



**TOWN OF SULLIVAN'S ISLAND,
SOUTH CAROLINA
APPLICATION TO SERVE ON A TOWN BOARD/COMMISSION**

Apply by 5PM Friday August 5, 2022

PLEASE COMPLETE ALL OF THE FOLLOWING FOR POSSIBLE PARTICIPATION

1. NAME: _____

2. MAILING ADDRESS: _____

3. TELEPHONE NUMBER(S):

Home: _____ Work: _____ Cell: _____

4. E-MAIL ADDRESS: _____

5. Are you a registered voter on Sullivan's Island? Yes _____ No _____

6. Have you ever plead guilty, no contest or been convicted of a crime? If yes, please provide additional information: _____

The Town reserves the right to conduct a background check and additional information may be requested from you.

7. Indicate the real properties on Sullivan's Island in which you have a proprietary interest, identifying your primary residence:

8. Please disclose any circumstances which might pose a conflict of interest in executing your responsibilities as a member of any Board or Commission for which you are applying:

9. Please indicate that you wish to be considered for selection to a Board or Commission and, if selected, you are prepared to serve through the term below.

Planning Commission _____ 3 seats (term expiring 08/31/2025)

Tree Commission _____ 2 seats (term expiring 8/31/2025)

Election Commission _____ 1 seat (term expiring 8/31/2028)

Design Review Board _____ 5 seats (term expiring 8/31/2025)

Board of Zoning Appeals _____ 2 seats (term expiring 8/31/2025)

NOTE:

No member of a Town Board or Commission may hold an elected office in the Town of Sullivan's Island or County of Charleston.

If appointed, you must successfully complete a minimum of six (6) hours State mandated planning and zoning training as soon as possible, plus required continued education thereafter (S.C. Code §§ 6-29-1340-6-29-1370). Failure to complete required training will result in discontinuation of service and ineligibility for re-appointment (§6-29-1380)

(Initial)

(If applying for initial appointment) I agree to complete the required training in a timely manner on initial appointment and annually thereafter. (Initial)

(If applying for re-appointment) I certify that I have completed the required training during my current term and, if re-appointed, agree to do so annually during my new term. (Initial)

You must return a completed Town questionnaire for your desired Board/Commission(s) for consideration and a personal resume is encouraged.

By signing herein, I have read and understand the requirements for serving as a member of the Commission and/or Board requested and attest the information provided is accurate.

Thank you for volunteering your time and energy to your Town.

Applicant signature

Date



**TOWN OF SULLIVAN'S ISLAND,
SOUTH CAROLINA
DESIGN REVIEW BOARD
QUESTIONNAIRE**

1. Why do you wish to serve on the Design Review Board (DRB)?
2. DRB meets on average one evening per month. Are you able to attend meetings at this frequency?
3. Please read the attached summary of the role of the Design Review Board and review the Town's Code regarding this Board (Chapter 21, XII).
 - a. In your opinion, what should be the priorities of the DRB?
 - b. How does your knowledge, expertise and experience qualify you to serve on this Board?
4. Are there any provisions of the Zoning Ordinance with which you disagree?
5. Do you see any conflicts between the DRB's decisions and property rights?
6. Briefly, what are your thoughts on the following ordinance topics/concepts:
 - a.) Historic Preservation
 - b.) Neighborhood Compatibility
 - c.) Zoning Ordinances which restrict house size and lot size
 - d.) Town Commercial District
7. How would you handle having to make decisions that might be unfavorable to a neighbor, business associate, client or family member?

Thank you for taking the time to respond to these questions. Please submit your answers along with the application and your resume to Pamela Otto (843-883-5744 potto@sullivansisland.sc.gov) at Town Hall (2056 Middle Street; mail PO Box 427)

Application package deadline: 5pm Friday, August 5, 2022

Please read Special Note regarding Design Review Board appointments attached (page two)



**TOWN OF SULLIVAN'S ISLAND,
SOUTH CAROLINA**

DESIGN REVIEW BOARD

Special Note – Appointments

The Town ordinance establishing the Design Review Board states that

“In making appointments to the Design Review Board, the Town Council shall make an attempt to maintain a balance of interest and skills on the Board by assessing the individual qualifications of the candidates including but not limited to their knowledge and demonstrated interest in architecture, history, archeology, planning, urban or community design, landscape architecture, construction and restoration, or law. All members should have knowledge and demonstrated interest in the design and preservation of buildings and places.”

