Standards, and shall be one of the following:**
 - 01.** Approve the **application**;
 - 02.** Approve the **application** subject to conditions of approval; or
 - 03.** Deny the **application**.
- ii. The Board's final decision shall be in writing and include findings of fact and conclusions of law separately stated.

e. Post-Decision Actions and Limitations

- i. **Notice of Decision**

The **Official** shall provide notice of the interpretation in accordance with Sec. 16-2-102.H.1. Notice to interested parties shall be provided via certified mail.
- ii. **Appeal**

Appeals from the final decision of the **Board of Zoning Appeals** on an **application** for a Variance are governed by S.C. Code Ann. § 6-29-820.

4. Variance Review Standards

a. Required Findings

- i. A Variance may be granted by the **Board of Zoning Appeals** if it concludes that the strict enforcement of any appropriate dimensional, **development**, design, or performance standard set forth in this **Ordinance** would result in unnecessary hardship. A Variance may be granted in an individual case of unnecessary hardship if the **Board of Zoning Appeals** determines and expresses in writing all of the following findings:
 - 01.** There are extraordinary and exceptional conditions pertaining to the particular piece of property;
 - 02.** These conditions do not generally apply to other properties in the vicinity;
 - 03.** 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; and
 - 04.** The authorization of the Variance will not be of substantial detriment to **adjacent** property or the public good, and the character of the zoning district where the property is located will not be harmed by the granting of the Variance.
- ii. In its consideration of an **application** for a Variance, the decision-making body shall be guided by this **Ordinance**, the relevant provisions of the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, and the decisions of the appellate courts of South Carolina interpreting such provisions.

b. Limitations

The decision-making body may not grant a Variance, the effect of which would do any of the following:

- i. Permit a **use of land** or a **structure** that is not allowed in the applicable zoning district;
- ii. Allow the physical extension of a **nonconforming use**;
- iii. Increase the **density** of a **use** above that permitted by the applicable zoning district; or
- iv. Vary the sign regulations.

c. Factor Not to be Considered

The fact that the property may be utilized more profitably, should a Variance be granted, may not be considered as grounds for a Variance.

d. Hardship Due to Eminent Domain

Where the alleged hardship results from the taking of part of the property of the **applicant** by eminent domain, thus reducing the **land** area available for parking, buffers and other purposes, the **applicant** shall have the burden of proving that, after good faith efforts by the **applicant** or the **applicant's** predecessor, the condemning authority failed or refused to provide the **applicant** compensation adequate to cover the value of both the **land** actually taken and the economic impacts of the reduction in the size of the remaining property. Only if the **applicant** meets such burden of proof will a hardship under these conditions be considered adequate to justify the granting of a Variance.

5. Effect of Approval

Approval of a Variance authorizes only the particular relief approved. It does not exempt the **applicant** from the responsibility to obtain all other approvals required by this **Ordinance** and any other applicable laws, and does not indicate that the **development** for which the Variance is granted should receive other permits or **development** approvals under this **Ordinance** unless the relevant and applicable portions of this **Ordinance** or any other applicable laws are met. Unless it expires in accordance with Sec. 16-2-103.S.6, Expiration, a Variance, including any conditions of approval, shall run with the **land**, shall be binding on the **landowners** and their successors and assigns, and shall not be affected by a change in ownership.

6. Expiration

Granting of a Variance establishes a **vested right** in accordance with Sec. 16-2-102.J.1, Vested Rights for Approvals of Site Specific Development Plans.

7. Amendment

A Variance may be amended only in accordance with the procedures and standards for its original approval.

Details Owner / Manager (1) Listings(2) Rental Activity Notes(2) **Complaints (18)** Evidence (16) Notifications Audit Log

Complaints (18)

