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TOWN OF SULLIVAN'S ISLAND  
BOARD OF ZONING APPEALS

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Approved on June 9, 2016

MEETING BEFORE: ELIZABETH TEZZA, CHAIRMAN

DATE: May 12, 2016

TIME: 6:00 PM

LOCATION: Town of Sullivan's Island  
2050-B Middle Street  
Sullivan's Island, SC

REPORTED BY: Priscilla Nay  
Certified Shorthand Reporter

A. WILLIAM ROBERTS, JR., & ASSOCIATES

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1 APPEARANCES:

2

3 ELIZABETH TEZZA, CHAIRMAN

4 SALLY PRITCHARD, BOARD MEMBER

5 PETER RICHARDSON, BOARD MEMBER

6 ELIZABETH BRASHER, BOARD MEMBER

7 JODY M. LATHAM, BOARD MEMBER

8 JOE HENDERSON, ZONING ADMINISTRATOR

9 RANDY ROBINSON, BUILDING OFFICIAL

10 COURTNEY LILES, TOWN CLERK

11 SUMMER D. EUDY, ESQUIRE

12 WILLIAM S. BARR, ESQUIRE

13 BRIAN A. HELLMAN, ESQUIRE

14

15 ALSO PRESENT:

16 KATE CAMPBELL

17 RON COISH

18 RIC BROWDER

19 ALLEN PORTER

20 JOE BUTLER

21 RON COISH

22

23 (INDEX AT REAR OF TRANSCRIPT)

24

25

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1 THE CHAIRMAN: Thank you. Anybody

2 who's not employed by the Town, please, we're going

3 to need you to sign in. If you haven't signed in,

4 please do that. The first thing I want to do is

5 welcome our new members, Emily and Sally. Welcome

6 to the Board of Zoning Appeals.

7 We don't usually have this big of a

8 crowd, but we do tonight. I'm going to make a few

9 announcements before we start. If you have a cell

10 phone, please turn it on silent or off.

11 I want to remind everyone that comments

12 are only to be addressed to the Board of Zoning

13 Appeals and not to each other. Depending on the

14 context of the appeals and requests that we're

15 hearing I will be imposing time limitation per our

16 rules of procedure. I will just say what those

17 are.

18 If we feel we need to extend those

19 the entire Board will get to weigh in on that. So

20 statement of the matter, then presentation by the

21 Town, ten-minute limit; presentation by the

22 applicant, ten-minute limit; presentation by

23 opponents, ten-minute limit; and rebuttal is five

24 minutes. Then we'll have public comment. The way

25 this works is the Town will present.

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1 THE CHAIRMAN: I'd like to called to

2 order this meeting of the Board of Zoning Appeals.

3 Courtney, have the Freedom of Information Act

4 requirements been met?

5 MS. LILES: They have.

6 THE CHAIRMAN: Thank you. You all

7 received -- not Sally and Emily but -- the minutes

8 of the April 14th meeting. I did have a few minor

9 corrections which I've already sent. They weren't

10 substantive in nature. I will ask if there's a

11 motion to approve the minutes from April 14th.

12 MS. LATHAM: Move to approve the

13 minutes from April 14th.

14 THE CHAIRMAN: Is there a second?

15 MR. RICHARDSON: Second.

16 THE CHAIRMAN: All in favor signify

17 by saying aye.

18 (All board members stated aye.)

19 THE CHAIRMAN: Like sign opposed?

20 The minutes are approved. We'll now take the

21 applicant and participant oath. So anyone who will

22 be addressing the Board of Zoning Appeals, please

23 stand.

24 (Oath administered to applicants and

25 participants.)

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1 The Board may ask questions of Joe

2 and/or Randy while the Town is presenting. We will

3 then ask the applicants to present. We will ask

4 them questions.

5 We will ask for public comment and then

6 we will close public comment and just the Board

7 will discuss the matter at hand with no comment

8 from the public unless we need to ask a question.

9 Okay. So with that, the first thing

10 we're going to do is move Item F-1, 2668 Goldbug

11 Avenue, to the first item on the agenda, because

12 there has been a change. The Town is going to be

13 requesting a continuance for that matter. So we

14 probably will not even be hearing it based on the

15 information that Joe is about to give us. Please

16 proceed.

17 2668 Goldbug Avenue

18 MR. HENDERSON: Thank you. Members

19 of the Board, this special exception request at

20 2668 Goldbug was reviewed during the March 10th

21 meeting. During that meeting the request was

22 simply for a special exception. During that

23 meeting Town staff maintained that a variance

24 request -- a separate variance request was not

25 required for the project as presented.

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1 They are requesting to encroach beyond  
 2 the build-to line. So after the Town's legal  
 3 counsel review of that issue with a little bit more  
 4 depth it's been determined that a separate variance  
 5 is indeed requested or needed by the Board.  
 6 So because of this miscommunication or  
 7 misinterpretation of the ordinance by Town staff we  
 8 have requested that the applicant request a  
 9 continuation and staff requests that the Board make  
 10 a continuation of this – of this issue because we  
 11 didn't receive the application in a timely manner.  
 12 We weren't able to give public  
 13 notification to the newspapers and also post on the  
 14 website. So that --  
 15 THE CHAIRMAN: That would be the  
 16 application for the variance --  
 17 MR. HENDERSON: That's correct.  
 18 THE CHAIRMAN: -- in conjunction  
 19 with the special exception?  
 20 MR. HENDERSON: That's correct. The  
 21 special exception application was filed in a timely  
 22 manner; however, the variance was not. I have  
 23 spoken with the applicants about this. We have  
 24 offered the apology from Town staff, but according  
 25 to Town Council and the Town's legal advice we have

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1 filed and the public notified within a certain  
 2 period of time.  
 3 I would just add that as a matter of  
 4 policy we will now require that all special use  
 5 exceptions in the future that deviate from the  
 6 ordinance standards have a separate variance  
 7 application attached.  
 8 THE CHAIRMAN: Okay. I'd like to  
 9 hear from the applicant. Summer.  
 10 MS. EUDY: Madam Chairman, Board  
 11 Members, my name is Summer Eudy. I'm here on  
 12 behalf of the applicant, Allen Porter. He's right  
 13 here. He just drove from Raleigh. He works in  
 14 Raleigh during the work and literally came to Town  
 15 for this meeting.  
 16 I want to clarify a couple of things if  
 17 you'll bear with me for just a second, more  
 18 specifically for the record. When this process  
 19 first started back in December, Allen went to the  
 20 Design Review Board first and submitted a Board of  
 21 Zoning Appeals application.  
 22 He checked the boxes for the variance  
 23 and the special exception and was advised by Town  
 24 staff that the variance was not needed; so that  
 25 form was pulled out. I know y'all understand that,

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1 to request that a continuance be made.  
 2 THE CHAIRMAN: And just for your  
 3 information, Jody and Peter have heard this and I  
 4 know that Emily and Sally have been briefed on it.  
 5 When we proceeded with this two months ago,  
 6 although it was withdrawn and we didn't vote on it,  
 7 we were under the impression that the granting of  
 8 the special exception and then imposing limitations  
 9 on distance from the historic cottage would be in  
 10 conformance with the code.  
 11 The Town attorney has informed us, no,  
 12 that it needs to be a special exception and a  
 13 variance request at the same time. So it is  
 14 paperwork and it's just a misinterpretation.  
 15 We would have ended up doing it but  
 16 they actually want a special exception and a  
 17 variance and not combined. So that's the reason  
 18 for the continuance because it was a  
 19 misinformation.  
 20 MS. LATHAM: And I'm assuming the  
 21 filing time has to do with the legal opinion coming  
 22 down after the cut-off for this meeting period?  
 23 MR. HENDERSON: That's right. That's  
 24 exactly right. So this is part of the rules of  
 25 procedure for the BZA that applications have to be

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1 but I just want to make it clear we are not in  
 2 agreement with a continuance here today although I  
 3 am going to ask that you go ahead and make a motion  
 4 to continue it based on the position that the Town  
 5 has taken.  
 6 We feel that the standard is likely  
 7 prejudiced and there is no case law that I'm aware  
 8 of that interprets this variance versus special  
 9 exception issue in South Carolina, but there are  
 10 other jurisdictions that say a variance is not  
 11 required and the relief we're seeking can be  
 12 granted based on the special exception.  
 13 Instead of arguing all of this here  
 14 today, which I think I've got some really good  
 15 legal arguments for that, we're going to go ahead  
 16 and ask for the continuance. We did have our  
 17 submittal in time when this issue was brought up at  
 18 the April 20th Design Review Board meeting.  
 19 Mr. Barr who represents the neighbors,  
 20 the Browders, who are contesting our application --  
 21 he brought up he thought a variance was needed. So  
 22 I actually submitted on May 3rd a supplemental  
 23 request for the variance which was actually before  
 24 legal counsel. They gave their opinion to Town  
 25 staff.

