

## ZONING REGULATION TASK FORCE:

Zoning Ordinance Sections  
SFH massing, size and site development.

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### **§21-22 Dimensional Standards (setbacks)**

#### **§21-22 B. Front yard setback**

A. Minimum front yard setback.

(1) Front Yard Setback.

The minimum required Front Yard Setback shall be **twenty-five (25) feet.**

(2) Corner lot. The required Front Yard Setback for a Corner Lot shall be fifteen (15) feet from that portion of the lot running parallel to the side of the Principal Building. If the Principal Building is sited in a manner that neither side runs parallel to the lot line, then the Principal Building shall be set back from both lot lines the required twenty-five (25) feet.

(3) Shallow lot.

(a) A shallow lot is a lot with less depth than width as measured at the building line.

(b) The required Front Yard Setback may be reduced by one-third (1/3) foot for each foot by which the lot depth is less than eighty (80) feet rounded up or down to the nearest whole foot; provided, however, the Front Yard Setback shall never be less than fifteen (15) feet.

(4) Additional Front Yard Setback:

(a) For any portion of a Principal Building's height exceeding twenty (20) feet, that portion in excess of twenty (20) feet shall be set back from the Front Yard Setback an additional one (1) foot for every one (1) foot of increased height above twenty (20) feet as measured at the Front Yard Setback.

## EXAMPLE

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### §21-22 C Side yard setback

#### C. Minimum side yard setback.

- (1) Lots equal to or greater than one hundred five (105) feet wide as measured at the required Front Yard Setback Line:
  - a) The Side Yard Setback shall be a minimum of fifteen feet (15) with a combined Side Yard Setback for both sides equal to forty (40) feet.
- (2) Lots less than one hundred five (105) feet wide as measured at the required Front Yard Setback Line:
  - a) The required Side Yard Setback may be reduced by one-third (1/3) foot for each foot by which the lot width is less than one hundred five (105) feet rounded up or down to the nearest whole foot; provided, however, the Side Yard Setback shall never be less than ten (10) feet.

## EXAMPLE

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### §21-22 C Side yard setback

#### A. Minimum rear yard setback.

- (1) Unless otherwise provided, no structure or part of a structure shall be erected or allowed to remain nearer than twenty-five (25) feet to a Rear Lot Line.

## EXAMPLE

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## **§21-25 to 27 Lot Coverage Standards**

### §21-25 Principal building coverage area (PBC)

#### B. Permitted principal building coverage area.

- (1) Lot Area equal to or greater than fifteen thousand (15,000) square feet:
  - (a) Principal Building Coverage Area shall be no greater than fifteen percent (15%) of the Lot Area.

#### C. Design Review Board.

- (2) The Design Review Board may increase by no more than twenty percent (20%) the maximum permitted Principal Building Coverage Area if this or other modifications achieve greater Neighborhood Compatibility as described in ARTICLE XII, except as provided in Section 21-20C.(2)(j) regarding historic properties with a second structure on the same lot. (5-15-07)

## EXAMPLE

- (1) ½ acre Lot 21,780 sf = 3267 sf Coverage (15%).
    - (a) ½ acre Lot 14,505 sf = 2176 sf Coverage (15%).
    - (b) ¼ acre Lot 10,890 sf = 1634 sf Coverage (20%)
    - (c) Lot 5,000 sf = 1250 sf Coverage (25%).
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### §21-26 Impervious coverage area (IC)

#### A. Permitted impervious coverage area.

- (1) Lot Area equal to or greater than fifteen thousand (15,000) square feet:
  - (a) Impervious Coverage shall be no greater than **thirty percent (30%) of the Lot Area.**

**EXAMPLE**

- (1) Examples:
  - (b) ½ acre Lot 21,780 sf = 6534 sf Impervious Coverage (30%).
  - (c) ⅓ acre Lot 14,505 sf = 4352 sf Impervious Coverage (30%).
  - (d) ¼ acre Lot 10890 sf = 3267 sf Impervious Coverage (33.3%).
  - (e) Lot 5,000 sf = 2000 sf Impervious Coverage (40%).
- (2) **At least fifty percent (50%) of the Lot Area shall remain naturally vegetated or landscaped with grass and/or other vegetation.**

