

*In the Matter Of:*

Town of Sullivans Island v  
In Re: Design Review Board

---

Sullivans Island Design Review Board  
September 21, 2016

---

*A. William Roberts, Jr. and Associates*  
*We're About Service... Fast, Accurate and Friendly*  
*(800) 743-DEPO*  
*www.scheduledepo.com*



**A. William Roberts, Jr. & Associates**

Court Reporting & Litigation Solutions  
www.scheduledepo.com | 800-743-DEPO



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

TOWN OF SULLIVAN'S ISLAND  
DESIGN REVIEW BOARD

COPY

MEETING BEFORE: PAT ILDERTON, CHAIRPERSON

DATE: September 21, 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

Fast, Accurate & Friendly

Charleston, SC (843) 722-8414	Hilton Head, SC (843) 785-3263	Myrtle Beach, SC (843) 839-3376
----------------------------------	-----------------------------------	------------------------------------

Columbia, SC (803) 731-5224	Greenville, SC (864) 234-7030	Charlotte, NC (704) 573-3919
--------------------------------	----------------------------------	---------------------------------



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

APPEARANCES :

PAT ILBERTON, CHAIRPERSON  
STEVE HERLONG, BOARD MEMBER  
DUKE WRIGHT, BOARD MEMBER  
RHONDA SANDERS, BOARD MEMBER  
JOE HENDERSON, ZONING ADMINISTRATOR  
RANDY ROBINSON, BUILDING OFFICIAL  
KAT K. KENYON, TOWN SECRETARY

ALSO PRESENT:

MYLES TRUDELL  
DAN SWEENEY  
HEATHER WILSON  
MICHAEL MONEN  
TAYLOR MONEN  
STEVE PHILLIPS  
CHRIS PHILLIPS  
JASON FOWLER  
IAN DEVINE  
WILLIAM APPELEGATE  
SAM APPELEGATE

(INDEX AT REAR OF TRANSCRIPT)

1 THE CHAIRMAN: It is 6 o'clock and  
2 the September 21st meeting of the Sullivan's Island  
3 Design Review Board is now in session.

4 Members in attendance are Duke Wright,  
5 Pat Ilderton, Steve Herlong, and Rhonda Sanders.  
6 The Freedom of Information requirements have been  
7 met for this meeting. Do I have to say something  
8 about cell phones? I really don't like saying  
9 anything about cell phones; so I won't say that.

10 Approval of the August 2016 minutes?

11 MR. WRIGHT: I move they be approved as  
12 written.

13 MR. HERLONG: I second.

14 2612 JASPER BOULEVARD

15 THE CHAIRMAN: All right. Let's get  
16 into the first one. 2612 Jasper Boulevard.  
17 Attached duplex garage, pool house, storage shed.  
18 It's a Sullivan's Island landmark structure.

19 MR. HENDERSON: I'll give a very brief  
20 introduction. This is Agenda Item C1. It's a COA  
21 request for a historic property. The applicants  
22 are requesting a detached garage and a pool storage  
23 shed. It's at 2612 Jasper Boulevard. This is a  
24 Sullivan's Island landmark by way of designation  
25 Number 89.

1                   The proposal tonight is essentially a  
2 modification for the accessory structure as stated  
3 by the ordinance under Section 21-138. The DRB is  
4 required to give approval for accessory structures  
5 and any increases have to be reviewed and approved.  
6 For this presentation they're asking for a  
7 modification of the height of 15 percent.

8                   The DRB is allowed to grant up to 20  
9 percent for the height modification. So the total  
10 height is going to be 20 feet and 6 inches. I will  
11 defer to the Board for any questions and also the  
12 applicant.

13                   THE CHAIRMAN: Yes, sir.

14                   MR. TRUDELL: The only other item, with  
15 the second accessory structure we were asking for  
16 a setback increase there of 20 feet from the  
17 18 towards Myrtle Avenue. Both structures are  
18 small.

19                   The house on the lot is quite small as  
20 well; so we try to keep it within the scale of  
21 everything there. The front streets, Jasper and  
22 Myrtle, really isn't -- wouldn't be too apparent  
23 from the Jasper side. I think it will be if it  
24 experienced much from the Myrtle side which is the  
25 side you enter from. I think that's all.

1 MR. HENDERSON: Myles, the setback on  
2 the small pool house structure for the storage,  
3 what is the distance from the foundation of that  
4 structure to the property line?

5 MR. TRUDELL: To the street it is  
6 20 feet.

7 MR. HENDERSON: And to the property  
8 line?

9 MR. TRUDELL: It is 10 feet.

10 MR. HENDERSON: Okay. That meets the  
11 ordinance standard for the setback.

12 THE CHAIRMAN: Great. All right.  
13 Thank you. Is there any public comment to this  
14 application? Public comment section is closed.  
15 Joe, anything to add?