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1 So I just -- you know, we started this  
 2 process in December. It's been hotly contested and  
 3 this is the second time due to no fault of our own  
 4 that a meeting has been moved and Dr. Porter has  
 5 taken off work and moved patients around to be  
 6 here.  
 7 So I just want to make that very clear.  
 8 I asked the neighbors that are contesting it, the  
 9 Browders -- I asked their attorney if they would be  
 10 willing to waive the notice issue because they have  
 11 had opportunity and notice to review all of our  
 12 materials and they would not.  
 13 So based on all of that I would  
 14 respectfully ask that you make a motion to continue  
 15 to the next meeting and that all of our submittals  
 16 be deemed timely as of now for the next meeting.  
 17 THE CHAIRMAN: Okay. Thank you,  
 18 Summer. Mr. Barr, you're here for the Browders?  
 19 MR. BARR: One point that Summer just  
 20 raised, I don't think I can waive notice on behalf  
 21 of the Browders. You know, the notice requirements  
 22 in the statute -- and you just asked a minute ago  
 23 about whether the FEMA requirements had all been  
 24 met, but essentially that's done to make sure that  
 25 the property is posted and the information gets in

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1 the Is are dotted and that we do move for a  
 2 continuance of 2668 Goldbug so that whether or not  
 3 the notice requirements are actually required they  
 4 will be met. Everybody seems to be in agreement.  
 5 So if anybody would like to make that  
 6 motion all we need is a motion to continue the  
 7 special exception request for 2668 Goldbug Avenue  
 8 to the June meeting.  
 9 MS. LATHAM: Well, I move to continue  
 10 the variance and special exception application for  
 11 2668 Goldbug Avenue noting in the record that the  
 12 only applicant has filed timely and that this was,  
 13 in fact, due to a legal opinion from the Town.  
 14 MS. PRITCHARD: I second.  
 15 MR. HENDERSON: Thank you.  
 16 THE CHAIRMAN: Any further  
 17 discussion? All in favor, signify by saying aye.  
 18 (All board members stated aye.)  
 19 THE CHAIRMAN: Like sign opposed?  
 20 The matter is continued to the June meeting. Thank  
 21 you.  
 22 MS. EUDY: Thank you.  
 23 2616 Bayonne Street  
 24 THE CHAIRMAN: The next item on the  
 25 agenda is a variance request for 2616 Bayonne

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1 the newspaper. If that doesn't happen then  
 2 basically you don't have jurisdiction to hear the  
 3 matter. It's not a matter --  
 4 THE CHAIRMAN: Correct.  
 5 MR. BARR: -- of whether I can waive it  
 6 or not. So it wasn't a situation of whether it was  
 7 waivable by the opposition.  
 8 MR. HENDERSON: We understand that.  
 9 THE CHAIRMAN: We understand that.  
 10 Thank you.  
 11 MR. BARR: We fully support the  
 12 continuance.  
 13 THE CHAIRMAN: Okay.  
 14 MS. EUDY: One quick point. I do think  
 15 that all the notice requirements were met by the  
 16 Town, that that is a point that could be debated  
 17 based on ordinance and statute. So I think it is  
 18 something that can be waived. You can waive notice  
 19 in the Circuit Court all the time and I think it  
 20 can be waived here.  
 21 THE CHAIRMAN: Thank you. Is there  
 22 any more comment from the public? No public  
 23 comment. I'm going to start by saying the Town  
 24 attorney has advised that we proceed with caution  
 25 and that we make sure all the Ts are crossed and

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1 Street. I'll ask Mr. Henderson to present.  
 2 MR. HENDERSON: Okay. Thank you. This  
 3 is Agenda Item D-1. It is a variance request at  
 4 2619 Bayonne Street. Both of the architects or the  
 5 applicants here are requesting approval for a  
 6 dimensional variance for principal building height  
 7 limitations within the RS Zoning District. This  
 8 pertains to Section 21-24 C.  
 9 Just a little background on this  
 10 portion of the ordinance, 2124 is what limits  
 11 the maximum height of residential homes in our RS  
 12 District, limits the height to 38 feet. 2124 C is  
 13 an exception to that height limitation in that for  
 14 elevated lots it allows the measurement to be made  
 15 from the crown of the street, in front of the home.  
 16 So because this is an elevated lot  
 17 the applicants have requested a height variance of  
 18 12 inches on the eastern roof height portion of  
 19 the proposed home and seven and a half inches on  
 20 the western portion of the roof. So not to exceed  
 21 41 feet from the crown of the street.  
 22 I do have some photographs and also a  
 23 street view if you'd like to look at the property.  
 24 I also have the plans that are part of the  
 25 application and I will defer to the applicants to



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1 justify meeting the hardship tests.  
 2 THE CHAIRMAN: Okay.  
 3 MR. HENDERSON: This is the house that  
 4 was demolished here and I also have -- you can take  
 5 a look contextually at the streetscape.  
 6 THE CHAIRMAN: The dune being on the  
 7 left?  
 8 MR. HENDERSON: The dune and I've asked  
 9 the -- because it wasn't -- it's not very clear  
 10 from --  
 11 THE CHAIRMAN: No, it's not.  
 12 MR. HENDERSON: -- pictures of the site,  
 13 but there is some topography data that I think the  
 14 applicants are prepared to share. So this is the  
 15 preexisting house. The dune comes right through  
 16 this portion of the lot. And I will let them the  
 17 explain the OCRM lines, the FEMA and flood heights  
 18 which will be part of their variance request.  
 19 THE CHAIRMAN: Are you finished?  
 20 MR. HENDERSON: Yes.  
 21 THE CHAIRMAN: I will now hear from  
 22 the applicant.  
 23 MS. EUDY: Some of these are hard to  
 24 see; so we're going to bring them up close.  
 25 MS. CAMPBELL: My name is Kate Campbell

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1 end by the beach access. The grade increases from  
 2 about seven feet at the center line of the road to  
 3 upwards of eleven and a half, but average grade at  
 4 the peak of it is about ten and a half. So it  
 5 kicks the property into an elevated property, which  
 6 the zoning code allows two feet of extra height  
 7 because the measurement is 40 feet from the crown  
 8 of the road.  
 9 However, any property that's over two  
 10 feet in elevation the building envelope begins to  
 11 get pinched from the height taken from the street.  
 12 That's our situation because we're upwards of three  
 13 and a half feet above street level.  
 14 Additionally, as I said, the flood zone  
 15 is two feet higher as compared to other properties.  
 16 So when we were designing the house the floor  
 17 elevation is right at what is required by code in  
 18 terms of the flood, which is two feet higher than  
 19 the majority of the properties that are in the  
 20 VE17 flood zone.  
 21 Additionally, in 2013 the code changed  
 22 we were -- used to be allowed in a V zone to build  
 23 your horizontal structural member at flood, at base  
 24 flood elevation. Now the IBC changed and requires  
 25 an extra foot to the bottom of the horizontal

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1 with Beau Clowney Architects and this is Brian  
 2 Hellman, the attorney. I think Joe mentioned  
 3 this -- this property is on the southeast side of  
 4 Bayonne Avenue or Bayonne Street here. There are  
 5 various conditions that set this property apart and  
 6 unreasonably restrict certain things that are  
 7 happening.  
 8 During the analyzation of this property  
 9 you'll notice the flood zones coming from the beach  
 10 increase from VE17, which is a majority of the  
 11 properties along Bayonne Street. In this block it  
 12 slices across some of the properties and becomes  
 13 VE19. So it's a whole other two feet of flood  
 14 elevation that's required.  
 15 There is also, as Joe mentioned, a dune  
 16 element. If you look -- and I apologize. This was  
 17 not in the set. The surveyor that did this retired  
 18 and so it was actually kind of hard to track down  
 19 the topographic that he had done.  
 20 Anyway, you can see the outline of the  
 21 existing house here. The new house extends here  
 22 and kind of comes across and then each shape  
 23 extends towards Bayonne Avenue, but this  
 24 topographic element really does -- if you walk down  
 25 Bayonne Street it extends all the way down to the

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1 structure member. So again we're being pinched  
 2 from the top and the envelope is being pinched from  
 3 the bottom.  
 4 So we went basically from 28 feet of  
 5 buildable envelope to 27 just with the code change  
 6 and the current height restriction. It became  
 7 apparent in terms of the buildability of the lot  
 8 that the attic space was highly restricted or  
 9 unreasonably restricted.  
 10 Being that we can't put any mechanical  
 11 underneath the house we're doing all the air  
 12 handlers in the attic. So the entire attic space  
 13 is being taken up with air handlers and ductwork and  
 14 it is very restricted. I'd just point out the  
 15 variance we're requesting is happening in small  
 16 areas.  
 17 This is the largest area to exceed by  
 18 12 inches. This is the area of the roof that  
 19 exceeds by seven and a half and these areas are  
 20 less than that, three and a half and then down to  
 21 two and a half. (Pointing to board)  
 22 THE CHAIRMAN: Could you say that  
 23 again? I thought you were requesting one foot.  
 24 MS. CAMPBELL: It's one foot, but the  
 25 area of the roof that exceeds one foot is just this

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1 part. So if an elevation – the area of the  
 2 roof – I think it is in your packet and probably  
 3 it's a little bit better. So this zone here  
 4 corresponds to that zone and plan and that's the  
 5 only portion of the roof that exceeds a foot. So  
 6 the eve – the eve's height will not change. It is  
 7 just the ridge of the roof.  
 8 THE CHAIRMAN: You're using the  
 9 term, exceeds a foot. So what is your variance?  
 10 MS. CAMPBELL: Oh, exceeds to 41 feet.  
 11 You're correct. Thank you. This area exceeds the  
 12 existing height restriction by a foot.  
 13 THE CHAIRMAN: By a foot. Thank  
 14 you.  
 15 MS. CAMPBELL: Yes. So aesthetically,  
 16 looking at it from the street and also from the  
 17 side, the hipped nature of these roofs, when you're  
 18 standing from the street looking back at the roof  
 19 is actually receding from you versus a gable roof  
 20 which is coming at you like this.  
 21 So from the street – this is the site  
 22 line study of somebody that's six feet -- 5'8  
 23 visual height looking through here. That's the eve  
 24 that you'll see. It actually will be negligible.  
 25 You probably won't even see most of that, the most

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1 seven feet -- it's actually less than seven in some  
 2 places -- we're limited to this 40 feet. So we fit  
 3 within the 38 feet that would typically be allowed  
 4 on the island.  
 5 MS. CAMPBELL: From average grade at  
 6 the center of the island.  
 7 MS. HELLMAN: From average grade.  
 8 Thank you. The flood zones come together right in  
 9 this area and there are only a few houses that are  
 10 in the small area, in the 19 zone. Then we also  
 11 have had this building zone change. If the  
 12 building zone change hadn't changed -- since the  
 13 building code changed and if this house were built  
 14 just two or three years ago we wouldn't be before  
 15 you for a variance.  
 16 Because of this change that requires an  
 17 additional one foot of freeboard pushing up the  
 18 bottom of the house the top hasn't changed so the  
 19 houses are all getting pinched.  
 20 So with the confluence of those, the  
 21 dune, the flood zone, the seven feet versus the ten  
 22 and a half feet, the 38 feet versus the 40 feet and  
 23 the building code change, we think those are  
 24 extraordinarily exceptional conditions that don't  
 25 apply to the other houses in the vicinity. In