Further, South Carolina State Department of Archives and History in its requirements for designation of certified local government programs in historic preservation, states that: “Interest, competence or knowledge in historic preservation should be identified on commissioners’ resumes giving their education and volunteer background, attendance at workshops and seminars, and related activities.”

Article XII. Design Review Board.

Sec. 21-106. Authority.

The Design Review Board is established in pursuance of authority conferred by the South Carolina Code, Title 6, Chapter 29, Sections 870 through 940 and in accordance with the Town of Sullivan's Island's Comprehensive Plan.

Sec. 21-107. Intent.

The intent of establishing the Design Review Board and initiating design review is to enhance the Island's character, preserve property values and protect the unique island identity of Sullivan's Island. The Design Review process is intended to promote design that is compatible in mass and scale with existing development of the Island and in harmony with the natural environment. The process is aimed at improving and augmenting other development controls included in the Zoning Ordinance.

Sec. 21-108. Creation and responsibilities.

A. Establishment and purpose.

The Town Council hereby establishes the Design Review Board for

- (1) The preservation and protection of historic and architecturally valuable districts and neighborhoods or significant or natural scenic areas;
- (2) The protection of and/or provision for the unique, special, or desired character of Sullivan's Island and defined districts within the Island or any combination of it; and,
- (3) Governing the erection, demolition, removal in whole or in part, or alteration, of buildings, structures and/or grounds by the issuance of a Certificate of Appropriateness.

B. Powers.

In accordance with procedures and standards set forth in the Article, the Design Review Board shall have the power to:

- (1) Review, approve, approve subject to modification or conditions, or deny approval for: 1) construction, enlargement or improvements governed by this Zoning Ordinance that affect the exterior appearance of a structure, except for those actions deemed to be routine maintenance by the Zoning Administrator.
- (2) Oversee the requirements of the HP Historic Preservation Overlay District upon the establishment of such district in accordance with the HP Historic Preservation Overlay District, including the issuance of Certificates of Appropriateness.
- (3) Hear appeals from alleged error in any order, requirement, determination, or decision of the Zoning Administrator or other appropriate administrative.
- (4) In connection with the administration of subsections 1 and 2 above, interpret and apply the standards of this Zoning Ordinance.

C. Composition of board.

In making appointments to the Design Review Board, the Town Council shall make an attempt to maintain a balance of interest and skills on the Board by assessing the individual qualifications of the candidates including but not limited to their knowledge and demonstrated interest in architecture, history, archaeology, planning, urban or community design, landscape architecture, construction and restoration, or law. Membership should include at least one state licensed design professional and a member at large. All members should have knowledge and demonstrated interest in the design and preservation of buildings and places. (11-15-05)

Appointment and terms.

- (1) The Design Review Board shall consist of seven (7) members at least six (6) of whom must be residents and the seventh (7th) of whom may be a nonresident of Sullivan's Island appointed by the Town Council (11-15-05) (12-17-13).
- (2) No Board member shall hold any other public office or position in the Town.
- (3) The Board members shall serve overlapping terms of three (3) years each. At the time of the creation of the Design Review Board, three of the Board's five (5) members shall serve terms of one (1), two (2) and three (3) years, as designated by the Town Council. Their successors shall be appointed for a full three (3) year term. The Board members appointed to fill the additional two (2) places on the Board shall serve terms of two (2) years and three (3) years, as designated by Town Council, and their successors shall be appointed for full three (3) year terms. Members are all eligible for reappointment.

D. Removal and replacement of board member.

The Town Council may remove any Design Review Board member for repeated failure to attend meetings of the Board or for any other cause deemed sufficient cause. A member appointed to replace a removed member shall serve the balance of the removed member's unexpired term. At the completion of the unexpired term, the member shall be eligible for reappointment to a full term.

E. Election/appointment of officers.

The Design Review Board shall elect one of its members as chair. The chair shall serve for one (1) year or until he or she is re-elected or his or her successor is elected. The Board shall appoint a secretary who may be an officer of the governing authority or a member of the Design Review Board.