16 MR. HENDERSON: Nothing further.

17 THE CHAIRMAN: Rhonda, do you want to  
18 give it a shot?

19 MS. SANDERS: I think it looks great,  
20 very simple, lovely historic property, and nice  
21 small additions.

22 MR. HERLONG: I agree. I think they  
23 certainly meet the intent of the guidelines. They  
24 fit the scale of -- will add to the property. That  
25 will be great.

1 THE CHAIRMAN: I think it's a good-  
2 looking little structure. Looks nice and clean.  
3 I'm like it myself.

4 MR. WRIGHT: I'm fine with it. It  
5 looks great.

6 THE CHAIRMAN: Do I hear a motion?

7 MR. HERLONG: Excuse me. Is this for a  
8 final? I would think we would want to give them  
9 final approval.

10 MR. HENDERSON: It always begins as  
11 conceptual and you can forward that up to final.

12 MS. SANDERS: I move we approve as  
13 final. As is, final.

14 MR. HERLONG: I second.

15 THE CHAIRMAN: Discussion? Everybody  
16 in favor? Great. Thank you, sir.

17 MR. TRUDELL: Thank you.

18 2301 ATLANTIC AVENUE

19 THE CHAIRMAN: 2301 Atlantic Avenue,  
20 new construction.

21 MR. HENDERSON: This is Agenda Item  
22 D-1, a COA request for a nonhistoric design review.  
23 Heather Wilson is the applicant and project manager  
24 on this one. We reviewed and looked at this  
25 property on February of this year.

1                   It was deemed as a traditional island  
2 resource and the applicants and property owners  
3 requested that it be removed from the historic  
4 designation list. So this house is to be  
5 demolished, removed, and they are requesting a new  
6 single family home on this property.

7                   The requests for modification for  
8 this new construction are for the side setbacks,  
9 5 percent modification or two feet, for principal  
10 building coverage, 16 percent or 550 square feet,  
11 and for principal building square footage for four  
12 percent modification or 200 square feet. All of  
13 these requests fall within the DRB's authority for  
14 granting a modification.

15                   I would draw your attention to the  
16 foundation height closest to the ocean. The  
17 majority of the home meets the zoning ordinance  
18 standard. However, there are two bedrooms that are  
19 going to be elevated to eight feet above the base  
20 flood elevation. However, the maximum height of  
21 the structure falls under the 38 feet.

22                   So I would just draw your attention to  
23 that elevation. I'll defer to the applicant's  
24 presentation.

25                   MS. WILSON: Heather Wilson for the



1 Johnsons who couldn't be here tonight. It is  
2 actually at the rear. So what they'd like to do --  
3 and this is because they are at the point of the  
4 island that -- there's a good bit of treated land  
5 and so they don't have a view from the first floor.

6 So this is the rear elevation. They'd  
7 like to step up six steps before they get to their  
8 living room and kitchen. So you can see this is  
9 the side. So this is Atlantic here.

10 This is looking from the ocean. From  
11 the public path actually is what the public  
12 property is up against. So this front piece --  
13 this is what you see from Atlantic which is a  
14 one-and-a-half-story piece. Everything else is  
15 single-story.

16 So if you go through here when you get  
17 to this back -- this is all wrap-around porch.  
18 It's not heated. This bar here which is the living  
19 and kitchen they'd like to step up six steps and  
20 raise that at the rear just for a view of the  
21 ocean. That's what Joe is referring to. So it's  
22 actually living and that bedroom.

23 As far as the other, it's primarily a  
24 single story house. There is one bedroom up here  
25 in this attic space or vaulted loft space. So

1 because it's all on one-story we have gone over  
2 that principal building coverage number which is  
3 our primary request. That's it.

4 THE CHAIRMAN: Great.

5 MS. WILSON: I don't know which one's  
6 more helpful. It's a lot of porch; so it looks  
7 bigger than it is. I'd also like to point out that  
8 this is lower than the house next store. So --

9 THE CHAIRMAN: What is the square  
10 footage?

11 MS. WILSON: It's 4,100 and something.

12 MS. SANDERS: 4,305.

13 MS. WILSON: Oh, 4,305.

14 MR. HENDERSON: 4,354.

15 MS. WILSON: The house next store,  
16 which is a newly built house, is two stories at the  
17 rear. So we are still lower than the house on  
18 either side of us.

19 MR. HENDERSON: What is the maximum  
20 height of that? The two bedrooms closest to the  
21 ocean.

22 MS. WILSON: The bedrooms -- they're up  
23 here. It's actually on Atlantic. So the piece  
24 that's on the ocean is a single-story structure.