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1 excessive request on the upper hip roof here.  
 2 Thank you.  
 3 MS. HELLMAN: I am Brian Hellman. I  
 4 live at 2668 l'on and also I have an office on  
 5 Broad Street in Charleston. This property is  
 6 extraordinarily exceptional for a number of  
 7 reasons. And as Kate pointed out, if you look at  
 8 the flood zones just on this last part by l'on it  
 9 basically ends -- of course, Ms. Pritchard is right  
 10 here and in this section right here there are just  
 11 a few houses that are in this VE19 zone and the  
 12 dune affects this property. (Pointing to board)  
 13 So from an ordinarily exceptional  
 14 standpoint we have this elevated dune issue which  
 15 pushes us up. Not being able to use the elevation  
 16 of the property as a number of properties can use  
 17 here we're limited to the seven-foot roads which is  
 18 probably one of the lowest roads on the island. We  
 19 run into an issue that technically if we could use  
 20 our elevation of the property we wouldn't be asking  
 21 for a variance.  
 22 It is because of the elevation of the  
 23 road. So we sit within the 38 feet that we're  
 24 allowed. So it would look like a normal Sullivan's  
 25 Island house except because the road is around

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1 fact, really this is the one that has the worst  
 2 dune. So even the VE19 doesn't apply. The ones  
 3 that have the VE19 don't necessarily have the dune  
 4 issue.  
 5 So they don't really have the problem.  
 6 As a result of the extraordinarily exceptional  
 7 conditions it unreasonable restricts. It doesn't  
 8 effectively prohibit but it unreasonably restricts  
 9 the usage of the property.  
 10 As Kate mentioned, the ability to  
 11 utilize the second floor and the first floor none  
 12 of the ductwork now can fit under the first floor.  
 13 So that has to be placed above the first floor,  
 14 pushing up the second floor and then the second  
 15 floor is clipped.  
 16 So by the time they put all of the  
 17 equipment in it gets squeezed too tight. So it  
 18 effectively -- it unreasonable restricts the  
 19 utilization of the property. Then lastly the  
 20 fourth part of the test is the public good is  
 21 benefitted. There were actually two ways we could  
 22 have approached this.  
 23 We could have said, you know, what we  
 24 need here is a variance from the building code to  
 25 go down as opposed to go up, but I think as Randy

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1 may say if we were to seek a variance from the  
 2 building code that has a negative effect on the  
 3 entire community that could affect our flood code  
 4 ratings and through FEMA we would all end up paying  
 5 a higher flood insurance.  
 6 So from a public good standpoint it's a  
 7 much better route to take this route than to take  
 8 the other route. Also from the benefits to the  
 9 neighborhood I think Kate would probably say that  
 10 she can end up with a better design house with a  
 11 better roof line that doesn't look like it's been  
 12 pinched if we were able to go forward with this.  
 13 Lastly, I think if you just look at the  
 14 very, very small area it's really just the tops of  
 15 the ridge lines of the roof that are affected.  
 16 It's not all the way across. It's not going to be  
 17 a house in which the walls go up 40 plus feet. It  
 18 is just a small amount right at this very top ridge  
 19 line here and just a few inches in the other  
 20 places.  
 21 MS. PRITCHARD: What is the length of  
 22 that ridge line --  
 23 MS. CAMPBELL: It's -- you know, gosh.  
 24 Probably --  
 25 MS. PRITCHARD: -- in relationship to

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1 fitting into the character and the historical eve  
 2 lines of the island.  
 3 THE CHAIRMAN: But it would still  
 4 end up being the tallest house on the street?  
 5 MS. CAMPBELL: It would be --  
 6 THE CHAIRMAN: Because --  
 7 MS. CAMPBELL: You know, I can't say --  
 8 the house to the north here was done prior to the  
 9 zoning code. So I don't know the height of that.  
 10 This the first house on this block that has been  
 11 built brand new since the code has changed.  
 12 THE CHAIRMAN: I do know that.  
 13 MS. CAMPBELL: This one was renovated  
 14 but it was done, I guess, under the 50 percent rule  
 15 so they didn't have to elevate it. So...  
 16 MS. PRITCHARD: The code change was  
 17 2013 you said?  
 18 THE CHAIRMAN: The code change for  
 19 the base flood elevation, yes. I have a couple of  
 20 questions. Is there no other placement for the air  
 21 handling units than the attic? I mean, they can't  
 22 be under the house but you're saying that's the  
 23 only placement for them?  
 24 MS. CAMPBELL: I would say there's  
 25 maybe placement for one of them on the floor plate

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1 the whole house? Is it two-thirds?  
 2 MS. CAMPBELL: It is probably a third.  
 3 It is probably a third, I would say.  
 4 MS. HELLMAN: If we -- here is the  
 5 whole and here is this. So --  
 6 MS. CAMPBELL: Yeah.  
 7 MS. HELLMAN: -- it's about a third by  
 8 a finger.  
 9 MS. CAMPBELL: Yeah. And all this area  
 10 is one story here and so this is about 107 feet  
 11 from the center line of the road back off the  
 12 property.  
 13 I think architecturally and I guess  
 14 esthetically -- I guess selfishly on our part we  
 15 like the fact we would be able to kind of increase  
 16 the pitch a little bit because it's not -- it is  
 17 not as normal to have a shallow pitch in terms of  
 18 architectural character of the neighborhood and the  
 19 island.  
 20 I mean, for example, the modern house  
 21 that's kind of down the street, I mean, that's less  
 22 than 38 feet. But in terms of the roof and the  
 23 volume and the feeling of it, it feels a lot taller  
 24 in terms of how it meets the street. So ours would  
 25 not like be like that but it would be more about

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1 but we have four systems for the house because of  
 2 the way the -- the orientation of it. It's an  
 3 H shape. So we're having to do two systems and  
 4 then two systems being sideways.  
 5 THE CHAIRMAN: How much square  
 6 footage?  
 7 MS. CAMPBELL: About 5,000 square feet,  
 8 cubic square feet. The ceiling heights on the  
 9 first floor are ten feet and second floor are eight  
 10 on these volumes and then these are actually down  
 11 almost six to eight in terms of keeping these --  
 12 architecturally keeping this lower than these so --  
 13 just from a design standpoint.  
 14 MR. HELLMAN: The extra space that's  
 15 provided by going with a hip roof, the hip roofs  
 16 also provide a benefit because they provide certain  
 17 credits for insurance to use a hip roof over the  
 18 other types roofs that may provide more space. So  
 19 there's again public benefits that come from a hip  
 20 roof.  
 21 THE CHAIRMAN: But we can't consider  
 22 any monetary benefit to the owner.  
 23 MR. HELLMAN: Well, I think it is a  
 24 public good benefit because the hip roof benefits  
 25 the entire community. It is a safer roof design.

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1 THE CHAIRMAN: My other question is  
 2 this -- I walk by this house every day. I knew the  
 3 house before it. It's under construction. So when  
 4 did this come to your attention and why are we now  
 5 just hearing about it?  
 6 MS. CAMPBELL: We've been designing  
 7 it -- started design before the code changed in --  
 8 I think in April of 2013 and the owner is here,  
 9 too, Joe Butler. So it's been a long design  
 10 process.  
 11 The reason it's coming to you guys now  
 12 is mainly because we always knew it was going to  
 13 be tight but as we got into it with the mechanical  
 14 contractors it was -- I mean, we're not asking  
 15 for -- it isn't unreasonably restricting us. It's  
 16 not prohibiting us.  
 17 So it would be beneficial to us to have  
 18 the extra space. It would make it a more efficient  
 19 system, but, you know, it obviously --  
 20 MS. HELLMAN: It's a property that  
 21 would have worked fine when they started in 2013  
 22 but the ultimate change in the building code has  
 23 caused the zoning code to restrict what could have  
 24 been done before.  
 25 MS. CAMPBELL: Right.

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1 of a lot you've got a buildable area that's  
 2 pinched. So it's a vertical way of looking at  
 3 things as opposed to a horizontal way.  
 4 MS. BRASHER: What is the average  
 5 height of most houses built? I mean -- sorry --  
 6 room height. Ten feet?  
 7 MS. HELLMAN: Eight-foot ceilings on  
 8 the second floor. So they've already reduced to  
 9 eight-foot ceilings on the second floor and to  
 10 maintain would go lower and that's a good question  
 11 because that is one of the unreasonable  
 12 restrictions. To have eight or less ceilings they  
 13 would have to push down.  
 14 MS. BRASHER: And the first floor has  
 15 ten-foot ceilings?  
 16 MS. HELLMAN: Correct.  
 17 MS. BRASHER: Nowadays when houses are  
 18 built people typically want nine or ten. Do you  
 19 have a comment on that? I'm really not familiar  
 20 the trends.  
 21 MS. CAMPBELL: I would say typically  
 22 it's a ten-foot ceiling with nine upstairs. Seven  
 23 feet is code in terms of a legal buildable space.  
 24 So I would say average current house would be  
 25 ten-foot first floor, nine-foot second floor

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1 THE CHAIRMAN: We have to look at  
 2 the conditions here and now and in our code. So  
 3 there are four tests here and the hardship test is  
 4 the hardest one for you to meet because it doesn't  
 5 prohibit you and it doesn't unreasonably restrict  
 6 you and you just said that.  
 7 It unreasonably restricts you from how  
 8 you want to utilize it, but we'll discuss that.  
 9 Do any of you have questions of the owner?  
 10 MS. PRITCHARD: My questions were your  
 11 questions, same thing. You know, when did you  
 12 design it? When did you find out that you needed a  
 13 foot?  
 14 THE CHAIRMAN: We can take that into  
 15 consideration, that it did change while they were  
 16 designing it, but it is a very large house. Okay.  
 17 Do y'all have any -- when we close we may come back  
 18 to you and ask more questions. Does --  
 19 MS. HELLMAN: It ultimately comes out  
 20 of the change of the building code but the zoning  
 21 code didn't change. You could almost look at it  
 22 from the perspective from a lot that was allowable  
 23 under the old zoning code but not allowable under a  
 24 new zoning code.  
 25 So instead of looking at it as the size

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1 depending on the roof lines.  
 2 MS. BRASHER: Thank you.  
 3 THE CHAIRMAN: Is there anybody else  
 4 who would like to comment? The owner?  
 5 MR. BUTLER: I want to speak with  
 6 counsel for a second. I'm the property owner.  
 7 THE CHAIRMAN: Okay. All right. We  
 8 may come back to that. Leave that up. Is there  
 9 any more questions or public comment? If not I'm  
 10 going to close the public comment and the Board  
 11 will discuss. We can ask questions of Joe or  
 12 Randy. Randy is our building inspector and can  
 13 speak to the building code if y'all have any  
 14 questions.  
 15 MS. LATHAM: Where are we on  
 16 pervious/impervious limits as far as the lot  
 17 coverage on this?  
 18 MR. HENDERSON: They have met all the  
 19 ordinance standards or received as far as the DRB  
 20 standards that --  
 21 MS. LATHAM: Are they maxed out?  
 22 MS. CAMPBELL: I don't remember. I  
 23 don't think so.  
 24 MS. LATHAM: How far from maxed out are  
 25 they on the lot after coverage?