Sec. 21-109. Application, notice, meetings, conflicts, quorum, procedures and time limits.

A. Application and fees.

Applications to the Design Review Board shall be those required by the Zoning Administrator and any other information required for issuance of a Certificate of Appropriateness accompanied by an application fee the amount of which shall be established by resolution of the Town Council. (9-18-07)

B. Public notice of meetings.

- (1) Hearings shall be required on all applications made to the Design Review Board. Public notice of all hearings and meetings of the Design Review Board shall be published in a newspaper of general circulation in the Town at least fifteen (15) days prior to the meeting.
- (2) Written notice of the hearing date shall be mailed to the applicant, or the agent for the applicant, and, in the case of Administrative Appeals, the administrative officer from whom the appeal is taken.
- (3) Ten (10) days prior to the hearing before the Design Review Board, the Zoning Administrator shall require a sign that is conspicuous in color, size and location shall be posted on the property subject to the review. Such notice shall be visible from each public thoroughfare that abuts the property. The sign provided by the Zoning Administrator shall indicate that the Design Review Board shall be considering proposed improvements on the property and shall furnish the time and date of the Design Review Board hearing.

C. Meetings and record of actions.

- (1) Meetings of the Design Review Board shall be held at the call of the chair and at such other times as the Board may determine. The chair or, in his or her absence, the acting chair, may administer oaths and compel the attendance of witnesses by subpoena.
- (2) All meetings of the Design Review shall be open to the public.
- (3) All actions of the Design Review Board's findings of fact and conclusions shall be separately stated in final decisions or orders of the Board.
- (4) The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating that fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed at Town Hall and be considered as a public record.

D. Conflicts of interest.

Any member of the Design Review Board who has a personal or financial interest, either directly or indirectly, in any property which is the subject of, or affected by, a decision of the Board shall be disqualified from participating in the decision of the Board concerning the property.

E. Quorum and required vote.

Three (3) members are required for a quorum and a concurring vote of three (3) members of the Design Review Board shall be necessary to take any action.

F. Procedures.

- (1) An application for a Certificate of Appropriateness shall be submitted to the Zoning Administrator who initially determines whether the application is complete and whether it requires approval by the Design Review Board.
- (2) If the Zoning Administrator determines the application for a Certificate of Appropriateness does not require approval by the Design Review Board, the Zoning Administrator shall make the determination as to whether or not the application is in compliance with the Zoning Ordinance.
- (3) If the Zoning Administrator determines the application requires approval by the Design Review Board, the Zoning Administrator shall place the application on the Design Review Board's next meeting agenda that falls within the time limits and notification requirements of this Article. The Zoning Administrator shall note any inconsistencies between the application and the Zoning Ordinance including the need for modifications or variance to such standards.
- (4) If the Zoning Administrator informs the applicant that the submission does not meet the Zoning Ordinance standards, and adequate relief from such standards is not available from the Design Review Board under this Ordinance, the applicant may request that the Zoning Administrator deny the application prior to its submission to the Design Review Board to enable the applicant to appeal forthwith for a variance to the Board of Zoning Appeals. In such a case, the Zoning Administrator shall issue such denial and, if the variance is granted, the applicant may reapply to the Zoning Administrator who shall then forward the application, along with a copy of the variance decision, to the Design Review Board for further action.
- (5) Upon hearing the application, the Design Review Board shall approve, approve subject to modification or conditions, or deny the Certificate of Appropriateness. The Design Review Board may also continue the application hearing to allow for changes to be made to the application or additional information being provided.
- (6) If the Design Review Board finds that the application is inconsistent with one or more of the Zoning Ordinance Standards which it does not have the power to modify, or if the Design Review Board determines that a requested application does not meet the Standards of neighborhood Compatibility as described in Sec. 21-111, the Design Review Board shall
 - (a) Deny the application accompanied by suggested changes that might be made to the application and/or variances that might be sought that would make the application more appropriate and consistent with the spirit of the Zoning Ordinance; or,
 - (b) Approve the application subject to a variance being granted by the Board of Zoning Appeals modifying the required standards.
- (7) In case of a denial by the Zoning Administrator the following appeal processes shall apply (Sec. 21-110 for Administrative Appeals to the Design Review Board and Article XVIII Sec. 21-177 for Administrative Appeals to the Board of Zoning Appeals):
 - (a) The applicant may appeal a determination based upon an interpretation based upon an interpretation of the Design Standards to the Design Review Board. The Design Review Board shall have final authority to interpret and apply the Design Standards.
 - (b) The applicant may appeal a determination based upon an interpretation of the Zoning Standards to the Board of Zoning Appeals. The Board of Zoning Appeals shall have final authority to interpret and apply the Zoning Standards.
 - (c) In case of any conflict between a Zoning Standard and a Design Standards, or where it is unclear as to the determination being a Zoning or Design Standard, the Board of Zoning Appeals shall have final authority in such appeals.
- (8) Staff level review and approval of minor improvements and accessory structures. (7/21/09)
 - (a) Notwithstanding provisions to the contrary in this chapter, the following items may be reviewed and approved at the Staff level in accordance with the procedures prescribed herein. (7/21/09)