25 MR. HERLONG: Okay. Great. Thank you.

1 MS. WILSON: You're welcome.

2 MR. HERLONG: Is there any public  
3 comment to this application? Public comment  
4 section is closed. Joe, anything more to add?

5 MR. HENDERSON: No, sir.

6 THE CHAIRMAN: Duke.

7 MR. WRIGHT: I think I'm okay with  
8 this. I don't see any problem with it. As you  
9 say, with neighborhood compatibility I think it  
10 works with what's along there on Atlantic. I think  
11 it is a good design. I like it.

12 THE CHAIRMAN: Yeah. I think it is --  
13 I mean it is spread out, but it's got a certain  
14 modesty about it. I think it's very nice and will  
15 go well considering it's replacing a historic  
16 structure that was eventually not historic.

17 I mean, it was just so modified. So I  
18 think it would fit well along that street there and  
19 look good. It will look good. Steve.

20 MR. HERLONG: I think it is remarkable  
21 that somebody is building a new home and the ocean  
22 side portion is one-story. I think that's amazing  
23 and great.

24 But I do have a question, Joe, about  
25 the -- about the ordinance that says you can be

1 only so far above the flood elevation. Is this a  
2 situation where, well, as long as a portion of the  
3 house meets that it doesn't mean the whole -- the  
4 entire structure needs to meet that?

5 MR. HENDERSON: That's right.

6 MR. HERLONG: That's your take on that  
7 section of the ordinance?

8 MR. HENDERSON: That's right. The  
9 zoning ordinance prohibits the finished floor  
10 elevation to be further or higher than three  
11 feet from the base flood elevation and allows the  
12 DRB to grant 12 inches on top of that.

13 So this is -- the majority of the house  
14 meets that standard and only a portion -- I guess  
15 there are two bedrooms that are going to be --

16 MS. WILSON: Well, the part that you're  
17 referring to that's at that funny, you know, in-  
18 between level is, you know, about 800 square feet.  
19 It came about because the original concept from  
20 them is an upside-down house which would obviously  
21 have been much taller.

22 It's their sort of forever retirement  
23 house; so it didn't really make sense. So this was  
24 really sort of where had we landed for them  
25 understanding that it was a request and that's not

1 the typical, you know, configuration or arrangement  
2 with regards to flood. But more than half of the  
3 house -- or I mean two-thirds of the house has the  
4 heated floor with that.

5 MR. HENDERSON: So I think the Board  
6 on two other occasions has granted a portion of the  
7 house to go above that four feet, just for a  
8 portion of the house, and required certain visual  
9 elements to kind of bring that down. I think,  
10 Heather, you did show, you know, some visual  
11 element on the foundation to --

12 MS. WILSON: Yes. We were looking  
13 at --

14 MR. HENDERSON: Is that what's lower?

15 MS. WILSON: Yes, the louvered shutters  
16 and the louvered transom to bring it down. This is  
17 my crude landscape. Obviously there will be  
18 landscaping to work on it.

19 We would like to have a sea wall or  
20 some sort of knee wall in there to bring up the  
21 grade even more and kind of improve the those  
22 shutters and that transom configuration.

23 MR. HERLONG: Has it started with the  
24 new flood maps?

25 MR. HENDERSON: No. They'll go in just

1 to be safe about a year from now. Just to be safe  
2 there's a 90-day period, but I think everybody on  
3 is going to be pretty happy.

4 MR. HERLONG: Yes.

5 MR. HENDERSON: Hopefully we won't have  
6 any appeals.

7 MR. HERLONG: Yes. Well, okay.  
8 That's interesting information that we're --  
9 that's a more -- there's more flexibility than I  
10 thought, which is great. But I think in general  
11 it's a great design.

12 It's, again, a little unusual that it's  
13 not a house that's drawing a lot of attention to  
14 itself which is another good feature. It's almost  
15 like a throwback to --

16 MR. HERLONG: Yeah. It is. It's nice.

17 MR. HERLONG: -- what you would have  
18 seen around the island. I think it's really great.

19 MR. HENDERSON: Again, we're reviewing  
20 all these projects for the standards for  
21 neighborhood compatibility. So not all projects  
22 are the same. They've obviously committed to  
23 putting in some design elements and things like  
24 that. So those are some of the things we would  
25 require of projects.

1 I don't think that Town Staff is  
2 encouraging folks to -- you know, I think if  
3 someone showed a construction that had the majority  
4 of the house going eight feet over the base flood  
5 elevation that may not be an appropriate design.