Registration Number [072842] : ENTERPRISE ASSOCIATES LLC

Save

Address	Status	Type	Description	Date Created
170 Hilton Head Island	Under Review	Other	Address: 170 DILLON RD HILTON HEAD ISLAND, SC 29926 Compliant Description: Wedding taking place right now, client has bing calling for 1 year and client states the property has a cease and desist order. There is cars pilling up already and people coming in to the weeding. They just had a weeding on Thursday and one the previous Saturday. Client welcomes any emergency contact to go to the her property to see the noise and see the people already arriving. Call Information: Liz Delandtsheer, #s 724-622-8117 Live Call: I called emergency contact once per script and left a voicemail.	5-10-2025 05:12:38 pm
170 Dillon rd Hilton Head Island 29926	Under Review	Other	Submitting a complaint for all of the options: noise, lighting, parking, illegal activity (this property has a cease and desist from the town for this activity). This is a WEDDING VENUE feet from my bedroom. There is a DJ on a loud speaker, lighting, screaming, Cara revving at my fenceline, and not the road! When I called the hotline, the person who picked up could HeAR the music through the phone!!! Hilton Head Island Government, WHY are you allowing a wedding venue to operate in a residential neighborhood?!?! I have been complaining for a year! I can't put my kids to bed until the weddings are over because I can hear the baseline in my kids room. Please, please help!	5-3-2025 07:57:27 pm
170 Hilton Head Island	Under Review	Noise	Address: 170 DILLON RD HILTON HEAD ISLAND, SC 29926 Complaint: Wedding in the backyard, music playing and its very loud. Property has an order to stop renting. They have this events all the time. Call Information: Elizabeth Delandtsheer, #s 724-622-8117. Live Call/Follow up: I left a voicemail.	5-3-2025 07:11:46 pm
170 dillon rd Hilton Head Island 29926	Under Review	Noise	Address: 170 DILLON RD HILTON HEAD ISLAND, SC 29926 Compliant Description: There is a wedding occurring tonight at this professional wedding venue. The town communicated to me that this location was not permitted to have this activity in our zone and in fact that there exists a cease and desist order for this property. Call Information: Elizabeth De Landtsheer 7246228117 Live Call: Update: Caller called to make a complaint after sending the online complaint form	3-29-2025 03:27:33 pm
170 Dillon Rd Hilton Head Island 29926	Under Review	Noise	Another large event at this professional event space today Saturday March 15. Music on speakers, loud outdoor yelling by what sounds like a large crowd. I was told this neighborhood was not zoned for this activity? However it is still continuing.	3-15-2025 04:00:15 pm
170 Dillon rd Hilton Head Island 29926	Warning	Noise	A professional wedding was held at this "short term rental" located feet from a residential neighborhood last night (Feb 15). Loud music could be heard even inside our bedrooms. Why is this location permitted to operate a professional event space in a neighborhood?! It's incredibly disruptive. My young kids have bedtimes earlier than 10 pm. And no one wants to listen to heavy bass while they are trying to sleep!!! Please Hilton Head government, please help!	2-16-2025 03:40:59 pm
170 Dillon rd Hilton Head Island 29926	No Violation	Noise	Yet another event at this short term rental. This time it is an organized rehearsal dinner. By 6:30 pm I could hear music in my house from this event. I have tried attaching a video taken in my backyard from last Saturday after 9pm (another wedding that I submitted a complaint about) to show just how loud it was and how loud it often is. But this online form does not accept it. I'm happy to share in another way if given the opportunity. This is turning into every weekend. This seems like a "short term rental" property on paper only. They are a wedding venue online and in practice and they consistently do not adhere to the noise restrictions in our neighborhood despite the owner claiming to "be on site".	5-31-2024 05:04:17 pm
170 Dillon Rd Hilton Head Island 29926	Under Review	Noise	Another wedding at what is clearly a professional wedding venue. Their website and google describes this property location as an event venue. Noise is loud, bass from these speakers can be heard inside our home. Very loud partying. I've given up attempting to enjoy my own backyard on Saturday evenings but cannot accept having to hear the speakers inside my home with doors and windows closed. At a complete loss about who to turn to about this issue. Tried calling the hotline number twice tonight and was on hold for more than 5 minutes each time before giving up. I'll plead again to the town of Hilton Head - why is a professional wedding venue permitted to operate professionally in a residential area -within feet of our bedrooms?	5-25-2024 06:13:19 pm
170 Dillon Rd Hilton Head Island 29926	Could Not Substantiate	Noise	ANOTHER WEDDING THAT IS TOO LOUD!!!! Speakers are reverberating inside our home! Wedding venue within feet of our backyard. Professional DJ and speakers. Very loud and bothersome. Cannot be following the noise regulation for a residential neighborhood if we can hear the music inside our house with all windows and doors closed. We know there is a noise limit for this area - and we are concerned that it's not being enforced after several complaints!	5-11-2024 06:03:03 pm
170 Dillon Rd Hilton Head Island 29926	Warning	Noise	A wedding is taking place tonight in our backyard at this short term rental location. Very loud music, screaming, and a DJ ON A SPEAKER!!!! We took a walk at about 8 PM to escape the noise and heard the bass almost at the beach. Returning from our walk close to 9 pm and the music can be heard inside our home. This is not the first time this location has hosted a large and loud event. This location disturbs the peace and prevents our young family from enjoying our own home every time they host an event which is increasing in frequency. We do not understand why an Official Event Venue is permitted to operate in such a disruptive manner in a residential neighborhood just feet from our bedroom windows! Seeking support from the town.	4-6-2024 06:51:44 pm
170 Dillon Rd Hilton Head Island 29926	No Violation	Noise	Loud noise/music on speaker going weekend both Saturday Feb 24th and Sat March 2nd. Feb 24th was a wedding just beyond our backyard with speakers/DJ and loud partying. Sat March 2nd, was an organized event with loud music/speakers. Disrupting our evening and sleep two weekends in a row. Do not support a commercial event venue in a residential neighborhood!!!!	3-2-2024 08:07:38 pm
170 Dillon Rd Hilton Head Island 29926	No Violation	Noise	Loud noise/music on speaker going weekend both Saturday Feb 24th and Sat March 2nd. Feb 24th was a wedding just beyond our backyard with speakers/DJ and loud partying. Sat March 2nd, was an organized event with loud music/speakers. Disrupting our evening and sleep two weekends in a row. Do not support a commercial event venue in a residential neighborhood!!!!	3-2-2024 08:07:38 pm
170 Hilton Head Island	No Violation	Other	cx called in saying that he is returning a call for Michael say that some report there airbnb and they want to and they would like to a call to return to him, he also say that if you don't get him you should leave a voicemail. Bill Winans 8433046950 bill@meetingdynamics.com	12-15-2023 06:53:31 am
170 Hilton Head Island	No Violation	Illegal Rental	Rental Property being used as an event venue events have been hosted with over fifty people at them, Such as a concert running til 8pm with teardown and people leaving til 9pm. Violation is not ongoing but has been reoccurring No other organization has been involved. Video is available.	12-13-2023 06:31:51 am