- i. Approval of minor improvements or Accessory Structures as listed in Section 21-137A of the Town ordinances that do not negatively affect the appearance of the principal dwelling. (7/21/09)

(b) Procedure (7/21/09)

- i. All Design Review Board application forms and appropriate fees shall be submitted to the Zoning Administrator and/or his designee who will determine if the forms are complete. If complete, the following action(s) may take place: (7/21/09)
 - 1. All properties: Zoning Administrator or his/her designee may review the requested improvements or added Accessory Structures. After review, the request may be approved or deferred to the next regularly scheduled Design Review Board (DRB) meeting. All approved projects will be reported in writing by the Zoning Administrator or his/her designee to the Design Review Board at its next regularly scheduled meeting. (7/21/09)

(9) Staff level review and approval of minor refinements to designs that have already received a Certificate of Appropriateness. (7/21/09)

(a) Notwithstanding provisions to the contrary in this chapter, the following items may be reviewed and approved at the Staff level in accordance with the procedures prescribed herein. (7/21/09)

- i. Minor refinements to design elements, such as but not limited to: roofs, fascia treatments, doors, columns, windows, siding, trim details or lattice that have already received a Certificate of Appropriateness. (7/21/09)

(b) Procedure (7/21/09)

- i. All Design Review Board application forms and appropriate fees shall be submitted to the Zoning Administrator or his/her designee who initially determines whether the forms are complete. If complete, the following action(s) may take place: (7/21/09)
 - 1. All properties: Zoning Administrator or his/her designee may review minor refinements. After review, the request may be approved or deferred to the next regularly scheduled DRB meeting. All approved minor refinements will be reported in writing by the Zoning Administrator or his/her designee to the Design Review Board at its next regularly scheduled meeting. (7/21/09)

(10) Notice and Appeal. (7/21/09)

- a. A Notice of Staff approval of minor improvements, accessory structures, or alterations to an approved Certificate of Appropriateness must be posted on the property by the Town. This Notice will be posted in a conspicuous location on the property immediately upon receiving approval for the proposed work, and must remain visible for the duration of the appeals period. The notice does not replace a building permit. (7/21/09)
- b. Appeals of the Staff review must be made in writing to the Zoning Administrator or his/her designee within ten (10) business days from the date of approval or posting, whichever is later. Application information and materials will be made available at Sullivan's Island Town Hall. Any appeals will be considered at the next regularly scheduled Design Review Board meeting. (7/21/09)
- c. If an owner elects to proceed upon receipt of Staff approval prior to the expiration of the appeal period or prior to resolution of an appeal filed within the appeal period, whichever is later, the owner will do so at the risk of having the Staff decision reversed by the Design Review Board. (7/21/09)

G. Time limitations.

- (1) The Design Review Board shall take action on an application for a Certificate of Appropriateness within sixty-two (62) days of the initial hearing following the application submittal of a complete set of plans (in accordance with the application requirements specified by the Zoning Administrator.
- (2) If after a Certificate of Appropriateness has been approved by the Design Review Board, and a Building Permit has not been issued within one (1) year from the date of approval, then such Certificate of Appropriateness shall be null and void and no Building Permit shall be issued.