6 So I'll just leave you with that. You  
7 know, I think this is only two bedrooms on a  
8 portion of the house.

9 MR. HERLONG: Additionally, kind of in  
10 regards to some of the other issues the Town is  
11 dealing with, you know, the Planning Commission  
12 just dealt with some historic issues. This plan,  
13 although it is all new construction, has broken the  
14 massing down. It almost appears that it could have  
15 been an older home with a new home attached to it.

16 MR. HERLONG: Yes, the way it's broken  
17 up.

18 MR. HERLONG: So the massing here is  
19 excellent and I think everybody should take note of  
20 that.

21 MR. HENDERSON: That's right. Just to  
22 touch on that, the standard that prohibits you from  
23 elevating the finished floor elevation over the  
24 base flood elevation, these new maps are dropping  
25 significantly.

1 So we may need to really eliminate that  
2 standard from the ordinance because just from a  
3 neighborhood compatibility standpoint I would --

4 THE CHAIRMAN: It would be nice to  
5 eliminate it from the ordinance.

6 MS. SANDERS: Or the ordinance.

7 MR. HENDERSON: We'll need to delve  
8 into that a little bit more and when Randy -- we  
9 may need to have that as a separate agenda item.  
10 But limiting the floor elevation four feet above  
11 the base flood elevation is not going to be  
12 practical once those are implemented in some cases.

13 So -- but more on that later. I'll  
14 defer to you.

15 THE CHAIRMAN: Rhonda.

16 MS. SANDERS: I think it looks great.  
17 Alternatively you could have, like you said, two  
18 stories inverted and it would be taller and you  
19 wouldn't even have to ask for the relief. I think  
20 it's really nice and it's tucked in.

21 THE CHAIRMAN: All right. Do I hear a  
22 motion?

23 MR. WRIGHT: I move it be approved and  
24 submitted.

25 THE CHAIRMAN: And do we want to have



1 a final?

2 MS. SANDERS: I make a motion we  
3 approve it as final.

4 MR. WRIGHT: As a final. Is it a --

5 MR. HENDERSON: This is the first time  
6 we're looking at it; so it is conceptual right now.

7 MR. WRIGHT: It says "prelim" but a  
8 final. Okay. Final.

9 MR. HERLONG: I would second that.

10 THE CHAIRMAN: All right. Great.  
11 Everybody in favor?

12 MR. WRIGHT: Aye.

13 THE CHAIRMAN: Aye. All right. Thank  
14 you. This brings up an interesting point. There's  
15 only four people sitting up here and the next item  
16 normally I would be recusing myself. So if there's  
17 only four people -- three people really can't -- is  
18 not a quorum.

19 MR. HENDERSON: Well, it is a quorum.

20 THE CHAIRMAN: It is?

21 MR. HENDERSON: You have to convene  
22 the meeting with a quorum.

23 THE CHAIRMAN: Oh, I can? Okay.

24 MR. HENDERSON: As long as you have  
25 a three-member and a -- with majority then you

1 can proceed.

2 THE CHAIRMAN: All right. So I will  
3 recuse myself.

4 MS. SANDERS: I'm more with the --  
5 right?

6 MR. HENDERSON: You would have to have  
7 the majority so two vote in favor. So three is  
8 legal. Yes.

9 THE CHAIRMAN: Okay.

10 (Brief pause.)

11 TACO MAMACITA

12 MR. HENDERSON: This is Agenda Item  
13 E-1. It is a commercial design review for 2123  
14 Middle Street, Taco Mamacita. Mr. Dan Sweeney is  
15 presenting several front and side modifications for  
16 the project.

17 Before I turn it over to Dan, I would  
18 like to point out if you want to look at your site  
19 plans part of this presentation is to square off  
20 the front elevations. The primary entrance for  
21 Taco Mamacita will bring out the wall slightly.  
22 That would increase the heated square footage by  
23 33 square feet.

24 What's being presented is actually  
25 a removal of 88 square feet of patron space or

1 space used for dining, seats, and tables. So the  
2 zoning ordinance prohibits the increase of a  
3 nonconforming use under Section 21-150 and 151.

4           However Town, Staff believes that  
5 because you are removing 88 square feet and  
6 bringing in 33 square feet you're actually reducing  
7 the nonconformity. So we're supporting the  
8 applicant's request. We think it complies with the  
9 zoning ordinance. With that I would turn it back  
10 over to the Board for any questions.

11           MR. HERLONG: Okay. Go ahead.

12           MR. SWEENEY: Thank you. Dan Sweeney.  
13 Thank you for having me. I'm actually going to  
14 show you.

15           We had a little -- that -- the zoning  
16 portion of that -- we got ahead of ourselves and  
17 submitted to DRB this application which is in front  
18 of you, those drawings, and when we were informed  
19 by Joe that we actually needed to solve the zoning  
20 component first prior to coming to you they allowed  
21 us to continue coming to you to keep our  
22 application on today's docket.