**§21-27 Principal building square footage (PBSQ)**

- A. Permitted principal building square footage.
  - (1) Lot Area of five thousand (5,000) square feet or less: Principal Building Square Footage limited to twenty-four hundred (2400) square feet.
  - (2) Lot Area exceeding five thousand (5,000) square feet: maximum Principal Building Square Footage of twenty-four hundred (2400) square feet may be increased 10 sf for every additional 100 square feet of Lot Area.
  - (3) Equation: **[(Lot Area - 5000 sf) / 100 sf] x (10) + 2400 = Principal Building Square Footage.**

**EXAMPLE**

- (a) ½ acre Lot 21,780sf = 4078 Principal Building Square Footage.
- (b) ⅓ acre Lot 14,505sf =3351 Principal Building Square Footage.
- (c) ¼ acre Lot 10890sf = 2989 Principal Building Square Footage.
- (d) Lot 5,000 sf = 2400 Principal Building Square Footage.

**§21-22 Design Standards (architectural)**

**§21-22 Second Story Side Façade Setback**

- A. Minimum principal building side façade setback.
  - (1) A Principal Building’s 2<sup>nd</sup> floor Side Façade having a **width in excess of ten (10) feet shall be setback two feet from the 1<sup>st</sup> floor Side Façade.**
  - (2) If a Principal Building’s 2<sup>nd</sup> floor Side Façade has an unenclosed porch with a minimum depth of four (4) feet, the Side Façade encompassed by the porch shall not be subject to the additional required setback.
- (3) Design Review Board.

The Design Review Board may grant up to a **one hundred percent (100%)** modification in this Zoning Standard if this or other modifications achieve greater Neighborhood Compatibility as described in ARTICLE XII.

**EXAMPLE**

**§21-29 Principal Building Front Façade**

- A. Design standards.
  - (1) Principal Building’s Primary Front Façade:

- (a) The width of a Principal Building's Primary Front Façade shall not exceed the lesser of fifty feet or two-thirds (2/3) of the lot's buildable width (width of lot at the building line less that portion required to meet the side yard Setbacks). All other front facing facades shall be set back at least eight (8) feet from the Principal Building's Primary Front Façade.
- (b) A Principal Building having a porch or porches with a depth of eight (8) feet extending across forty percent (40%) of the Principal Building's Primary Front Façade 1<sup>st</sup> floor shall be exempt from meeting the requirement of (a) above.

Design Review Board. The Design Review Board may grant up to a one hundred percent (100%) modification in this Design Standard if this or other modifications achieve greater Neighborhood Compatibility as described in ARTICLE XII.

## EXAMPLE

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### §21-29 Principal Building Side Façade

- (1) Principal Building's Side Façade:
  - (c) The length of a Principal Building's Side Façade shall not exceed thirty (30) feet without an articulation (building inset) in the Side Façade of at least four (4) feet wide.
  - (d) This standard may be met by inclusion of side porch having a minimum depth of four (4) feet.

Design Review Board. The Design Review Board may grant up to a one hundred percent (100%) modification in this Design Standard if this or other modifications achieve greater Neighborhood Compatibility as described in ARTICLE XII.

## EXAMPLE

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### §21-30 Building orientation

- A. Design standards.
  - (1) The Principal Building's Primary Façade (front door) shall be oriented toward a public street, excluding Principal Buildings on lots adjacent to the ocean or marsh.
  - (2) Double Frontage Lots: the Principal Building's Primary Façade shall be oriented toward the ocean unless the Principal Building is replacing one oriented otherwise.
  - (3) Corner lots: the Principal Building's Primary Façade shall be oriented toward the ocean or marsh, unless the Principal Building is replacing one oriented otherwise.
- B. Design Review Board.
 

In determining orientation of the Principal Building, the Design Review Board may modify this Design Standard to achieve greater Neighborhood Compatibility as described in ARTICLE XII.

## EXAMPLE

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### §21-31 Building foundation height

- (1) The bottom elevation of the Principal Building's lowest horizontal structural member shall be no more than eight (8) feet above finished grade.
- (2) The finished floor shall be no more than nine (9) feet four (4) inches above finished grade.

B. Design Review Board.

The Design Review Board may grant up to a one-foot (1') modification in this Design Standard if the modification or

other modifications achieve greater Neighborhood Compatibility as described in ARTICLE XII.

## EXAMPLE

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### §21-24 Building height

- A. No Principal Building shall be erected, altered or moved to exceed thirty-eight (38) feet in overall height.