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1 MR. HENDERSON: They meet the 30  
 2 percent cap of impervious surface allowed, but they  
 3 receive 23 percent increase in principal building  
 4 square footage or heated square footage. So it's a  
 5 substantial increase, but they do meet the  
 6 impervious surface requirement.  
 7 MR. RICHARDSON: Joe, any comments from  
 8 the neighbors? No input?  
 9 MR. HENDERSON: I have not received  
 10 any, no. Not for this property.  
 11 MR. ROBINSON: I did receive one  
 12 neighbor that had questions about it. This  
 13 question was, where is the first floor at.  
 14 MR. HENDERSON: The finished floor  
 15 elevation?  
 16 MR. ROBINSON: The finished floor  
 17 elevation. Is the elevation done and --  
 18 MS. CAMPBELL: No, but design-wise  
 19 we're at -- bottom of the structure is at 20 feet  
 20 and then it is a 16-and-a-half-inch system with a  
 21 subfloor. So it is 20 foot 7 and -- you know, 21.  
 22 I can't do math in my head.  
 23 MR. ROBINSON: I assured him it was --  
 24 MS. CAMPBELL: Yeah. We're right  
 25 down --

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1 a flood zone. They can't make it any lower. What  
 2 we wind up with --  
 3 THE CHAIRMAN: I'm going to beg to  
 4 differ with you on that one. They could make it  
 5 lower. I'm not disagreeing with everything that  
 6 you've said, but --  
 7 MR. RICHARDSON: They couldn't make the  
 8 first floor any lower is what I mean.  
 9 THE CHAIRMAN: Right, but the  
 10 conditions of the lot and the street were known.  
 11 They should have been known at the time they  
 12 purchased the lot. I mean, they're known  
 13 conditions. It is known that it floods.  
 14 Normally when you're going to buy a property and  
 15 demolish the house you investigate the --  
 16 MR. RICHARDSON: Yeah, but that's no  
 17 different than buying the Goldbug lot, knowing  
 18 you're going to have to deal with the trees,  
 19 knowing you're going to have to deal with the big  
 20 dunes back there, and you -- you know, it would  
 21 have helped probably to do the variance before you  
 22 got to this point, but --  
 23 THE CHAIRMAN: Yeah. That was one  
 24 of my points, that they're already under  
 25 construction.

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1 MR. ROBINSON: The way everybody is  
 2 being so careful these days with heights and  
 3 placements and all that kind of stuff everybody  
 4 gets a surveyor out to check this and check that  
 5 all along the line that I felt like it was probably  
 6 right where it should be.  
 7 MS. CAMPBELL: Yeah. We can't go any  
 8 lower because we have -- this is the design flow  
 9 here and that is our envelope for first floor  
 10 system and porches with slopes.  
 11 So we have to get all that -- we have  
 12 very minimal -- we have like a two-inch threshold  
 13 at the doors which is not normal. I mean, not  
 14 typical for wind. It works, but it's just -- it's  
 15 reduced.  
 16 MR. RICHARDSON: I think it is an  
 17 unusual property that is no different than a  
 18 hardship. The people on Goldbug, like they had  
 19 with the big trees, the high dunes, and anybody  
 20 that goes by there after a big rainstorm knows that  
 21 that's the last -- one of the last streets to dry  
 22 out.  
 23 So, I mean, it's not their fault  
 24 they're dealing with one of the lowest streets in  
 25 Town and not their fault that they're dealing with

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1 MR. RICHARDSON: But had they -- I  
 2 mean, let's just look at it. Had they done the  
 3 variance to begin with, would we have given it?  
 4 THE CHAIRMAN: I don't know.  
 5 MS. PRITCHARD: I don't think they  
 6 would have had as strong argument at that time. I  
 7 think once they got into the mechanicals then they  
 8 realized and it's only a third of the entire size  
 9 of the -- the ridge line.  
 10 MR. RICHARDSON: And you don't even see  
 11 that.  
 12 MS. PRITCHARD: You don't even see  
 13 that. It doesn't appear you're going to see much  
 14 of it from the street.  
 15 THE CHAIRMAN: If we grant this we  
 16 need to make sure it is not precedent-setting  
 17 because I don't think we have ever done a height  
 18 variance before. Never. Not since I've been on  
 19 this Board.  
 20 MS. PRITCHARD: But you probably  
 21 haven't had a lot like this either.  
 22 MS. LATHAM: Oh, every lot is like  
 23 this.  
 24 MS. PRITCHARD: Really?  
 25 THE CHAIRMAN: Every lot is unique.



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1 We have actually moved houses or allowed houses to  
 2 encroach into setbacks because of dunes --  
 3 MS. PRITCHARD: I see.  
 4 THE CHAIRMAN: -- and the buildable  
 5 lines and all of that. So what we find every month  
 6 is that there are no two lots exactly alike except  
 7 for maybe on my block, which we're all exactly the  
 8 same. So every lot is unique on this island we  
 9 have -- we are discovering.  
 10 MS. LATHAM: My concern here is this  
 11 house before the height variance is visually huge.  
 12 I mean, it really is. I mean, that's -- you know,  
 13 one of the things that's nice about this island is  
 14 the fact that we're very good about maintaining our  
 15 setbacks so that we have some open space. So I  
 16 don't know. It just seems really big.  
 17 Part of that is elevations always make  
 18 things look somewhat bigger because they're flat.  
 19 But, I mean, this is a big property and then we're  
 20 asking to do a height variance, too.  
 21 MS. BRASHER: I wonder why the handlers  
 22 can't be squished in there, but, on the other hand,  
 23 I think the Town is made up of residents. The  
 24 residents are the Town. So it seems like the HVAC  
 25 people can do amazing things to put systems in. I

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1 property? We would needed to have had a consensus  
 2 on that.  
 3 MS. BRASHER: Was it ever specified by  
 4 the architect what they would do if their request  
 5 is not granted?  
 6 THE CHAIRMAN: It is not in our  
 7 purview to ask that.  
 8 MS. BRASHER: Okay.  
 9 MR. RICHARDSON: I think the size of a  
 10 building is Design Review Board, isn't our purview  
 11 either.  
 12 THE CHAIRMAN: Yeah.  
 13 MR. RICHARDSON: I mean, one of the  
 14 things that makes zoning interpretation more  
 15 difficult is because how do you define some of  
 16 these things? How do you interpret some of these  
 17 things? I mean, I think architecturally they could  
 18 make the roof lower. But, you know, how many other  
 19 things could they have done on other properties?  
 20 THE CHAIRMAN: It's --  
 21 MR. RICHARDSON: Build things closer?  
 22 Build things --  
 23 THE CHAIRMAN: It is definitely  
 24 subjective.  
 25 MS. PRITCHARD: I agree.

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1 don't know.  
 2 THE CHAIRMAN: I want to call your  
 3 attention to their -- let's look at -- the third  
 4 piece of paper in the staff report is the  
 5 applicant's response to Section 21-179 which is the  
 6 four tests that you must pass in order to be  
 7 granted a variance and see -- and we also have been  
 8 given findings of fact one page. It's got some  
 9 language on it and this is -- and for the most part  
 10 taken from their application.  
 11 It's Item Number 3 that I'm going to  
 12 draw your attention to because that is our finding  
 13 of fact, that there is a hardship. So we would --  
 14 when we make these motions to grant a variance we  
 15 have to be very, very specific because our motion  
 16 becomes an order, a legal order.  
 17 They must meet all four tests. I think  
 18 they do meet three of them. There are  
 19 extraordinary exceptional conditions. They don't  
 20 generally apply to other properties in the  
 21 vicinity. The dune impacts them unlike it impacts  
 22 the houses on either side.  
 23 Number 4 won't be of substantial  
 24 detriment, but does Number 3 effectively prohibit  
 25 or unreasonably restrict the utilization of the

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1 MR. RICHARDSON: Yeah. I mean,  
 2 couldn't we move -- define the extraordinary  
 3 conditions for this one with a motion?  
 4 THE CHAIRMAN: No. We have to --  
 5 MS. LATHAM: And then we have to state  
 6 these things.  
 7 THE CHAIRMAN: This piece of paper  
 8 you have -- our motion must including a finding on  
 9 each of those items. Number 3 is the most  
 10 difficult. At this point the only thing I can  
 11 support for Item Number 3 is that there was a  
 12 change in the building code while they were  
 13 designing this house. That --  
 14 MS. PRITCHARD: But the change wasn't  
 15 in the building code -- was in the building code,  
 16 not the zoning.  
 17 THE CHAIRMAN: But if they want to  
 18 increase their height they have to come to us. The  
 19 DRB -- as a building inspector they're not allowed  
 20 to increase their --  
 21 MS. PRITCHARD: Right.  
 22 THE CHAIRMAN: If they were under --  
 23 if they had designed this and they were under a  
 24 foot and then discovered they needed another foot  
 25 then they would could have gone without coming

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1 to us.  
 2 MS. PRITCHARD: Correct.  
 3 THE CHAIRMAN: So they designed it  
 4 to the max. So when they discover there is a  
 5 change in the building code that adds a foot to  
 6 base flood elevation without changing the design of  
 7 the house they have to ask for one with a variance.  
 8 MS. PRITCHARD: Reason for Number 3 --  
 9 THE CHAIRMAN: Reasonably restricts  
 10 them to utilize the property.  
 11 MS. PRITCHARD: Correct.  
 12 THE CHAIRMAN: Not as they wish to  
 13 do it, but --  
 14 MS. PRITCHARD: Within --  
 15 THE CHAIRMAN: Within the code.  
 16 MS. PRITCHARD: Right. So --  
 17 THE CHAIRMAN: Item Number 3 is the  
 18 hardest -- is the hardest test is that we -- we  
 19 will ask you what you want to say in a minute, but  
 20 let us finish. This is the hardest test for us but  
 21 is Number 3.  
 22 MS. PRITCHARD: And I can see why.  
 23 THE CHAIRMAN: The other three are  
 24 easy. That one is hard because -- I'm going to  
 25 give you an analogy. If you are unable to fit a

