

# **TOWN OF SULLIVAN'S ISLAND DESIGN REVIEW BOARD**

## **REGULAR MEETING MINUTES Wednesday, July 21, 2021**

A regular meeting of the Town of Sullivan's Island Design Review Board was held on Wednesday, July 21, 2021 at 4:00 p.m. at Town Hall. All requirements of the Freedom of Information Act were verified to have been satisfied. Present were Board members Beverly Bohan, Kevin Pennington, Steve Herlong, and Bunky Wichmann.

Town Council Members present: Scott Millimet, property owner of 2902 Brownell Avenue.

Staff Members present: Joe Henderson, Planning and Zoning Director, Randy Robinson, Building Official, Max Wurthmann, Building Inspector, and Jessi Gress, Business Licensing and Permit Technician.

Members of the public: Susan Middaugh, property owner of 2420 Raven Drive, Scott Millimet, property owner of 2902 Brownell Avenue, Nick Schreiber, property owner of 2502 Atlantic Avenue, Luke and Kait Morrison, property owners of 3115 I'On Avenue, Jane Ellen Herron, property owner of 1708 Thompson Avenue.

Media present: No members of the media were present.

**CALL TO ORDER:** Mr. Herlong called the meeting to order at 4:00 p.m. and stated that the press and public were duly notified pursuant to State Law and a quorum of Board Members were present.

- I. **APPROVAL OF MINUTES:** Mr. Wichmann made a motion to approve the June 16, 2021 Design Review Board meeting minutes. Ms. Bohan seconded this motion. All were in favor. None opposed. Motion passed unanimously.
- II. **PUBLIC INPUT:** Mr. Herlong stated that Ms. Kathy Heller submitted a letter to Town Staff commenting on the allowed square footages and approvals currently allowed or given by the Town or members of the Board (Exhibit 1).

Mr. Pennington stated that the letter submitted was submitted previously and asked if it has been addressed by LUNR (Land Use and Natural Resources Committee). Mr. Henderson stated that was correct and Town Council has decided to form a task force to review all the resident's concerns and potentially make some changes to the ordinance. Mr. Henderson stated that Ms. Heller argues that if she has an historic home, she could have a larger home by adding on additions. Because Ms. Heller took advantage of the historic preservation incentive, she is not allowed to receive additional square footage based on the ordinance. Mr. Henderson stated that Ms. Heller is making her argument based on the section of the

ordinance that allows conversion of the historic cottage to accessory dwelling unit as a special exception.

### III. HISTORIC ACCESSORY DWELLING UNIT SPECIAL EXCEPTIONS:

**Mr. Henderson stated that the application for 852 Middle Street was withdrawn from the agenda.**

**852 Middle Street:** Heather Wilson, applicant, requested conceptual approval of the historic accessory structure dwelling unit (ADU) special exception in accordance with Zoning Ordinance Section 21-20 C. (2). Modifications to the zoning standards were requested for principal building side setbacks. (TMS# 523-06-00-031)

### IV. HISTORIC DESIGN REVIEWS:

**419 Station 23 Street:** Judy Hazel, applicant, requested approval to relocate an accessory structure with a modification for setbacks on a Sullivan's Island Landmark property. (TMS# 52906-00-107,106)

Mr. Henderson stated that this property is located in the Atlanticville Local Historic District and is marked historic by historic survey card #60 ca. 1901. Mr. Henderson stated that the applicant requested the relocation of an existing accessory structure with a modification of required setbacks. Mr. Henderson informed the Board that due to a recent court settlement the structure must be moved onto the Hazel's property which will remain accessory to the historic home.

Mr. Pennington asked if this property has one parcel number. Mr. Henderson responded by stating that this property has two parcel numbers and because of this this structure needs to be moved onto the Hazel property. Mr. Pennington asked why the applicant was requesting the additional setback relief. Mr. Henderson responded that he believed it was just to utilize additional space and yard but the applicant can address this further.

Ms. Judy Hazel, applicant, presented her application to the Board.

Ms. Susan Middaugh, property owner at 2420 Raven Drive, stated that this house was historically a keeping house and was used as a home while the main house was being built. Because of the lawsuit the small structure must be moved but this is an attempt to preserve this structure and to keep it where it belongs as part of the historic property

Mr. Scott Millimet, property owner at 2902 Brownell Avenue, stated that there are storage sheds at the bottom of the property line and asked what will be done with that. Mr. Henderson respond by stating that his understanding is that the other sheds are non-historic structures so they could be removed. Mr. Herlong responded by stating that even though they are not

historic the property itself is historic so they would have to come to the DRB to get approval of the removal.

