

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

**REGULAR MEETING MINUTES
Wednesday, April 19, 2023**

A regular meeting of the Town of Sullivan's Island Design Review Board was held at 4:00 p.m. at Town Hall. All requirements of the Freedom of Information Act were verified to have been satisfied. Present were Board members Tal Askins, Beverly Bohan, Babak Bryan, Phil Clarke, Ron Coish, and Heather Wilson.

Town Council Members present: No Council members were present.

Staff Members present: Joe Henderson, Deputy Town Administrator, Charles Drayton, Planning and Zoning Director, Max Wurthmann, Building Official, and Jessi Gress, Business Licensing and Building Permit Technician.

Media present: No members of the media were present.

Members of the public: Ms. Sallie Prichard, property owner of 2830 Middle Street, Mr. Sammy Rhodes, Business owner of Rhodes Residential Construction and Island resident, Mr. Jason Fabrizio, property owner of 2414 Ion Avenue, Mr. Derek Wade, property owner of 2420 Ion Avenue, Ms. Lynn Fabrizio, property owner of 2414 Ion Avenue.

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

- I. **APPROVAL OF MINUTES:** Ms. Bohan made a motion to approve the March 15, 2023 Design Review Board Meeting Minutes. Mr. Askins seconded this motion. All were in favor. None opposed. Motion passed unanimously.
- II. **PUBLIC COMMENT:** No public comment was made.
- III. **PROCESS FOR DESIGN REVIEW:** Ms. Bohan reviewed the meeting process for the Design Review Board which is as follows:
 - Statement of matters to be heard (Chair announcement)
 - Town staff presentation (5-minute limit)
 - Presentation by applicant (10-minute limit)
 - Town staff final statement (if needed)
 - Board Q & A (may occur at any point during hearing)

- Public comment closed.
- Board deliberation and vote

IV. HISTORIC DESIGN REVIEWS:

2824 Jasper Boulevard: Batton Kennon, of Herlong and Associates, Inc., requested conceptual approval to construct an addition to this historic Traditional Island Resource (PIN# 529-07-00-028).

Mr. Drayton stated that this is the DRB's first review of this addition project; the proposed additions are both one-story additions, bumping out the kitchen on the eastern façade, and adding a corridor leading to a large new family room off the rear of the existing house. The addition on the side of the house will be a visible feature on the right side of the front façade with the chimney of the rear addition peeking out over the roof of the side addition. Mr. Drayton stated that with the proposed additions, the principal building square footage of the home will be 4,498 square feet; given the lot size, the maximum allowable principal building square footage would be 5,744 square feet if not for the Town's regulation, limiting single family homes to 5,600 square feet.

Mr. Drayton stated that staff recommended preliminary approval, requesting only additional information regarding materials, provided that the DRB finds the proposed additions satisfy the SIS Guidelines and the Standards for Neighborhood Compatibility.

Mr. Kennon presented his application to the Board.

Mr. Mark Stenhouse, property owner of 2824 Jasper Boulevard, stated that they have spoken with their neighbors and they are all in favor of the application presented.

The Board was in favor of the application presented.

Mr. Clarke made a motion to grant final approval for the application presented. Mr. Askins seconded this motion. All were in favor. None opposed. Motion passed unanimously.

Mr. Askins recused himself from the application regarding 1754 Central Avenue (Exhibit 1).

1754 Central Avenue: Joel Adrian, of Studio 291, LLC, requested conceptual approval to construct an accessory structure garage on the property with this Sullivan's Island Landmark Resource home. (PIN# 529-08-00-040)

Mr. Drayton stated that the applicant is seeking to redesign the proposed garage so that it can accommodate a car and a golf cart; the garage design approved in July of 2022 by the DRB had proposed a one-car, one-story garage to be located on the existing concrete pad. The currently proposed plan would utilize a portion of that existing concrete pad but would leave a five- or six-foot-wide section of the pad exposed on the Station 18 side of the garage.

Mr. Drayton stated that the building facades have been articulated to address the accessory structure requirement that no one wall exceeds 25 feet in length; it should be noted that the roof

line is continuous across both facades, which provides a useful overhang for entry along the front façade but seems to override the articulation that breaks up the wall length along the rear façade.