23           But they did state -- and the drawings  
24 that you see in front of you are changed slightly.  
25 We had a walk-up window and that has changed to a

1 door. That window is now a store and that is seen  
2 in these drawings, which I will pass onto you.

3 MS. SANDERS: A 1.2?

4 MR. SWEENEY: A 2.1. That is a window  
5 and in this application it is a door. So the  
6 reason for this change -- we are changing the  
7 concept -- yes, sir.

8 MR. WRIGHT: I'm down in the weeds  
9 here, but I don't think there's anything wrong with  
10 what you're doing myself.

11 MR. SWEENEY: Sorry about this. So we  
12 are changing the concept from a taco shop or taco  
13 restaurant to a pizza restaurant.

14 So the interior is changing  
15 significantly in the kitchen and that section that  
16 we are changing -- that we are changing is for  
17 to-go orders and it is the function of people  
18 coming out of the kitchen. It is kind of inside  
19 the building about 10 feet where the kitchen  
20 starts.

21 The to-go orders are coming out to the  
22 little alcove that's right behind those double  
23 stores there. The equipment doesn't work in the  
24 current diagonal section of the wall. We also feel  
25 that that diagonal section or the existing diagonal

1 section of the wall just should be squared off from  
2 an esthetic standpoint.

3 So that is the application before you.  
4 The rest of it is we are cladding that section with  
5 vertical corrugated metal to distinguish the  
6 building distinctly from Dunleavy's and then  
7 cladding the rest of the right-hand side of the  
8 building with reclaimed wood which currently it's  
9 all painted. The idea for is for it to be like  
10 this. (Pointing to diagram)

11 So the only thing is that drawing right  
12 there, the A 2.1, the windows and the application  
13 that you opened in your packets, to have them  
14 become a set of double stores.

15 MR. HERLONG: Okay. Okay. Well --

16 MR. SWEENEY: I also wanted to show  
17 this. Sorry. This is the existing condition and a  
18 rendering of the proposed in that area.

19 MR. HERLONG: All right. Is there any  
20 public comment? Would anyone like to comment?

21 Okay. The public comment section is  
22 closed. Joe, do you have any final comments?

23 MR. HENDERSON: No, sir.

24 MR. HERLONG: Well, Duke, do you have  
25 any response?

1 MR. WRIGHT: No. I think it's fine.  
2 It's going to become a pizza restaurant rather than  
3 Taco Mamacita's?

4 MR. SWEENEY: Yes, sir.

5 MR. WRIGHT: That's good. I think we  
6 need that. I think it's fine. I'm great with the  
7 design. It's fine.

8 MS. SANDERS: I'm also great with the  
9 design and I'm so glad we're going to have a pizza  
10 place. Good salads and things, right?

11 MR. MONEN: Yes. We're excited.

12 MR. HERLONG: Again, I think that's an  
13 improvement actually. I'm certainly in favor.

14 MR. WRIGHT: It is.

15 MR. HERLONG: Do I hear --

16 MR. HENDERSON: I would ask one  
17 question. Do you still intend on having the  
18 plastic to enclose the porch during the winter?  
19 No?

20 MRS. MONEN: I don't think that's on  
21 the table at this point.

22 MR. HENDERSON: Okay.

23 MRS. MONEN: We're really not modifying  
24 that patio at all.

25 MR. MONEN: We have thought about doing

1 that at Taco Mamacita and there was no way to. If  
2 we ever found out a way we would come present for  
3 that at the DRB on a separate thing, but that is  
4 not in our plan.

5 MR. HENDERSON: Okay.

6 MR. MONEN: That typical --

7 MR. WRIGHT: What's the new name?

8 MR. MONEN: I asked that same question.  
9 Don't have the power from me to --

10 MR. WRIGHT: Okay.

11 MRS. MONEN: Stay tuned. We're very  
12 close.

13 MR. WRIGHT: All right.

14 MRS. MONEN: We have a team of people,  
15 including us.

16 MR. MONEN: And once the -- once that  
17 is chosen we will have to present signage to you  
18 guys as well. I understand that --

19 MR. HENDERSON: To Town Staff.

20 MR. MONEN: To Town Staff. Yeah.

21 MRS. MONEN: We're pretty close to that  
22 as well.

23 MR. MONEN: We're getting there.

24 MS. SANDERS: How long is this going to  
25 take?

1 MRS. MONEN: It depends on this  
2 meeting.

3 MR. MONEN: We just met and interviewed  
4 a second contractor. We hope to start construction  
5 around mid-October and we think it is an eight to  
6 ten-week construction job as far as -- a lot of it  
7 is electrical and mechanical upgrades to allow for  
8 pizza ovens and all that kind of stuff.