Mr. Wichmann stated that this is a unique property and would hate to see the structure to be moved but understands the process and the reason as to why it needs to be moved. Mr. Wichmann asked what the plans are for the use of the structure.

The applicant stated that they plan to renovate the structure but it was always used as a workshop by their grandfather and plans to keep it as a workshop. Mr. Wichmann asked if there was any intent to elevate the structure. The applicant stated that they do not plan to raise the structure.

Ms. Bohan stated that elevating the structure a little could prevent flooding. The applicant stated where the structure will be going it doesn't flood so flooding won't be an issue.

Mr. Pennington asked if the building is moved and it gets damaged is there anything they would need to do to rebuild. Mr. Henderson responded by stating that has no intentions of making structural changes and the building getting destroyed during a move is highly unlikely given its size. Mr. Pennington voiced his concern that if the Board granted the approval of the relocation that it actually gets relocated and isn't just torn down like another recent property. Mr. Henderson informed Mr. Pennington that Town Staff can make it a condition of the permit that the structure must be relocated and reestablished on a new foundation and nothing more.

Mr. Herlong stated that the property should be moved but hopes that Town Staff ensures this structure is able to be relocated and nothing more.

**Mr. Wichmann made a motion to approve the application presented for final approval. Mr. Pennington seconded this motion. All in favor. None opposed. Motion passed unanimously.**

Mr. Wichmann informed the public that this family is asking for donations from the public to assist with the relocation of this structure.

**1417 Middle Street:** Heather Wilson, applicant, requested conceptual approval to perform an historic rehabilitation of a Traditional Island Resource, with modifications to the zoning standards for principal building coverage. (TMS# 523-07-00-111)

Mr. Henderson stated that this property is listed historic by historic survey card #294 and is located outside of the historic district. Mr. Henderson stated that the applicant requested a historic rehabilitation of a Traditional Island Resource which is part of a grouping of former Fort Moultrie Noncommissioned Officer's Quarters located between 1307 and 1421 Middle Street. Mr. Henderson stated that part of if the rehabilitation is to add a new two-story addition to the rear of the structure. The historic portion is to be elevated 2'4' to meet FEMA standards. Mr. Henderson suggested that a preservation and engineering report be generated by the DRB's historic consultants to address further architectural details for this property.

Mr. Herlong stated that the Town is requesting for the historic consultant but it is up to the Board to request this or to just proceed with the application without the consultant.

Mr. Wichmann asked if the consultant will be needed for each historic application. Mr. Henderson stated that the consultant will not be needed on every application just on the ones Town Staff feels it is needed.

Ms. Elizabeth Drake, applicant, presented the application to the Board.

**No public comment was made.**

Mr. Herlong stated that if there is going to be a change that a consultant will be needed for a project it would be nice if the applicant knows as soon as possible. Mr. Pennington agreed with Mr. Herlong and stated that probably isn't needed. Mr. Henderson stated that he suggested the consultant on this project because of the south elevations and the request for removal of the additions which are more than likely non-original but felt it was necessary to get another option.

Ms. Bohan stated that she agreed with Mr. Herlong in which the applicant should have as much notice as possible if a consultant is needed. Ms. Bohan stated that the Town Staff recommendation suggested getting more information on the historic portions. Ms. Bohan agreed with the Staff recommendation given but would grant conceptual approval.

Mr. Wichmann agreed with the Board and stated he would grant conceptual approval but asked the applicant to provide more information, list of materials and photos on the next submittal.

Mr. Herlong agreed with the Board and believed that the Board.

**Ms. Bohan made a motion to approve this application for conceptual review but requested a historical engineer's point of view on the property in reference to the roof pitch, siding and historical materials and to receive the report at the next Design Review Board meeting. Mr. Wichmann seconded this motion. 3 were in favor. Mr. Pennington opposed. Motion passed 3 to 1.**

**Mr. Herlong recused himself from this application (Exhibit 2).**

**2502 Atlantic Avenue:** Brook Gerbracht, applicant, requested approval to apply screen to a front façade porch and replace existing garage doors on a Sullivan's Island Landmark structure (TMS# 529-10-00-039)

Mr. Henderson stated that this is a historic home by way of historic survey cards #116 and it is within the Atlanticville Historic District. Mr. Henderson stated that the applicant requested to

screen the entire front porch, replace the garage doors and to obscure the east elevation window. Henderson requested that the Board consider authorizing screen for only the non-historic front porch according to the Secretary of Interior's Guidelines for Historic Preservation, citing page 112, caption 26 of the guidelines regarding "Entrances and Porches." This section describes that "installing a screened enclosure is never recommended on a front or prominent historic porch."