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## Conditional Uses

### §21-143 Parking- Residential

- (1) To the extent possible, parking areas should be twenty (20) feet to the rear of the Principal Building's front façade.

\*\*one driveway permitted per 21-15

## EXAMPLE

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### §21-142 Swimming Pools & Recreation Facilities

- A. Permitted accessory recreational uses.

- (1) Swimming pool and attendant facilities.
- (2) Basketball, tennis or other type of play court.
- (3) Decks and patios.

- B. Restrictions.

- (1) All accessory recreational uses and structures shall be located a minimum of twenty (20) feet to the rear of the Principal Building's front façade.
- (2) All accessory recreational uses and structures shall meet the same Setbacks required of the Principal Building. 25' rear and front and 40' sides; 30' from RC-1 & RC-2
- (3) Pools elevated more than six inches above grade are not permitted unless developed as an integral part of a Principal Building.

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### §21-20 B (6) Attached Additions

- (1) Attached additions that do not share heated space with the principal dwelling provided
  - (a) No kitchen facilities are allowed, and
  - (b) Deed restrictions are placed on the property prohibiting rental as a separate dwelling, and
  - (c) Any attached addition with an established connection to the principal building, shall be located under one roof and retain a permanent floor constructed above grade. The length to width ratio of the proposed connection may not exceed a two to one (2:1) dimension ratio, with a minimum width of four (4) feet, a maximum length of twenty (20) feet, and shall be visually and architecturally integrated with the existing principal building; said structures, as conditional uses, being reviewed and aesthetically approved by the Design Review Board. (9/17/2013)

**EXAMPLE**

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**§21-138 Accessory Structures**

- A. Accessory structures shall
  - (1) Be located a minimum of **twenty (20) feet to the rear of the principal building's primary front facade**; provided, however, that for lots adjacent to the RC-1 or RC-2 District zones, accessory structures may be allowed in the yard area abutting the RC District or in the yard area abutting the street. (11-20-07)
  
  - (2) (a) Not exceed the greater of **twenty-five percent (25%) of the principal buildings square footage** in total combined square footage of all accessory structures or **750 s.f.**; and no one (1) structure may exceed 750 square feet in total area; total area to include square footage below BFE (Base Flood Elevation), above BFE and any roof overhang or shed roof, excluding any roof overhang less than 30 inches beyond the footprint of the structure; a cantilevered section of a structure will not be considered a roof overhang; and further provided that **the accessory structure footprint shall not exceed 625 square feet**, measured between the exterior walls of the structure. (11-20-07)
  
  - (b) The Design Review Board **may grant no more than a twenty (20%) percent increase** in this zoning standard, if this or other modifications achieve greater Neighborhood Compatibility as described in ARTICLE XII, and with particular consideration of the size and floor elevation of the principal dwelling. (11-20-07)

<b>EXAMPLE</b>	<i>Standard</i>	<i>DRB increase</i>
Principal Building SQ:	750	900
Footprint:	625	750

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**Historic Incentives**

**§21-20 B (6) Accessory Dwelling Unit (ADU) Special Exception**

- (2) Historic structure used as accessory dwelling unit.

As an incentive to preserve historic structures and avoid their demolition, a second dwelling may be constructed on the same lot as an historic structure, and the historic structure may be used as an accessory dwelling, when all of the following conditions are met:

  - (a) Prior use shall have been used as a dwelling; and
  - (b) **The size of the historic structure is less than twelve hundred (1200) square feet of heated space** at the time of its designation as historic and is listed as an historic property as described in Section 21-94 Historic Property Designation Criteria; provided, however, that a structure reduced to less than 1200 square feet of heated space after its designation as historic may qualify for special exception approval for an additional dwelling on the same lot, but only if the Design Review Board review determines and specifies in findings, that: (5-15-07)
    - a. Special circumstances justify such reduction in square feet based on the criteria listed in Section 21-94D. (1-8); and (5-15-07)

b. The portions removed from the historic property were added less than fifty (50) years ago and/or obscured an earlier feature of the historic house which contributed substantially to the most important elements of its historic character, definition and integrity. Examples of the latter instance include the removal of an enclosure of a porch when the open porch had been characteristic of a particular type of Island structure, or removal of an addition which covered a distinctive feature of the structure that is shared by neighboring structures. (5-15-07)