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1 flood code -- it would have worked and it's not as  
 2 if the request is a huge one to add a third floor  
 3 to the house. It is not the request. It is --  
 4 THE CHAIRMAN: That's good because  
 5 you wouldn't get that.  
 6 MR. HELLMAN: That's right. We  
 7 wouldn't bother you with such an outrageous  
 8 request. It is literally just this tiny sliver of  
 9 ridge line that is the --  
 10 THE CHAIRMAN: Okay. So tell me  
 11 again the actual height of this house.  
 12 MR. HELLMAN: The actual height of the  
 13 house is --  
 14 MS. CAMPBELL: Will be 40 -- 40 feet.  
 15 THE CHAIRMAN: No, no, no.  
 16 MS. LATHAM: The actual -- the  
 17 elevation of the lot.  
 18 MS. CAMPBELL: Oh. It is actually  
 19 39 foot. Sorry. 37 foot 6.  
 20 MS. LATHAM: It is actually six inches  
 21 under --  
 22 MR. HELLMAN: Under.  
 23 MS. CAMPBELL: We're six inches under  
 24 the 38 height restriction from the average center  
 25 grade of the house, which is what other properties

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1 pool in the setbacks on your property that is not a  
 2 hardship.  
 3 MS. PRITCHARD: True.  
 4 THE CHAIRMAN: So it is what -- it  
 5 is needs versus wants. The attorney was raising  
 6 his hand. So Mr. Hellman, do you want to make a  
 7 comment?  
 8 MS. HELLMAN: Chairman Tezza, thank  
 9 you. I think there are some unreasonable  
 10 restrictions. Again, it does not effectively  
 11 prohibit. We can build a house. We know that. It  
 12 does unreasonably restrict.  
 13 Certainly the most glaring way is  
 14 because if this did not have the dune in the road  
 15 we would have 38 feet of buildable space as every  
 16 other house on this island would have.  
 17 THE CHAIRMAN: Okay.  
 18 MR. HELLMAN: Because of the dune and  
 19 the road and the way the ordinance works we only  
 20 have 40 feet from the road. What that does is it  
 21 actually creates an unreasonable restriction in  
 22 squeezing us.  
 23 THE CHAIRMAN: Okay.  
 24 MS. HELLMAN: That's been compounded by  
 25 the change in the flood code. So the change in the

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1 are subject to.  
 2 MR. HELLMAN: We're already less than  
 3 the 38 foot and that's why we're saying that's with  
 4 our foot. If the foot were granted we're still  
 5 less than the 38 feet that would be allowed on the  
 6 island --  
 7 MS. CAMPBELL: Across the street.  
 8 MR. HELLMAN: -- without the high  
 9 dunes, 40 foot and the road --  
 10 THE CHAIRMAN: I'm trying to get the  
 11 magnitude of the house in my house on top of this  
 12 dune.  
 13 MS. LATHAM: How long -- okay. We see  
 14 the portion of the roof line that's over. How wide  
 15 is that portion? I mean --  
 16 MS. CAMPBELL: You can see it up here.  
 17 MS. LATHAM: Can you explain the dotted  
 18 lines for me?  
 19 MS. CAMPBELL: Yes. So what is shown  
 20 in solid line right here is what is currently  
 21 designed. The dotted lines show the increase in  
 22 ridge height with the increase in pitch.  
 23 MS. LATHAM: Okay.  
 24 MS. CAMPBELL: So this zone here  
 25 corresponds -- that's the 41 foot. That's the 40

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1 feet from street. This would be 38 feet from  
 2 average grade, which is about ten and a half feet  
 3 at the center line of the building which is what  
 4 our height -- what the building would be measured  
 5 in a nonelevated lot condition.  
 6 So that little triangle there and width  
 7 is what we are seeking for a foot on this side.  
 8 Again, it's the same hip roof on this side. This  
 9 roof, which is the smallest portion on the dark  
 10 patch on the back side is back here, this triangle.  
 11 That's seven and a half and these two front  
 12 roofs -- I think there are two and a half and three  
 13 and a half.  
 14 So this is the one that is the one  
 15 foot. The other is a stepdown because of the width  
 16 of the --  
 17 MR. HELLMAN: In terms of precedence it  
 18 is still a smaller house than generally -- I mean,  
 19 from a height standpoint it is still lower than  
 20 what would generally be allowed or is allowed on  
 21 the island on lots that don't have this issue.  
 22 THE CHAIRMAN: Thank you.  
 23 MR. HELLMAN: Thank you.  
 24 THE CHAIRMAN: What is the feeling  
 25 of the Board? Does anyone want to try and make

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1 22 through 24 C.  
 2 THE CHAIRMAN: 21.  
 3 MS. LATHAM: 21 through 24 C. Excuse  
 4 me -- with the following restrictions: That there  
 5 is a preexisting dune in the center of the property  
 6 causing the foundation to be elevated higher than  
 7 the surrounding properties along Bayonne Street.  
 8 There is also the DHEC/OCRM beachfront  
 9 jurisdictional lines and oceanfront build-to lines  
 10 that limit the buildable area of the house directly  
 11 situated over the topography of the dune. These  
 12 conditions generally do not apply to other  
 13 properties in the vicinity in that the dune does  
 14 not exist in the buildable area of the adjacent  
 15 properties along Bayonne Street.  
 16 Topography data shows the surrounding  
 17 properties have lower grade elevations and less  
 18 restrictive base flood elevations and are able to  
 19 construct to the height standards.  
 20 Because of these conditions the  
 21 application of the zoning ordinance to the  
 22 particular piece of property would effectively  
 23 prohibit or unreasonably restrict the utilization  
 24 of the property and in this instance primarily due  
 25 to a change of building code during the design

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1 a motion?  
 2 MS. LATHAM: I'm trying to think how to  
 3 word it. Just read the blue?  
 4 THE CHAIRMAN: Yes.  
 5 THE WITNESS: We have mostly new  
 6 members and our makers of motions are not here. So  
 7 I cannot make a motion and --  
 8 MS. LATHAM: Carlin isn't here.  
 9 THE CHAIRMAN: I am the Chairman.  
 10 So the way we start is you're going to make a  
 11 motion to approve.  
 12 MS. LATHAM: Okay.  
 13 THE CHAIRMAN: Motion to approve.  
 14 All you need to do is read this paragraph.  
 15 MS. LATHAM: Where the agenda here?  
 16 There it is.  
 17 THE CHAIRMAN: Then you move into --  
 18 MS. LATHAM: The restrictions.  
 19 THE CHAIRMAN: Then you go right  
 20 through it.  
 21 MS. LATHAM: So I make a motion to  
 22 approve the variance request for 2619 Bayonne  
 23 Street for approval for a dimensional variance for  
 24 the principal building, height limitations of  
 25 the RS Zoning District, Zoning Ordinance Sections

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1 phase of the property. The authorization of a  
 2 variance will not be of substantial detriment to  
 3 the adjacent properties or to the public good, and  
 4 the granting of the variance will not harm the  
 5 character of the district because the issued  
 6 variance would apply to an area away from the  
 7 street frontage and not be visible from adjacent  
 8 structures. Thus it would not adversely affect  
 9 adjacent properties aesthetically.  
 10 THE CHAIRMAN: Anything else we need  
 11 to add?  
 12 MR. HENDERSON: I would mention the  
 13 reduction of the building envelope under C.  
 14 MS. LATHAM: Okay. Pertaining to the  
 15 third restriction, the change of the design code  
 16 during the property unreasonably restricts the  
 17 amount of buildable space for the house within the  
 18 height restriction and the fact that this building  
 19 is still below the 28 feet within the average grade  
 20 of this lot. So we're not actually physically  
 21 higher.  
 22 THE CHAIRMAN: Is there a second?  
 23 MS. BRASHER: I'll second the motion  
 24 THE CHAIRMAN: Any further  
 25 discussion?



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1 MS. LATHAM: That's stressful.  
 2 MR. RICHARDSON: All right, Jody.  
 3 THE CHAIRMAN: All in favor, signify  
 4 by saying aye.  
 5 (All board members say aye.)  
 6 THE CHAIRMAN: Like sign opposed?  
 7 Excellent job. Thank you for your detailed  
 8 presentation. We appreciate it.  
 9 2824 I'on Avenue  
 10 THE CHAIRMAN: Okay. We will now  
 11 hear an administrative appeal for 2824 I'on Avenue.  
 12 Ron Coish is the applicant and he is here. Joe, I  
 13 will ask you to present for the Town.  
 14 MR. HENDERSON: Thank you. Agenda item  
 15 E-1 is an appeal relating to the home located at  
 16 2824 I'on Avenue. The applicants and property  
 17 owners are requesting essentially an appeal or  
 18 challenge to staff's predominant interpretation  
 19 with this scenario and it relates to the relocation  
 20 or expansion of a legal nonconforming dwelling on  
 21 this site.  
 22 So just to give you a little background  
 23 on this request, here we have the home owned by  
 24 Ms. Cathy Curtis. She's the property owner and --  
 25 and lives here on the elevated first floor.