Ms. Brook Gerbracht, applicant, presented her application to the Board.

**There was one letter from the public submitted to Town Staff in regards to this property (Exhibit 3). No additional public comment was made.**

Nick Schreiber, owner of 2502 Atlantic Avenue, stated that when he and his family first came to Sullivan's Island, they stopped right in front of this home and fell in love. Part of loving this house Mr. Schreiber stated he wants to restore this home to its original form.

The Board was in favor of the application presented because the porch was not original to the home and had been completely reconstructed following Hurricane Hugo according to the pictures shown in the historic survey card.

**Mr. Pennington made a motion to approve this application for final approval. Mr. Wichmann seconded this motion. All in favor. None opposed. Motion passed unanimously.**

#### **V. NON-HISTORIC DESIGN REVIEWS:**

**3118 Marshall Boulevard:** Bronwyn Lurkin, applicant, requested conceptual approval to construct a new single-family home with modifications to the zoning standards for principal building square footage and side setbacks. (TMS# 529-12-00-098)

Mr. Henderson stated that this property is not a historic structure and not located in a historic district. Mr. Henderson stated that the applicant requested to construct a new single-family home with modifications to the zoning standards. Mr. Henderson stated that the applicant requested relief for principal building square footage and side setback.

Ms. Lurkin presented her application to the Board.

Mr. Scott Millimet, property owner of 2902 Brownell Avenue, asked what was the size of the lot and are there going to be any screens on the porches.

Mr. Henderson stated that the lot size is 25,922 square feet or a ½ lot.

Ms. Lurkin stated that they are debating weather or not to screen in the porches.

Mr. Luke Morrison, property owner of 3115 l'On Avenue, stated as the neighbor of this property he was not approached by the owner or the applicant in regards to this project. Mr. Morrison stated that as a property owner he feels that it is important to talk with the neighbors about the proposed construction. Mr. Morrison felt as though this home is quite large and could potentially be reduced in height, scale, and massing.

Ms. Bohan asked what was the allowable square footage and what was being requested. Ms. Lurkin responded by stating that this property is allowed 4492 square feet but she requested 4700 square feet. Ms. Bohan likes the design but felt as though the structure maybe a little too tall and suggested lowering it if possible.

Mr. Pennington believed that the applicant complied with the ordinance and approved the application presented.

Mr. Wichmann stated he would approve this application for conceptual approval Mr. Wichmann suggested to the applicant to reach out to the neighbors and get their thoughts and concerns on the application.

**Mr. Wichmann made a motion to approve this application for conceptual approval requesting the applicant meet with the neighbors. Ms. Bohan seconded this motion. All were in favor. None opposed. Motion passed unanimously.**

**1710 Thompson Avenue:** Anita King, applicant, requested conceptual approval to construct a new single-family home with modifications to the zoning standards for principal building square footage, principal building coverage, side setback, principal building side façade and second story side façade setbacks (TMS# 523-08-00-068)

Mr. Henderson stated that this property is not historic and not located in the historic district. Mr. Henderson stated that the applicant requested to construct a new single-family home with modifications to the zoning standards for principal building square footage, principal building coverage, second story side façade, principal building side façade and side setback relief.

Mr. Jason Fowler presented his application to the Board.

**Mr. Wichmann made a motion to approve this application for conceptual approval requesting that Town Staff review the setbacks. Ms. Bohan seconded this motion. All were in favor. None opposed. Motion passed unanimously.**

**There was one letter from the public submitted to Town Staff in regards to this property (Exhibit 4).**

Jane Ellen Herron, property owner of 1708 Thompson Avenue, asked if the applicant was requesting square footage to make the home wider and if so, how far away would it be.

Mr. Fowler responded by stating they are asking for side setback relief to make the home wider which would make it 13.6 feet away from the home and the neighboring property line.

Ms. Bohan stated that she likes the design but suggested more articulation on the east elevation. Ms. Bohan asked if the applicant has reached out to the neighbors. Mr. Fowler responded by stating yes, they have reached out to the neighbors.

Mr. Pennington stated that he liked the design of the property but raised concern about a group of oak trees that seem to be in the buildable area. Mr. Pennington asked if there was anything the applicant could do to avoid the removal of those trees. Mr. Henderson responded by stating that no they wouldn't be able to accommodate that section of trees.

Mr. Pennington asked where the neighbor's driveway is going to be located. Mr. Henderson stated that at this time is the applicants are unsure but they would need to create a new driveway for the neighboring property. Mr. Pennington agreed with Ms. Bohan's comment in regards to the east elevations.