H. By-laws.

In addition to the rules, regulations and procedures set out in Section 21, the Design Review Board shall adopt a set of by-laws further governing their procedures.

Sec. 21-110. Administrative appeal.

A. Appeals of the administrative official.

Decisions of the Zoning Administrator or other appropriate administrative official in matters under the purview of the Design Review Board may be appealed to the Design Review Board where there is an alleged error in any order, requirement, determination, or decision. Appeals to the Design Review Board may be taken by any person aggrieved or by any officer, department, board, or bureau of the Town.

B. Time limits.

The appeal shall be taken within a thirty (30) days, by filing with the officer from whom the appeal is taken and with the Design Review Board notice of appeal specifying the grounds of it. The officer from whom the appeal is taken immediately shall transmit to the Design Review Board all the papers constituting the record upon which the action appealed from was taken.

C. Effect of appeal.

An appeal stays all legal proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the Board, after the notice of appeal has been filed with him, that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life and property. In that case, proceedings may not be stayed otherwise than by a restraining order which may be granted by the board or by a court of record on application, upon notice to the officer from whom the appeal is taken, and on due cause shown.

D. Setting a time for the hearing.

The Design Review Board shall fix a reasonable time for the hearing of the appeal or other matter referred to it, and give public notice of the hearing, as well as due notice to the parties in interest, and decide the appeal or other matter within a reasonable time.

E. Hearing and order.

Upon the hearing any party may appear in person or by agent or by attorney. The Design Review Board may reverse or affirm wholly or partially or may modify or reverse the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as should be made.

Sec. 21-111. Standards of Neighborhood Compatibility

Where this Ordinance grants the Design Review Board discretion to modify a Zoning Standard or a Design Standard, the Board shall determine whether or not the proposed modification is compatible with the neighborhood. In making this determination the Board shall consider, with reference to adjoining lots, lots facing across the street, and lots in the immediate vicinity:

- A. The pattern of setback, foundation elevations and building heights;
- B. The massing and orientation of structures;
- C. Fenestration (windows) and doorway spacing and alignment patterns;
- D. The placement and use of porches, decks and patios;
- E. The placement and alignment of driveways;
- F. The treatment of front and side facades;
- G. Where appropriate, the types of roofs, the roof pitches, and other aspects of roof design;
- H. Where appropriate, distinctive architectural styles that characterize a street or neighborhood; and
- I. Such other factors as the Board may consider relevant to defining the character of the neighborhood.

Sec. 21-112. Historic preservation responsibilities.

A. Maintenance of historic inventory and map

- (1) The Design Review Board shall maintain an inventory of buildings, structures, objects, and sites that are considered as historic or contributing to the historic character of the Island.
- (2) Design Review Board shall insure that all locally designated historic districts and/or HP Overlay Districts shall be clearly shown on the Official Zoning Map.

B. Nominations to the National Register.

The Design Review Board may conduct the initial review and evaluation of all proposed nominations for the National Register of Historic Places for properties that are within its jurisdiction, prior to consideration by the State Board of Review. The Design Review Board may send their recommendations to the State Historic Preservation Office for consideration at the meeting of the State Board of Review.

C. Establishment of HP Historic Preservation Overlay District.

The Design Review Board shall ensure that the provisions related to the HP Historic Preservation Overlay District are met.

Sec. 21-113. Protection against liability.

Any member of the Design Review Board acting within powers granted by the Ordinance shall be relieved from personal liability for any damage and held harmless by the Town of Sullivan's Island. Any suit brought against any member of the Board shall be defended by a legal representative furnished by the Town of Sullivan's Island until the termination of the proceedings.

Sec. 21-114. Appeal to circuit court.

A person who may have a substantial interest in any decision of the Design Review Board or any officer, or agent of the appropriate governing authority may appeal from any decision of the Board to the circuit court in and for the county by filing with the clerk of court a petition in writing setting forth plainly, fully, and distinctly why the decision is contrary to law. The appeal shall be filed within thirty (30) days after the affected party receives actual notice of the decision of the Design Review Board.

Sec. 21-115. Reserved.

Sec. 21-116. Reserved.