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1 sentences long. So when presented with a request  
 2 to expand or relocate a nonconforming use, the Town  
 3 staff has always used 2150 B under expansion.  
 4 This states a nonconforming use shall  
 5 not be expanded or reduced except to eliminate or  
 6 reduce the nonconforming aspects. So that's on the  
 7 first page of that highlighted section there.  
 8 MS. PRITCHARD: I don't think I have  
 9 that.  
 10 THE CHAIRMAN: Peter, show that to  
 11 her. It was an additional hand out that was  
 12 tonight.  
 13 MS. PRITCHARD: Oh, tonight?  
 14 THE CHAIRMAN: Yes. This one is  
 15 highlighted.  
 16 MR. RICHARDSON: This is what he's  
 17 referring to right now.  
 18 MR. HENDERSON: So essentially you're  
 19 completely prohibited by the current zoning  
 20 ordinance from expanding or intensifying a  
 21 nonconforming use. This goes for residential  
 22 dwellings or any type of structure or use island-  
 23 wide.  
 24 There is a second provision as it  
 25 pertains to nonconforming structures when it is

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1 This is a historic home and below her  
 2 is a completely separate legal nonconforming  
 3 dwelling unit on grade. So because of the floods  
 4 in October of 2015 Ms. Curtis sustained a complete  
 5 loss of this space below base flood elevation. So  
 6 it is a nonconforming space according to FEMA  
 7 regulations.  
 8 We do have the proof of loss paperwork  
 9 and damage estimates from FEMA and confirming that  
 10 she's received a payout essentially from -- from  
 11 FEMA through, I believe, insurance payouts.  
 12 So as a result of this loss Ms. Curtis  
 13 was faced with a scenario building back here on  
 14 grade or relocating the space to somewhere else on  
 15 the property. So she presented this request to  
 16 relocate the nonconforming dwelling unit to an  
 17 addition on the backside of the lot.  
 18 So to this point Town staff has taken  
 19 the strict interpretation of the zoning ordinance  
 20 under Section 21-150. If you'll look at the  
 21 highlighted sections of the zoning ordinance under  
 22 your agendas there --  
 23 THE CHAIRMAN: There's a piece of --  
 24 MR. HENDERSON: -- what I'd like to do  
 25 is just read these verbatim. It's only a couple of

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1 destroyed beyond 50 percent of the value of the  
 2 structure when it's an act of God or a natural  
 3 event.  
 4 So what the applicants are arguing is  
 5 that this request to relocate the nonconforming  
 6 dwelling to the back of the house fits more closely  
 7 the second section highlighted for you under 21-151  
 8 C. It states that a nonconforming structure may be  
 9 moved in whole or in part to another location only  
 10 if the movement or relocation decreases or  
 11 eliminates the nonconformity. So in this case it  
 12 is true that if you removed this nonconforming  
 13 structure underneath the house then you're  
 14 eliminating that from the property.  
 15 So Town staff is somewhat conflicted in  
 16 our interpretation. Ultimately we have to take the  
 17 strict interpretation of the zoning ordinance  
 18 because that's what my position requires of me.  
 19 The applicant is challenging that. We're asking  
 20 the Board of Zoning Appeals to weigh in and serve  
 21 as the judge on this.  
 22 THE CHAIRMAN: Thank you so much.  
 23 MR. HENDERSON: I would add that we  
 24 have had two legal opinions given. By one attorney  
 25 the strict interpretation was given. On the other

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1 legal opinion it was in favor of the moving  
 2 provision, allowing the moving to another portion  
 3 of the lot because the nonconformities removed were  
 4 essentially eliminated from the lot.  
 5 THE CHAIRMAN: And it's very obvious  
 6 there is a section in the ordinance that says you  
 7 can move a nonconformity. It says: If the -- only  
 8 if the movement or relocation decreases or  
 9 eliminates the nonconformity. So the nonconformity  
 10 would be eliminated but then it would also decrease  
 11 because isn't the size of their addition less  
 12 square footage than the existing nonconformity.  
 13 MR. HENDERSON: I would actually ask  
 14 Mr. Ron Coish to address the construction of the  
 15 addition. Ron, the existing structure of the space  
 16 underneath the house is more than the proposed  
 17 addition. Is that correct?  
 18 MR. COISH: Thank you, Joe. Madame  
 19 Chairman and Members of the Board, we have 578  
 20 square feet of nonconformity which we'd to I  
 21 improve to 577 feet of conforming structure on the  
 22 island, eliminating any possible or future claim by  
 23 FEMA. Joe pretty much said the whole thing with  
 24 the ordinance. It was a natural disaster as  
 25 declared by the Governor.

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1 MR. HENDERSON: That's right.  
 2 THE CHAIRMAN: You can have a  
 3 nonconforming use within a conforming structure.  
 4 MS. PRITCHARD: I have that; so I get  
 5 it.  
 6 MR. COISH: I'm glad you brought that  
 7 up.  
 8 THE CHAIRMAN: I do, too.  
 9 MR. COISH: Could I ask a question?  
 10 THE CHAIRMAN: Sure.  
 11 MR. COISH: Thank you for that.  
 12 MS. PRITCHARD: You're welcome.  
 13 MR. COISH: Does it have to be attached  
 14 to the house or can it be moved to another part of  
 15 the property?  
 16 THE CHAIRMAN: I believe it has to  
 17 be attached to the house. Actually, that would not  
 18 be our -- all we would do as the Board of Zoning  
 19 Appeals is overturn the Zoning Administrator's  
 20 decision in favor of Section 21-151 Item C being  
 21 applied to your property.  
 22 Instead of the expansion provision we  
 23 would overturn it and apply the moving provision  
 24 but any -- but how you move that nonconforming  
 25 structure would be the DRB and the building

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1 THE CHAIRMAN: The thousand-year  
 2 flood.  
 3 Do you have any questions of Joe or Tim?  
 4 MR. RICHARDSON: So how does it become  
 5 conforming?  
 6 THE CHAIRMAN: It becomes conforming  
 7 because it's not on grade.  
 8 MS. PRITCHARD: Grade.  
 9 MR. HENDERSON: The structure becomes  
 10 conforming.  
 11 THE CHAIRMAN: The structure becomes  
 12 conforming.  
 13 MS. LATHAM: But the use is still --  
 14 MR. RICHARDSON: The primary structure?  
 15 Are you creating a secondary structure --  
 16 THE CHAIRMAN: No.  
 17 MR. RICHARDSON: -- or is it attached  
 18 to the original primary structure?  
 19 MR. COISH: It is attached.  
 20 THE CHAIRMAN: It is --  
 21 MS. LATHAM: But --  
 22 MR. HENDERSON: It would still be a  
 23 nonconforming use.  
 24 MS. PRITCHARD: It would still be  
 25 rental, right?

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1 inspector and the zoning administrator.  
 2 MR. HENDERSON: And you would be --  
 3 THE CHAIRMAN: We would not decide  
 4 that for you.  
 5 MR. HENDERSON: The zoning ordinance  
 6 would prohibit having a detached accessory dwelling  
 7 unit. That would compound the nonconforming  
 8 structure. So that would resort it back to a  
 9 nonconforming structure if you had it within a  
 10 stand-alone build on the site.  
 11 MR. COISH: So in other words, we could  
 12 actually put the addition on and it becomes  
 13 conforming but then they could have another  
 14 dwelling and accessory structure somewhere else on  
 15 the lot that --  
 16 THE CHAIRMAN: That is not --  
 17 MR. COISH: That is not --  
 18 THE CHAIRMAN: That is not our  
 19 decision. I'm sorry. I can't answer that  
 20 question.  
 21 MR. HENDERSON: No. That would not be  
 22 allowed.  
 23 MR. RICHARDSON: You can't do it.  
 24 MR. HENDERSON: No.  
 25 MR. RICHARDSON: You can only have one

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1 primary residence on the lot. One primary  
 2 structure unless there was a secondary structure  
 3 beforehand right which then becomes nonconforming  
 4 THE CHAIRMAN: We're getting into --  
 5 this is also an historic cottage.  
 6 MR. HENDERSON: That's right. So that  
 7 was another point I was going to make. But to  
 8 address Ron's question, it is also all -- the  
 9 answer of his question is in this Section C,  
 10 moving. It says: The nonconforming structure may  
 11 be moved in whole or part to another location if  
 12 the movements or relocation decreases or eliminates  
 13 the nonconformity. So having a detached would  
 14 create a nonconforming structure. It would be a  
 15 nonconforming structure with a nonconforming use.  
 16 What is allowing you to do this if the  
 17 Board deems it so is that the addition would meet  
 18 the FEMA regulatory standards, the setbacks, the  
 19 lot coverage requirements, the heated square  
 20 footage requirements. Everything is now  
 21 conforming; the use is not.  
 22 THE CHAIRMAN: Right, but that's  
 23 allowable under the ordinance. So any more  
 24 comments?  
 25 MR. ROBINSON: Can I make a couple of

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1 THE CHAIRMAN: The structure will --  
 2 MS. LATHAM: The --  
 3 THE CHAIRMAN: The structure will be  
 4 new but the nonconforming use moves into a  
 5 conforming structure.  
 6 MS. LATHAM: That's correct.  
 7 MR. ROBINSON: Exactly.  
 8 MS. LATHAM: They're gutting underneath  
 9 so there's no underneath new.  
 10 MR. ROBINSON: It will be wide open. I  
 11 even asked FEMA if they would pay to have this part  
 12 down here moved to the back and they said no. I  
 13 don't get that, where they'll raise the whole house  
 14 and pay 100 percent of the house, but they won't  
 15 take this little space underneath and just build it  
 16 back there. It just seemed like a good solution.  
 17 If you do decide to grant this variance one thing  
 18 that --  
 19 MR. HENDERSON: It is an administrative  
 20 appeal. So clarify our interpretation.  
 21 MR. RANKIN: I'm sorry. If you're  
 22 clarifying our interpretation -- can we put  
 23 conditions on it?  
 24 MR. HENDERSON: No. This is just a  
 25 changing of how Town staff views this scenario and

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1 comments about this property?  
 2 THE CHAIRMAN: You may.  
 3 MR. ROBINSON: I have been talking to  
 4 Ms. Curtis for a long time about this property. It  
 5 has been on my radar screen to get it up above  
 6 flood. There are some reasons that it's been on  
 7 my radar screen that it I can't really divulge,  
 8 although she said I could but I won't go there if I  
 9 don't have to.  
 10 The apartment underneath this structure  
 11 is eligible for FEMA for a 100 percent grant to  
 12 raise this house. She could take that apartment  
 13 underneath, could get a grant from FEMA, and she  
 14 could raise it all up. That would put this house  
 15 way up here to do it. Once this apartment  
 16 underneath is moved this house will come into  
 17 compliance.  
 18 MS. LATHAM: We're not really moving  
 19 it. We're just getting rid of the use underneath  
 20 to build an addition that then replaces that space?  
 21 THE CHAIRMAN: We're moving --  
 22 MR. ROBINSON: No. It's going to be  
 23 the same -- that's what we're doing here is --  
 24 MS. LATHAM: But I'm saying the  
 25 structure will be new, no?