**Mr. Wichmann made a motion to approve the application for conceptual approval with the recommendation of Town review on the front setback and the articulation of the east elevation. Ms. Bohan seconded this motion. All were in favor. None opposed. Motion passed unanimously.**

**VI. ADMINISTRATIVE APPEAL:**

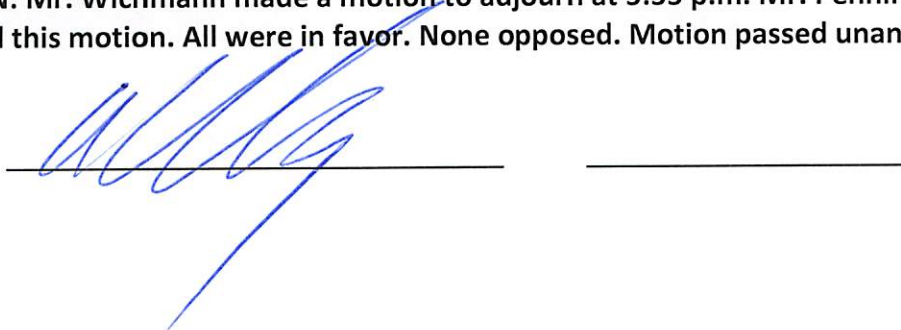
**Mr. Henderson stated that this item was requested for deferral to the August 18, 2021 agenda.**

Cynthia Holmes, Sullivan's Island Resident, requested an administrative appeal of the Zoning Administrator's interpretation of the Design Review Board's Bylaws, Article 3, Section 8 (Rehearing) and Zoning Ordinance, Sections 21-110 (Administrative Appeal) and 21-114 (Appeal to Circuit Court).

**VII. CONSIDERATION TO SCHEDULE A DESIGN REVIEW BOARD WORKSHOP:** Mr. Henderson asked the Board to suggest some dates and times to meet in regards to a Design Review Board workshop.


The Board responded by suggesting a Friday in late September sometime in the morning from 9 a.m. to 12 p.m.

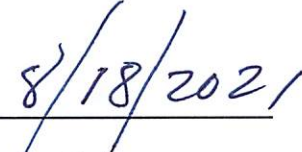
**VIII. ADJOURN:** Mr. Wichmann made a motion to adjourn at 5:55 p.m. Mr. Pennington seconded this motion. All were in favor. None opposed. Motion passed unanimously.



Steve Herlong, Chairman

Date

  
\_\_\_\_\_

  
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Beverly Bohan, Vice-Chairman

Date



Joe,

I will be traveling during the July 21<sup>st</sup> DRB meeting but wanted to have my comments read aloud at that time. Thank you for distributing my comments to the DRB and have them in the records.

Sincerely,  
Kathy Heller

Dear DRB, Town Council etc.

We are the Heller's who own the "red barn" at 2320 Ion Ave with the second newer structure behind it. Our red house circa 1880 was mentioned favorably in the May DRB meeting in the way we preserved the original structure.

Our red house was in such disrepair and an eyesore that some neighbors at the DRB meeting in 2006 actually wanted us to tear it down and not restore it. Thank goodness with a talented builder and architect we gave the red house its second life and it has even been featured in a couple of magazines. We decided that taking our red house back to its original size of 1100 square feet was the best way to keep its integrity intact and build a second permanent home structure behind it someday. We also recognized in 2005 when we bought the property we would not be able to build over 2900 square feet new if we ever built our permanent home behind it due to Section 21-20C (2) (j) highlighted below:

j) Discretionary increases by the Design Review Board in principal building coverage, impervious surface coverage and square footage may not be granted to properties with a second structure.

[https://charlestonmag.com/features/overall\\_winner\\_cottage\\_classic](https://charlestonmag.com/features/overall_winner_cottage_classic)

<https://lightroom.adobe.com/shares/51de1d3ec1e44b8885f7f3b0386276e1>

Fast forward 15 years since our property purchase and the world has changed. In addition to moving here permanently as have many others, real estate prices have skyrocketed and the pandemic changed everyone's lifestyles.

Ideally we would love to add about 500 square feet for an office/bonus room inside the existing footprint, as my husband now teaches college online. We are however prohibited for any variance or addition in square footage to our 4078 square feet total due to the two house structure. If someone came in to our one half acre lot with no structure present at all, they could likely build up to 4078 square feet with a potential increase of 1,019 square ft (5097 total as per the town) where we are capped at 4078.