9 It is not a huge remodel, but there is  
10 going to be definitely a new look. The last thing  
11 we want is everyone to think that they're still  
12 sitting in Taco Mamacita, but the scope of work at  
13 the same time is not -- is not enormous by any  
14 means.

15 MR. HERLONG: Okay.

16 MR. WRIGHT: I move it be approved as  
17 submitted.

18 MR. HERLONG: Do I hear a second?

19 MS. SANDERS: Can we approve this as  
20 final?

21 MR. WRIGHT: For a final.

22 MS. SANDERS: I move we approve it as  
23 final as submitted.

24 MR. WRIGHT: Second.

25 MS. SANDERS: Do whatever.



1 MR. WRIGHT: Second.

2 MR. HERLONG: So is there any  
3 discussion on the motion? No discussion. All in  
4 favor. Aye. None opposed

5 MR. WRIGHT: So we will wait for the  
6 new name.

7 MS. MONEN: Thank you very much. The  
8 first pizza will be delivered here.

9 (The proceedings were interrupted.)

10 MR. HERLONG: All right. Joe.

11 MR. HENDERSON: All right. Sorry about  
12 that guys. So I spoke with Duke earlier today and  
13 he wanted me to give you guys a very quick rundown  
14 on what the Planning Commission talked about during  
15 their last meeting. There were two agenda items  
16 that they were considering.

17 Both of them are -- they are both  
18 historic-related and one was a modification where  
19 it outlines the reviewing of historic projects and  
20 issuing a COA, a certificate of appropriateness.

21 So this language of the ordinance  
22 essentially says that when we're reviewing a  
23 historic project we have to look at the ten  
24 Secretary of Interior standards as noticed in our  
25 zoning ordinance, these ten standards, and we also

1 have to look at the Secretary of Interior's  
2 guidelines for rehabilitation.

3 So it references this documentation but  
4 it only calls out the rehabilitation section.  
5 Well, Town Council and the LUNR committee thought  
6 it would be more appropriate to reference the  
7 entire document, the entire manual as it's intended  
8 to be used.

9 You don't just -- when we review  
10 historic preservation projects or restoration  
11 projects we don't just look at rehabilitating  
12 guidelines. All right. So that's why Town Council  
13 felt that we just -- we just amend the ordinance to  
14 drop in this full title of the document.

15 What that means is it actually allows  
16 applicants and property owners more flexibility to  
17 do work on their -- on their properties. So if  
18 you're reviewing the guidelines for rehabilitation  
19 then you can't conduct reconstruction.

20 You know, if it's a house that's rotted  
21 and falling in on itself the Board can't review  
22 that and say, okay. This thing needs to be demoed  
23 but reconstructed with a similar -- with a similar  
24 design and shape. So I guess the point is it needs  
25 to reference the entire document to give a

1 prescribed direction for preservation,  
2 rehabilitation, restoration and reconstruction. So  
3 we have to use this as it's intended to be used.

4 So that's the first agenda item. The  
5 Planning Commission gave a thumbs up to making that  
6 small minor change. The other thing is is that  
7 they're considering their guidelines or their  
8 standards for elevating historic structures.

9 We talked about this with the study  
10 group for 2015 and 2016. Again, this came out of  
11 Town Council asking us if we thought -- if the DRB  
12 thought that we needed a sort of stand-alone  
13 Sullivan's island historic guidelines.

14 We said, no, we don't need stand-alone  
15 guidelines. We said, no, we've got these. Right.

16 MR. HERLONG: Amen.

17 MR. HENDERSON: Let's address the  
18 problem. What are the problems? So we decided we  
19 need a little more oversight when folks come to us  
20 and ask us to elevate historic buildings. So we  
21 came up with this language which we decided would  
22 be design guidelines and not standards.

23 In our study group I presented the  
24 first language that gave a hard and fast standard  
25 that said thou shall not elevate your house more

1 than 50 percent of the yada yada. The study group  
2 said, woah, we don't need another standard.

3 Let's just provide some guidelines to  
4 give the oversight. Basically we're already doing  
5 it. You know, we're all ready doing all of this.

6 MR. WRIGHT: Nothing has changed as far  
7 as I'm concerned. Now, is this going to be added  
8 to the zoning ordinance?

9 MR. HENDERSON: Yes, sir.

10 MR. WRIGHT: This section, which was  
11 vacant and it's -- this is going to become --

12 MR. HENDERSON: Yes.

13 MR. WRIGHT: -- 2144.

14 MR. HENDERSON: 2144.

15 MR. HERLONG: Is there a chance that  
16 this is going to be become modified by either  
17 Council or Planning Commission?