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1 this section of the ordinance.  
 2 THE CHAIRMAN: We're just applying a  
 3 different section of the ordinance to allow them to  
 4 do it.  
 5 MR. ROBINSON: I'm sorry. I just  
 6 wanted y'all to know that history, that little  
 7 piece about moving it and raising it.  
 8 THE CHAIRMAN: Thank you.  
 9 MR. ROBINSON: The end as a result is  
 10 if they do this it will be in compliance with our  
 11 flood ordinance, which is a good thing.  
 12 THE CHAIRMAN: And it will keep the  
 13 historic nature of that cottage instead of -- okay.  
 14 MR. ROBINSON: Correct.  
 15 THE CHAIRMAN: Any other comments?  
 16 MR. RICHARDSON: The only other comment  
 17 is the value of that space -- I mean, is the cost  
 18 of what you're going to do equivalent to 50 percent  
 19 the value of that space? Whatever --  
 20 THE CHAIRMAN: We don't have to go  
 21 there.  
 22 MR. RICHARDSON: Okay.  
 23 THE CHAIRMAN: We don't.  
 24 MS. PRITCHARD: All we're doing is  
 25 integrity.

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1 THE CHAIRMAN: All we're doing is  
 2 overturning the zoning administrator's decision  
 3 based on the fact that we believe this request that  
 4 they're the application -- we can apply 21-151 C to  
 5 their request because it is ambiguous. The code  
 6 says you can't move a nonconformity and it also  
 7 says you can move a nonconformity when there's an  
 8 act of God.  
 9 The flood was an act of God. So we  
 10 don't -- as the BZA we don't get into the 50  
 11 percent rule and all that that is carried out by  
 12 Town staff. Whatever they do they will have to  
 13 apply with all other ordinances. So all we're  
 14 doing is -- and we don't normally overturn the  
 15 zoning administrator's opinion but when there is an  
 16 ambiguity or another part of the code that can be  
 17 applied to a specific -- Joe's job is always the  
 18 strictest interpretation of the code and it is our  
 19 job to see if there is another way to look at a  
 20 particular request.  
 21 So the only thing -- if we do grant  
 22 this the motion would be to overturn the -- hold  
 23 on -- to overturn the decision of the Zoning  
 24 Administrator for this specific property and  
 25 instead apply Section 21-151 C and allow -- we

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1 We only have evidence and have recognized it since  
 2 our records show it until -- since 2009.  
 3 I would ask that you also recognize  
 4 that we're granting zoning compliance for this  
 5 dwelling unit below just -- and this comes to --  
 6 the reason is we don't have a CO, a certificate of  
 7 occupancy on record for that. But essentially  
 8 we've been issuing zoning compliance for it for  
 9 many years.  
 10 So I want to be very clear about that.  
 11 If you could work that into your motion, that is a  
 12 recognized second dwelling on the lot.  
 13 THE CHAIRMAN: That is -- has been  
 14 granted a business license for a long term rental?  
 15 MR. HENDERSON: That would work.  
 16 THE CHAIRMAN: Because it's  
 17 definitely not short term. Okay. Anybody feel up  
 18 to it?  
 19 MS. PRITCHARD: I'm too new.  
 20 THE CHAIRMAN: We don't maybe the  
 21 newbies make motions. They're first --  
 22 MR. RICHARDSON: I would move that -- I  
 23 would move that Jody make this. I would move that  
 24 we grant the appeal for moving the structure in  
 25 accordance with Section 21-151 C to allow a

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1 don't even have to go into that. We're just going  
 2 to apply Section 21-151 C --  
 3 MR. HENDERSON: C.  
 4 THE CHAIRMAN: -- moving to this  
 5 particular request.  
 6 MR. HENDERSON: And I would also -- I  
 7 hate to compound the commotion.  
 8 THE CHAIRMAN: Please, go right  
 9 ahead.  
 10 MR. HENDERSON: There is one other  
 11 issue that would be part of our staff  
 12 recommendation. This dwelling unit and the  
 13 nonconforming space below has been occupied for  
 14 many, many years and has been recognized by Town  
 15 staff and has issued the property owner a business  
 16 license to rent this space long term for many  
 17 years. We have records going back to 2009, but  
 18 from what I understand it's been rented out or  
 19 occupied as a separate dwelling unit for -- one of  
 20 the property owners says and the previous property  
 21 owner for many years. Is that right, Ron?  
 22 MR. COISH: 1907.  
 23 MR. HENDERSON: Their claim is that it  
 24 was constructed with a space below the finished  
 25 floor, that there was always a space down below.

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1 nonconforming structure to be moved in whole or in  
 2 part and in addition that we acknowledge the  
 3 allowable occupancy -- what would you call it?  
 4 THE CHAIRMAN: We acknowledge that  
 5 there is an existing business license for --  
 6 MR. RICHARSON: And certificate  
 7 occupancy -- no --  
 8 THE CHAIRMAN: Business license for  
 9 long term rental for the nonconforming use that  
 10 will transfer when they move the structure.  
 11 MR. RICHARDSON: And we acknowledge the  
 12 acceptable rental use of the property in the  
 13 future. Anything else that I need to say?  
 14 THE CHAIRMAN: He granted the  
 15 appeal. So they're appealing the Zoning  
 16 Administrator's decision. It can be worded either  
 17 way.  
 18 MR. HENDERSON: Granting the appeal  
 19 should be fine.  
 20 THE CHAIRMAN: Granting the appeal  
 21 should be fine. Okay. We sometimes make motions  
 22 jointly. So we all jump in on those.  
 23 MS. LATHAM: I second.  
 24 THE CHAIRMAN: Very good. Any  
 25 further discussion? All in favor signify by




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1 saying aye.  
 2 (All board members stated aye.)  
 3 THE CHAIRMAN: Like sign opposed?  
 4 Your appeal is granted. Thank you for attention.  
 5 Do I have anything else?  
 6 MR. COISH: I appreciate you working  
 7 with us on this. As a long-term resident on the  
 8 island, I think it is a good move to get rid of  
 9 these nonconformities and clean it up a little bit  
 10 because there's no sense having FEMA coming and  
 11 issuing checks, time and time and time again.  
 12 It affects us all on the flood  
 13 insurance. So the more of these things that we can  
 14 clean up I applaud you and I thank you. Joe,  
 15 Randy, thank you.  
 16 THE CHAIRMAN: Do I hear a motion to  
 17 adjourn?  
 18 MS. LATHAM: I move we adjourn.  
 19 THE CHAIRMAN: Is there a second?  
 20 MS. PRITCHARD: Yes.  
 21 THE CHAIRMAN: We are adjourned.  
 22 (The hearing was concluded at 7:16 PM.)  
 23  
 24  
 25

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1 CERTIFICATE OF REPORTER  
 2  
 3 I, Priscilla Nay, Court Reporter and  
 4 Notary Public for the State of South Carolina, do  
 5 hereby certify that the foregoing transcript is a  
 6 true, accurate, and complete record.  
 7 I further certify that I am neither  
 8 related to nor counsel for any party to the cause  
 9 pending or interested in the events thereof.  
 10 Witness my hand, I have hereunto  
 11 affixed my official seal this 23rd day of May, 2016  
 12 at Charleston, Charleston County, South Carolina.  
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*Priscilla Nay*

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Priscilla Nay,  
 Court Reporter  
 My Commission expires  
 December 2, 2021

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1 I N D E X  
 2  
 3 Page  
 4  
 5 2668 Goldbug Avenue 5  
 6 2616 Bayonne Street 12  
 7 2824 I'On Avenue 46  
 8  
 9 CERTIFICATE OF REPORTER 63  
 10  
 11  
 12 REQUESTED INFORMATION INDEX  
 13 (No informatino requested)  
 14  
 15  
 16 E X H I B I T S  
 17 (No exhibits proffered)  
 18  
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 20  
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 25



## TOWN OF SULLIVAN'S ISLAND

## FY 2015-2016 BUSINESS LICENSE HISTORY REPORT BY ACCOUNT NUMBER

INCLUDING LICENSES WITH EFFECTIVE DATE 01/01/2009 TO 12/31/2016

LICENSE NUMBER	EFFECTIVE DATE	LICENSE STATUS	GROSS RECEIPTS	REGULAR FEE	OTHER FEES	ADJUSTS / DEDUCTS	PENALTIES	TOTAL PAID	DATE PAID
2824 I'ON AVE - CATHERINE M. CURTIS				ACCOUNT NUMBER: 4655			STATUS: ACTIVE		
NAICS/CLASS: 6514 - Operators of Dwellings Other Than A									
246	01/01/2009	A	7,200.00	129.14	0.00	0.00	0.00	126.58	01/12/2009
1473	01/01/2010	A	5,850.00	122.76	0.00	0.00	0.00	122.76	01/18/2010
2540	01/01/2011	A	7,800.00	129.14	0.00	0.00	0.00	129.14	01/31/2011
3603	01/01/2012	A	7,800.00	129.14	0.00	0.00	0.00	129.14	01/31/2012
4795	01/01/2013	A	8,650.00	137.03	0.00	0.00	0.00	137.03	01/22/2013
6245	01/01/2014	A	9,600.00	143.10	0.00	0.00	0.00	143.10	01/21/2014
7273	01/12/2015	A	9,600.00	147.39	0.00	0.00	0.00	147.39	01/12/2015
7273	01/01/2016	A	7,200.00	143.31	0.00	0.00	0.00	143.31	01/01/2016
			63,700.00	1,081.01	0.00	0.00	0.00	1,078.45	
			63,700.00	1,081.01	0.00	0.00	0.00	1,078.45	

TOTALS: 1 Businesses, 7 Licenses

Highlighted Total Paid amounts indicate that payments are out of balance with total of fees, adjustments, and penalties.