When it came time to build our permanent home behind our red house, we chose Heather Wilson who appropriately replicated the original style. Heather's drawings for the 852 Middle Street cottage are also spot on and will be saving an iconic building on the Island. Every historical structure is different and owners should be allowed, with excellent architects like Heather, to appropriately determine the best course of action whether adding on to a historic property or a new build, according to updated town regulations. 852 Middle which appears to have a good central lot location and street presence, adding to the sides and rear in my opinion are very much in keeping with the original structure. Some properties like the Squeeze Inn that are very tiny, and due to location and size may be better off used as a stand-alone cottage like a guest house as we did and keep the historic structure in the forefront.

Restoring these cottages are a labor of love, stress and generally at extreme cost. We have spent multiple six figures to keep our red house intact to include new foundation, drainage, cement pad, moving heat and air to attic etc. to try to keep flooding, mold, termites and rodents away and not always successfully. No doubt there are tons of similar stories and much worse.

Last but not least, Section 21-20C (2) (j) of the Ordinance is actually punitive in nature to Historic Properties and owners. When homes are sold in the State of South Carolina square footage matters and is stated on the MLS. The town is altering values of historic properties by limiting square footage. The Town of Sullivan's Island, wherein it pertains to DRB "guidelines" should treat all properties, historic and non-historic, with the same consideration without discriminatory restrictions to historic properties. I am afraid that if these square footage rules for historic properties are not modified, you may lose the remaining smaller cottage gems that get cobbled into a larger structure due to these strict limitations.

Thank you for consideration in modification of the historic properties ordinances and in working with your fellow citizens who love this Island. The town should want to reward residents who purchase historic properties and not place them at a disadvantage.

Kathy Heller  
2320 Ion Avenue  
Sullivans Island SC

Kathy Craig Heller

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# RECUSAL STATEMENT

Member Name: Steve Herlong

Meeting Date: July 21, 2021

Agenda Item: 4 Section: E Number: 3

Topic: 2502 Atlantic Avenue

*The Ethics Act, SC Code §8-13-700, provides that no public official may knowingly use his office to obtain an economic interest for himself a family member of his immediate family, an individual with whom he is associated, or a business with which he is associated. No public official may make, participate in making, or influence a governmental decision in which he or any such person or business has an economic interest. Failure to recuse oneself from an issue in which there is or may be conflict of interest is the sole responsibility of the council member (1991 Op. Atty. Gen. No. 91-37.) A written statement describing the matter requiring action and the nature of the potential conflict of interest is required.*

**Justification to Recuse:**

Professionally employed by or under contract with principal

Owns or has vested interest in principal or property

Other: \_\_\_\_\_

[Signature]  
Member Signature

July 21, 2021  
Date

[Signature]  
Signature of Official

7/21/21  
Date

July 2021  
DRB Submittal  
2502 Atlantic Ave.

Dear Members of the Board,

I reside at 2501 ATLANTIC, a neighboring property to 2502 Atlantic Ave., which is on the agenda for the DRB meeting later this month. Nicholas and Sarah Schreiber have shared with me their submittal for re-screening the front porch, covering a single window from the interior while maintaining the window on the exterior, and replacing existing garage doors with a similar design and automatic openers.

I have reviewed these plans, and I support their proposal.

Sincerely,

JERRY KAYMAN

Print Name

Jerry Kayman  
Signature and Date

7-19-21

**W.E. Applegate III**  
Attorney at Law

Exhibit 4

July 19, 2021

To: The Sullivan's Island Design Review Board

RE: 1710 Thompson Avenue

Joe and Jessica Riley have shared with me and True the plans for the home they hope to build on the lot that is adjacent to ours. The plans appear to be appropriate for the lot and the other homes nearby, and we know that Joe and Jess look forward to moving ahead with their build.

Thank you for your consideration of their design.

Sincerely,

A handwritten signature in black ink, appearing to read "Sam Applegate", with a long horizontal flourish extending to the right.

Sam Applegate



Town of Sullivan's Island  
Design Review Board

Sign in Sheet  
July 21, 2021

Print Name

Address

Email

Nicholas Schreiber	2502 Atlantic Ave	nicholas.j.schreiber@gmail.com
BRONWYN LURKIN	3118 MARSHALL BLVD	bronwyn@h....
ELIZABETH DRAKE	1417 MIDDLE ST.	lin@drakemail.com
Ann Moore Dove	109 Middle	IND.P
AL Dove	"	"
Marie Dove Rabun	"	"
Brooke Gerbracht	2214 Middle	brooke@herlongarchitects.com



**Town of Sullivan's Island  
Design Review Board**

Sign in Sheet  
July 21, 2021

Print Name

Address

Email

JAMES SALVITELLI

221A MIDDLE

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Cara Lynn Cannon

2928 Jasper

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J. Jeff Milliner

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millinerj@comcast.net