18 MR. HENDERSON: Absolutely. This is a  
19 conceptual. This is the idea that the DRB had, you  
20 know, that we came up with and said it should look  
21 something like this.

22 I mentioned to Steve earlier that I  
23 think our study team should be right beside me when  
24 I present this to -- from now onto the LUNR  
25 committee or the Planning Commission. I want you

1 guys to give your input to help me along with this  
2 because, you know, this is in our wheelhouse. You  
3 know, DRB deals with historic design and --

4 MR. WRIGHT: I didn't sense any real  
5 opposition to this language --

6 MR. HERLONG: No. I don't think so  
7 either.

8 MR. WRIGHT: -- or to the Planning  
9 Commission.

10 MR. HERLONG: Actually, we also  
11 explained to the Planning Commission that this  
12 was not really what we thought should be the stand-  
13 alone change but a review of the -- well, what's  
14 the -- what's the section --

15 MR. HENDERSON: The list of options  
16 that we came up with.

17 MR. HERLONG: The options would be to  
18 provide more incentives for people to renovate or  
19 rehabilitate a small structure where it stands and  
20 if they will they're given some extra relief to  
21 go build that second structure and take out the  
22 1,200 square-foot limit --

23 MR. WRIGHT: Yes.

24 MR. HERLONG: -- as the way to keep  
25 houses -- the older homes lower. I still feel like

1 that's the key. This is helpful as that main  
2 objective, but we've got -- that objective needs to  
3 be studied. It's a concept, but it needs -- for it  
4 to be presented I think we need to outline it.

5 MR. HENDERSON: Right. Essentially  
6 what the DRB did is over that one-year period we  
7 came up with four recommendations for achieving  
8 better review, you know, of historic projects.  
9 Let's incentivize them.

10 Let's incorporate these guidelines.  
11 Let's use the federal standards. Let's modify  
12 another section of the ordinance. Let's study that  
13 before undertaking that momentous project of  
14 writing local historic design guidelines.

15 MR. WRIGHT: We don't need that.

16 MR. HENDERSON: And the Planning  
17 Commission also agreed with the DRB and said we  
18 don't need to do local historic design guidelines.

19 MR. HERLONG: Right.

20 MR. HENDERSON: But what the LUNR  
21 committee did was they sent this to the Planning  
22 Commission and they sent the text amendment to the  
23 Planning Commission. They wanted to take a look at  
24 the incentives a little more because it is --

25 MR. HERLONG: Hard to grasp.

1 MR. HENDERSON: There's a lot there.  
2 So I spoke with the LUNR committee, Rita Langley  
3 who chairs that with Chauncey Clark and Pat O'Neil,  
4 and we will be meeting about that on the LUNR  
5 committee agenda to look at those incentives a  
6 little bit more.

7 Steve, I think it's a great idea that  
8 we provide some visual for describing this stuff  
9 because it is -- it can be complex. We're also  
10 going to look at the unintended consequences and  
11 how this can solve our problems. You know, I think  
12 you have to do that visually for most --

13 MR. WRIGHT: When is the last LUNR  
14 committee meeting?

15 MR. HENDERSON: It hasn't been set  
16 yet.

17 MR. WRIGHT: It's not a regular like  
18 this?

19 MR. HENDERSON: No. It's as needed by  
20 the committee or Council. October is a wash  
21 because we're trying to get out of these trailers  
22 so it's probably going to be November.

23 MR. WRIGHT: Do you need something from  
24 us? Did you say you needed something from us for  
25 you to take to the LUNR committee?

1 MR. HENDERSON: Not necessarily. What  
2 I would like to do is once that meeting date is set  
3 I'll reach out to the full DRB and at least our  
4 study team.

5 MR. HERLONG: Or what's left of the  
6 study team.

7 MS. SANDERS: I don't get that.

8 MR. HENDERSON: We'll have somebody sit  
9 in. Not all of us -- the entirety of you can show  
10 up and give their input.

11 MR. WRIGHT: I think we should.

12 MR. HENDERSON: I would like to move  
13 meet with the group informally and kind of put  
14 together some visual illustrations to show how  
15 these incentives would work, right?

16 If we removed the 1,200 square feet and  
17 open this up to all historic structures to truly  
18 incentivize people to keep their homes where they  
19 are how would that impact the island? I mean,  
20 that's really what Town Council is going to ask.