Address	Status	Type	Description	Date Created
170 dillon rd Hilton Head Island 29926	No Violation	Noise	Live music performance with speakers	12-12-2023 05:15:05 pm
170 Dillon Rd Hilton Head Island 29926	Warning	Noise	On Friday Nov 24th Magnolia Place hosted a wedding. This venue is directly behind my house. It is not even separated by a fence because the owner of 170 Dillon Rd refuses to put one in. Our homes on Beach City Rd were all built and occupied prior to this property becoming an event venue. They advertise that they can host up to 200 guests. A few of us neighbors voiced our concerns during the transition from this being a residence to becoming an event venue. We were told that we could not object to it because they had not even applied for a business license yet. The noise level of that wedding was absolutely unacceptable. While they did follow the guidelines and stop the DJ after 10pm, the music was EXTREMELY loud and the noise from the guests continued for several hours after the 10pm cut off. Hilton Head holds has high standards on how they present our island. This is not representative of how they should be handling this. The town took a peaceful waterfront property surrounded by residents and have turned it into a loud commercial display on a historic Gullah land. I can understand turning it into a short term rental property, but it is unacceptable to expect that number of guests, vehicles and noise in the future without affecting us neighbors that are a couple of feet away. We will continue to pursue this unless there is an agreeable solution. We hope that you might reconsider and look further into what the owner of 170 Dillon Rd is pursuing. I appreciate your time and consideration.	11-29-2023 08:19:53 am
170 Hilton Head Island	No Violation	Noise	Caller was trying to submit a complaint online but it was not accepting the address she was entering. Caller wants to report that this address is advertising itself as a wedding venue when it only has a license for rental. Caller also wanted to report that this address was having excessive noise on Friday 11.24 around 9 PM at night. Caller also wants someone to call her so she can talk to someone about this.	11-28-2023 06:53:45 pm
170 Dillon Rd Hilton Head Island 29926	No Violation	Noise	On the evening of 11/24/2023, a wedding took place at Mitchellville Place, located directly behind our home on Beach City Rd. The noise was very loud, heard throughout the house as I attempted to put my small children to bed. I would like to express my concerns about a wedding/event venue located in such close proximity to residences (event location is about 100 meters from our house) and that this is not a one-time event but something that will happen regularly in the future. Mitchellville Place has a website that advertises wedding and event planning/venue. They note in their website that they are both a short term rental and an event venue (screen shots attached). I have attached several screenshots from their website. They can also be found on wedding sites such as The Knot. I did also take video and audio of my backyard on the night of 11/24 to record the noise levels and can provide that if needed (unable to upload multiple documents to this submission). My primary concern is that unlike other short term rentals in our neighborhood, this location advertises and promotes loud events that they will help coordinate that are disruptive to residential life. 95 decibels in a residential space is disruptive at any time of day or night, which is what their website advertises is acceptable until 10 pm. The night of 11/24 seemed louder than even their website permitted. Their website is found: https://www.mitchellvilleplace.com/ The Knot site that features the location is found: https://www.theknot.com/marketplace/mitchellville-place-hilton-head-island-sc-2067922	11-28-2023 06:50:08 pm