## IDENTIFICATION

1. CONTROL NUMBER: 0 / 19 / 1380 / 1750021  
county census design- site number  
ated place

South Carolina Inventory of Historic Places  
 Survey Field Form/Data Entry Form  
 State Historic Preservation Office  
 PO Box 11,669, Columbia, SC 29211  
 (803) 734-8577

2. HISTORIC NAME(S): \_\_\_\_\_

3. OTHER NAME: \_\_\_\_\_

4. ADDRESS/LOCATION: 2824 I'on AvenueCITY: Sullivan's Island VICINITY OF: --- COUNTY: Charleston5. OWNERSHIP: private  city  county  state  federal  6. CATEGORY: building  site  structure  object 7. HISTORIC USE(S): Single family residence8. CURRENT USE(S): Single family residence9. POTENTIAL:  NR  NR historic district  archaeological10. STATUS/DATE:  listed individually in National Register \_\_\_/\_\_\_/\_\_\_

name: \_\_\_\_\_

 listed as part of NR historic district \_\_\_/\_\_\_/\_\_\_  contributing  non contributing

name of district: \_\_\_\_\_

 listed individually National Historic Landmark \_\_\_/\_\_\_/\_\_\_  part of NHL district \_\_\_/\_\_\_/\_\_\_ determined eligible - owner objection \_\_\_/\_\_\_/\_\_\_  DOE process \_\_\_/\_\_\_/\_\_\_ determined NOT eligible \_\_\_/\_\_\_/\_\_\_ deferred by Review Board \_\_\_/\_\_\_/\_\_\_ rejected by Washington \_\_\_/\_\_\_/\_\_\_ pending Federal nomination \_\_\_/\_\_\_/\_\_\_ completed Preliminary Information Sheet \_\_\_/\_\_\_/\_\_\_ nomination on file - never processed \_\_\_/\_\_\_/\_\_\_ rejected by R B \_\_\_/\_\_\_/\_\_\_ removed from NR \_\_\_/\_\_\_/\_\_\_ removed from survey \_\_\_/\_\_\_/\_\_\_ demolished \_\_\_/\_\_\_/\_\_\_

11. NUMBER OF CONTRIBUTING PROPERTIES: \_\_\_\_\_

## PROPERTY DESCRIPTION

12. CONSTRUCTION DATE: 1895 c.

13. ALTERATION DATE: \_\_\_\_\_

14. VERNACULAR FORM: \_\_\_\_\_

15. ARCHITECTURAL STYLE OR INFLUENCE: ---

## 16. DESCRIPTION:

a) construction masonry(MAS) frame  (FRA) log(LOG) steel(STL) other(Z) \_\_\_\_\_b) exterior wall material weatherboard  (WB) beaded weatherboard(BWB) shiplap(SHP) stucco(STU) tabby(TAB)

wood shingle(WSH) brick(BRI) brick veneer(BRV) asbestos shingle(ABS) asphalt siding(ASP) flushboard(FBD)

synthetic siding(SYN) other(Z) \_\_\_\_\_

c) shape rectangular(R) square(S) L(L) T(T) U(U) H(H) octagonal(O) irregular  (I) other(Z) \_\_\_\_\_d) stories  1 1 1/2 2 2 1/2 3 4+ other  (Z) Raised-Partially finishede) roof shape gable(end to front)(GEF) gable(lateral)  (GBL) hip(HIP) cross gable(CRC) pyramidal(PYR) flat(FLT)truncated hip(TRH) gambrel(GAM) mansard(MAN) salt box(SBX) other  (Z) w/flanking pyramidal roofs at rearconnected by a shed roof

f) roof material composition shingle(COS) pressed metal shingle(PMS) wood shingle(WDS) slate(SLT) builtup(BLT)

raised seam metal(RSM) corrugated metal(CRM) tar paper(TAR) not visible(NV) other  (Z) V crimped metalg) # of chimneys 1 exterior end  (EYE) interior end(INE) interior(LNT) central(CEN) flue(FLU)double shouldered(DS) other(Z) \_\_\_\_\_h) chimney material brick  (BR) stuccoed brick(SB) stone(ST) other(Z) \_\_\_\_\_i) dormers gable(GAP) hip(HIP) pedimented(PED) swept(SWE) other  (Z) none

j) foundation brick pier(BP) brick pier with misc. fill(BPM) brick pier with brick fill(BPB) solid brick(BRI)

stone piers(STP) stuccoed masonry(STU) basement(BAS) raised basement(RBS) other  (Z) wood pilek) porch height 1 story  (1ST) 1 story with deck(1WD) 2 or more stories(2+) 2 or more with tiers(2+T) other  (Z) raised

l) porch width entrance bay only(EBO) more than 1 bay, less than full facade(B+) full facade(FF)

facade and left elevation(F&L) facade and right elevation(F&R) wrap around  (WRA) other(Z) \_\_\_\_\_m) porch roof shed  (SHD) hip(HIP) gable(GAB) pedimented gable(PDG) flat(FLT) engaged(ENG) other(Z) \_\_\_\_\_

shape

n) porch details chamfered posts (CHP) turned posts (TP) posts on brick piers (PBP) columns (COL) balustrade (BAL) freestanding posts (FSP) sawn/turned work (S/T) enclosed end bay (EEB) other (Z) west end screened: wood siding in place of railing

o) windows single (SGL) double (DBL) paired (PRD) tripartite (IPT) grouped (GRP) decorative (DEC) display (DIS) other (Z)

p) pane configuration 1/1 2/2 3/1 4/1 6/6 9/9 9/6 other (Z)

q) shutters louvered (LOU) board and batten (B&B) paneled (PAN) other (Z)

r) doors single (SGL) double (DBL) transom (TRA) sidelights (SID) other (Z)

s) decorative element material cast iron (CI) cast stone (CS) terra cotta (TC) granite (GR) wood (WD) pressed metal (PM) other (Z)

t) interior features:

17. OUTBUILDINGS: kitchen (KIT) slave house (SLB) tenant house (TE) other house (OH) garage (GAR) office (OFF) barn (BRN) tobacco barn (TOB) dairy (DAI) crib (CRB) smokehouse (SMK) shed (SHD) privy (PVY) well (WEL) springhouse (SPR) none (N) none visible (NV) other (Z)

18. SURROUNDINGS: residential (R) residential/commercial (R/C) commercial (C) rural (RU) rural community (RCH) industrial (IND) other (Z)

19. ADDITIONAL DESCRIPTIVE COMMENTS residence is similar to site #0/19/1380/1750020 w/exception of alterations and lack of decorative sawn brackets and transom at principal entrance; nas apron wall at porch

**HISTORICAL INFORMATION**

20. THEME(S): Architecture

21. PERIOD(S): 1877c-1917c

22. IMPORTANT PERSON(S):

23. ARCHITECT(S): SOURCE:

24. BUILDER(S): SOURCE:

25. HISTORICAL DATA: Structure appears on 1917 plat

26. BIBLIOGRAPHY: 1917 plat, loc. SI Town Hall

**PROGRAM MANAGEMENT**

27. QUADRANGLE NAME: Fort Moultrie

28. PHOTOGRAPHS: (Y/N) prints 1 slides negatives SHPO SI Roll #1: 31

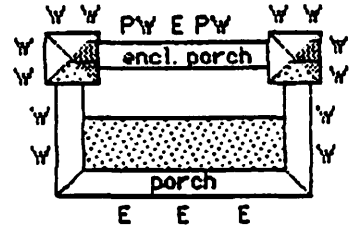
29. OTHER DOCUMENTATION: survey back-up files (SF) National Register files (NRF) tax act files (TAF) grants files (GRF) state historical marker file (SMF) environmental review files (ERF) other (Z)

30. RECORDER NAME/FIRM: DBS / Preservation Consultants, Inc. SEPO

31. DATE RECORDED: 87 / 4 / 15  
year month day

**COMMENTS:**

Excellent example of a small late 19th century beach house; contributes to the overall character of the eastern end of SI that developed partly as a result of the trolley line in the late-19th and early 20th centuries; structure is similar to site #0/19/1380/1750020



Tax Map Number: 529-11-0-17



NAME:

TYPE: SFR  WITH DEPENDENCIES \_ OTHER:

OWNER NAME AND ADDRESS: William Harvey, dba Harvey Realty  
 166½ Wentworth Street, Charleston SC 29401

NATIONAL REGISTER STATUS: Potential: Contributing: Sullivans Island Historic Districts

PREVIOUS SURVEY DATA

- Construction Date: ca 1895 Date of Significant Alterations:
- A) Stories (not including basement): 1
  - B) Foundation: Wood pile (raised, partially finished basement)
  - C) Principal Roof Shape: Lateral gable
  - Other: Pyramidal gazebo ends at rear corners
  - Porch Roof Shape: Shed
  - D) Principal Roof Material: V crimped metal
  - Porch Roof Material: same
  - E) Dormers: -
  - F) Chimneys: 1 exterior end, brick
  - G) Exterior Siding: Weatherboard
  - H) Principal Porch: Full facade, wraps around both side elevations to gazebo ends
  - Other Porch: Shed porch, enclosed, across rear, connects gazebo ends
  - I) Porch Details: Chamfered posts; left section screened; apron wall
  - J) Historic Shutters: Louvered
  - K) Other Detail/ Trim Work Noted:

ADDITIONAL DESCRIPTION: Similar to #315 (SI #20); cited as "excellent example of small late 19th century beach house..." The gazebo ends are a distinctive element of Sullivans Island summer cottages.

Site Features: Walls \_ Fences \_ Gates \_ Other:  
 Outbuildings:

FIELD ASSESSMENT

DATE: 2/7/90

Depth of Flooding Noted:

	FACADE	RIGHT	LEFT	REAR	
A) Structural Damage					• NAD
B) Foundation					• NAD
C) Principal Roof					• NAD
D) Porch Roof					• NAD
E) Dormers					• NA
F) Chimneys					• 20% lopped off
G) Exterior Siding					• NAD
H) Porch Trim	NAD	NAD	5%	NA	•
I) Windows	NV	50%*	NV	80%*	• not visible
J) Detail/Trim Work					• NAD
K) Other: Trees					• severe damage (espec. one large oak)

L) Site Features: Walls \_ Fences \_ Gates \_ Other:  
 M) Outbuildings:

NOTES:

Immediate Damage

Total Loss/Unsalvageable

Severe  
Moderate  
Slight X  
None Noted  
Other

SITE #: 314

Location: SULLIVANS ISLAND

Category:

NR  
NRHD  
Pot. NR  
Pot. NRHD X

Status as of: 2/7/90

Total Loss  
Pre-Storm Condition  
Altered  
To Be Repaired  
Unknown X

Sources

Field Assessment X  
Field Informant  
Owner Reply  
Permit Records  
Engineering Code Red  
Town Appearance Comm.

Photo: M6 : 25