21 MR. WRIGHT: And this is also all  
22 affected by the new flood --

23 MS. SANDERS: Flood. That's why I was  
24 wondering, if we could not incorporate some  
25 language regarding that.



1 MR. HENDERSON: That was one of our  
2 options.

3 MR. HERLONG: To wait.

4 MR. HENDERSON: To wait on these  
5 matters.

6 MS. SANDERS: Or the --

7 THE CHAIRMAN: But they're not being  
8 implemented for another year. We know what the  
9 maps are.

10 MR. HENDERSON: We know they are and  
11 they are going to go be, I think, eight months.

12 MS. SANDERS: They're going to be,  
13 right? The maps are set. They're not going to  
14 change.

15 MR. HENDERSON: Yes.

16 MS. SANDERS: Why don't we go ahead and  
17 adopt that and change the ordinance, that and that  
18 since it takes an act of God to change the  
19 ordinance anyway?

20 MR. HENDERSON: FEMA won't let us.  
21 They have to tell us when they're ready for us to  
22 adopt.

23 MS. SANDERS: Okay. So why don't we  
24 just change the language in our ordinance regarding  
25 the FEMA elevation? It doesn't have to refer to

1 whatever. We're just going to change it.

2 MR. HENDERSON: We have to hold off on  
3 that.

4 MS. SANDERS: Okay.

5 MR. HENDERSON: Anyway, that's kind  
6 of -- I'll reach out to you guys probably the  
7 latter part of October or mid October and we'll  
8 schedule a meeting.

9 We'll rehash all of the incentives and  
10 develop a plan for presenting this to the LUNR  
11 committee. Then if they like what they their hear  
12 then they'll send it to the Planning Commission.

13 MR. WRIGHT: I think we're in the  
14 driver's seat because I don't think many of them  
15 understood what we're dealing with here. That was  
16 my assessment.

17 MR. HERLONG: Well, I think it is a  
18 very difficult concept for everybody. Even us.  
19 This one is difficult.

20 MR. WRIGHT: We have the chance to make  
21 it clear.

22 THE CHAIRMAN: Yes.

23 MR. HERLONG: Yes.

24 MR. WRIGHT: Okay. Now, there's  
25 another item that is still not in here and that is

1 Steve's proposal to change the language of the  
2 design guideline.

3 MR. HERLONG: Well, on a particular  
4 section make that guideline a standard and reword  
5 it to make it easier to understand and make it --

6 MR. WRIGHT: Right. That's another  
7 issue that I suppose that we shouldn't cloud this  
8 up with that probably.

9 MR. HENDERSON: And that was listed as  
10 a different issue that would go on the LUNR  
11 committee agenda as well. So I would want your hep  
12 on that as well.

13 THE CHAIRMAN: Okay. Great.

14 MR. WRIGHT: Okay. We just want to be  
15 sure you let us know when the pizza is delivered  
16 here.

17 MR. HERLONG: I don't know.

18 MR. HENDERSON: Okay. That's it.

19 THE CHAIRMAN: Adjourned.

20 (The meeting was adjourned at 6:39 PM.)  
21  
22  
23  
24  
25

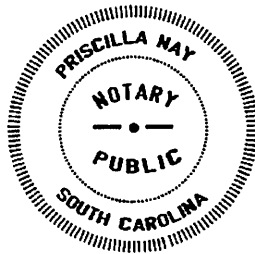
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

CERTIFICATE OF REPORTER

I, Priscilla Nay, Registered Professional Reporter and Notary Public for the State of South Carolina at Large, do hereby certify that the foregoing tape transcription was produced to the best of my ability and may include inaudible sections.

I further certify that I am neither related to nor counsel for any party to the cause pending or interested in the events thereof.

Witness my hand, I have hereunto affixed my official seal this 1st day of October, 2016 at Charleston, Charleston County, South Carolina.



*Priscilla Nay*

Priscilla Nay  
Certified Shorthand Reporter  
My Commission expires  
December 2, 2021

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

I N D E X

	Page	Line
2612 JASPER BOULEVARD	3	14
2301 ATLANTIC AVENUE	6	18
TACO MAMACITA	17	11
CERTIFICATE OF REPORTER	35	1

E X H I B I T S

(No Exhibits Proffered)

THE DECISIONS OF THE DESIGN REVIEW BOARD SHALL BE EFFECTIVE IMMEDIATELY UPON THE APPROVAL OF THE CERTIFICATE OF APPROPRIATENESS. THESE MINUTES WILL BE USED AS AN OFFICIAL RECORD TO THE DECISIONS MADE UPON RATIFICATION.

SIGNED, SEALED AND DELIVERED THIS DAY OF OCTOBER 19, 2016



---

CHAIRMAN, PAT ILBERTON

---

VICE CHAIR, STEVE HERLONG