Registration Number [072842] : ENTERPRISE ASSOCIATES LLC

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OUR STORY

With decades of experience, our unyielding commitment to excellence and extensive industry wisdom have fueled our growth, culminating in the establishment of our very own event venue at Mitchelville Place. Come get to know us better!

At Mitchelville Place, family is at the heart of what we do, making us the best in the business when it comes to creating unforgettable experiences. With over 30+ years of invaluable experience in the wedding and events industry, Bill Winans has honed his craft to perfection, bringing a wealth of knowledge, tradition, and time-tested insights to every event and passing it down to his children to continue the tradition of helping throw the best events in the Lowcountry.

Alongside Bill is daughter Nikki, who leads as the Head Coordinator of Carolina Weddings, bringing a fresh, modern touch to every wedding she orchestrates. Complementing this dynamic duo is Ross Winans, who serves as the dedicated Property Manager, ensuring that every corner of our picturesque venue is meticulously maintained.

Our unwavering commitment to excellence and deep industry knowledge have paved the way for our continued growth and the opening of our own event venue here at Mitchelville Place. For us, Mitchelville Place is not just a venue; it's a family tradition of excellence that sets us apart in the world of weddings and events. As a team, we seamlessly blend the timeless elegance of the past with the innovative touches of the present, ensuring that each wedding they coordinate is a truly unforgettable and cherished experience for couples and their guests.

Let's Chat!



● We'll reply as soon as we can

11:18 AM

Hi there! ✨ **Planning your dream event?** Sign up for exclusive promotions and updates about Mitchelville Place by filling out a form on our "Contact Us" page! We are also happy to answer any questions or book a free in-person tour.

Write your message...





Mitchelville Place

656 likes • 703 followers



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Intro

All-inclusive vacation home and event venue with rustic aesthetic & historic southern charm.

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170 Dillon Road , Hilton Head Island, SC, United States, South Carolina

(843) 321-9422

info@mitchelvilleplace.com

mitchelvilleplace.com

Outdoor seating · Online booking · Reservations ▾

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Not yet rated (0 Reviews)



Guest favorite

One of the most loved homes on Airbnb, according to guests

5.0
★★★★★

9
Reviews



Hosted by Nikki

2 years hosting



Self check-in

Check yourself in with the smartlock.



Extra spacious

Guests love this home's spaciousness for a comfortable stay.



Unbeatable location

100% of guests in the past year gave this location a 5-star rating.

NEW ON AIRBNB SEPTEMBER 2023 - Built as a historical recreation of Union General Mitchel's home, Mitchelville Place is a newly renovated all-inclusive vacation rental property designed to host private gatherings and events. The three story Main House has all the modern amenities and comfortably sleeps 12 guests. Outside, our Grand Lawn is surrounded by beautiful coastal scenery which includes our private Ibis Pond, bridge, gazebo, and fire pit areas.

The space...

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