These provisions shall supersede any inconsistent provisions contained in other portions of Chapter 21 relating to the use of historic structures as accessory dwellings, including but not limited to Section 21-140. (5-15-07)

- (c) In the event the historic structure does not meet current FEMA elevation requirements, the Design Review Board finds that bringing it into compliance would significantly impair the historic and architectural character of the structure; and
- (d) In the event the historic structure meets current FEMA elevations requirements, the Design Review Board finds that there is no feasible design solution for an addition to the historic structure that would not significantly impair the historic and architectural character of the structure; and
- (e) No separate utility service meters shall be permitted; and
- (f) The bottom elevation of the new second structure's first story floor joists shall be no greater than two (2) feet above the FEMA base flood elevation; and
- (g) The Design Review Board must find that the height, scale, mass and placement of the second structure are appropriate to and compatible with the lot on which it is sited, the character of the historic structure and surrounding neighborhood. When necessary to achieve such appropriateness and compatibility, the Design Review Board may impose stricter limits on height, setback, size and coverage than those of the zoning standards; and
- (h) Permission to build a second structure and to use the historic structure as an accessory dwelling is approved as a special exception by the Board of Zoning Appeals; and
  - (i) The following conditions as covenants running with the property shall be placed on the real estate title to the property by the owner of the lot by recording deed restrictions for the benefit of the Town of Sullivan's Island on the owner(s) title and recording the same in the RMC office for Charleston County before a building permit is issued:
    - (i) The lot shall remain in single ownership; more specifically, regardless of the type of ownership every owner, member, partner, shareholder, or unit owner, must have the same percentage of ownership in the historic structure as in any additional structure(s); and
    - (ii) Every owner, member, partner, shareholder or unit owner must have the same amount of control over the use of the historic structure as over any additional structure(s); and
- (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.
- (k) If the historic structure used as an accessory dwelling is damaged or destroyed, by natural disaster, civil strife or uncontrollable accident, by more than fifty percent (50%) of its assessed value based on the most recent property assessment, the structure may be repaired in accordance with its pre-existing footprint, square footage, setbacks, and lot coverage. The Zoning Administrator shall rely on all credible information provided by the owner and/or available from the Town, to establish the damaged or destroyed structure's pre-existing condition and lot location. A Certificate of Zoning Compliance and a Building Permit shall be obtained within twelve (12) months of the date of occurrence of such damage, and once issued, construction shall be diligently pursued and completed within two (2) years from the date of the occurrence of such damage. If FEMA regulations require the structure's foundation to be elevated over fifty percent (50%) above its original elevation, the Design Review Board shall determine whether or not the reconstruction shall be required to meet the current Zoning Ordinance's Setback requirements. (11-20-18)
- (l) The historic structure used as an accessory dwelling may be used as a long-term rental, but only so long as the principal structure is occupied by an owner of the property as primary residence and a current business license is held on the same property. Primary residence is defined as a dwelling

where the owner or owners reside on a permanent basis and are assessed at the four percent (4%) assessment rate on their ad valorem property tax.

## EXAMPLE

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### §21-43 Historic Exemptions (50% lot coverage & conditioned space)

#### A. Exceptions to standards.

If efforts are made to retain a Principal Building because it is an historically significant or contributing building (an historic property as described in Sec. 21-94. Historic property designation criteria)) that is compatible with existing development, the Design Review Board may:

- (1) Where an addition is made to an historic structure, exempt up to fifty (50%) of the Principal Building's existing square footage, building coverage (footprint) and impervious surface coverage (for example, a new structure on a half-acre lot with an existing historic structure with two thousand (2,000) Principal Building Square Footage, an addition to the Principal Building could contain 3,078 square feet, for a total Principal Building Square Footage of 5,078 square feet. However, in no case may the resulting total actual square footage of both structures exceed 5,600 square feet (this exemption does not apply where a second structure is built on the lot);
- (2) Exempt the Principal Building's pre-existing nonconforming Setbacks in order to permit additions in keeping with the Principal Building's historic character; and,
- (3) Permit the Principal Building to be used as accessory dwelling unit only specified in previous section 21- 20 C, occupied by persons meeting the Zoning Ordinance's definition of "family."

#### B. Design Review Board.

The Design Review Board shall make case-by-case determinations to decide to what extent the above exemptions shall be granted if the Principal Building is listed as an historic property as described in Sec. 21-94. Historic property designation.

## EXAMPLE

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