Mr. Drayton stated that Staff recommended preliminary approval of the request for the proposed two-bay garage if the Board finds that the redesign is in character with the historic property, satisfies the SIS Guidelines for siting new construction in an historic setting, and meets the Standards for Neighborhood Compatibility.

Mr. Adrian presented his application to the Board.

No public comment was made.

The Board felt as though the accessory structure is too large and too close to the approved addition and suggested possibly reducing the massing of the addition or to break up the accessory structure into two sections and reduce the overall square footage.

Ms. Wilson made a motion to defer this application for further study. Mr. Coish seconded this motion. All were in favor. None opposed. Motion passed unanimously.

2824 Brooks Street: Carl McCants, of Mc3 Designs, requested final approval to construct a redesigned, detached garage on the property of this Traditional Island Resource property, with a request for additional square footage for the accessory structure. (PIN# 527-07-00-044)

Mr. Drayton stated that this property is an historic Sullivans Island Traditional Island Resource (Historic Survey Card #033), and the historic cottage on the property was recently relocated on the property per DRB and BZA approvals providing for the historic accessory dwelling unit special exception that also allowed for the construction of a new main house on the property. In November 2022 the DRB approved a two-car garage on this location for the property; however, the buyer of the new home wishes to have a redesigned three-car garage, so the applicant has submitted a proposal to modify the approved garage design so that it will meet the buyer's needs and satisfy the Town's ordinance requirements. To meet the Town requirements, the applicant is seeking relief from the Board to allow the garage to exceed the maximum accessory structure square footage of 750 sf. Mr. Drayton stated that the DRB may grant up to a 20% increase to the accessory structure maximum square footage, which would allow a 900-sf accessory structure; the applicant is seeking a 13% increase, which would bring the square footage of the garage to 848 sf. The larger footprint of the redesigned garage and driveway places them within the critical root zones of several trees; therefore, at permitting an arborist should be hired to provide a tree preservation plan for the impacted trees.

Mr. Drayton stated that staff recommended granting final approval for the garage ensuring that the Secretary of the Interior's Guidelines are being followed and conditioned on approval from SCDOT to provide an encroachment permit from Jasper Boulevard.

Mr. McCants presented his application to the Board.

Ms. Sallie Prichard, property owner of 2830 Middle Street, stated that she is a neighbor of this property and is in favor of the application presented.

Mr. Bryan and Ms. Wilson felt as though the request for the accessory structure should not be granted. Ms. Wilson stated that requested relief for accessory structures should be requested due to some sort of hardship and believed that this proposed 3 car garage does not fit in with the vernacular of this historic property.

Ms. Bohan informed the Board that historic structures are allowed to request 750 square feet for accessory structures.

Mr. Sammy Rhodes, owner of Rhodes Residential Builders, stated that this accessory structure is small and will be hidden on the lot and would request that the Board grant approval.

Mr. Askins made a motion to grant final approval for the application presented. Mr. Coish seconded this motion. Motion passed 4 to 2. Ms. Wilson and Mr. Bryan opposed.

2415 Middle Street: Jason Fowler, of Sea Island Builders, requested final approval to renovate this former church, to reduce the non-conformities on the property, add a two-story addition on the rear, and turn the building into a single-family home. (PIN# 529-10-00-012)

Mr. Drayton stated that this is the board's fourth review of this project; at the meeting in March 2023 the Board deferred the request to allow the applicant and staff time to review the plans based on concerns raised about the potential conflicts with the International Building Code regarding structures and fenestrations close to the property line.

The requirements are as follows:

- building facades that are within 3 feet of the property line are not permitted to have any openings and must be fire rated.
- buildings between 3 and 5 feet of the property line may only have 25% of the façade surface taken up by openings, and the walls must be fire rated.
- and beyond 5 feet the walls and openings are not subject to fire rating controls.

Mr. Drayton stated that chimneys are fire rated and may be located anywhere on the property. The applicant has responded to this issue by moving the addition further from the property lines, allowing at least 3 feet and 1 inch of space so that the windows can be allowed as previously proposed.

The Board had a couple of additional concerns that they asked the applicant to address:

1) Concerns about the chimney locations: the concern for the chimney on the rear was related to the IBC's fire code regulations, but a real masonry chimney is fire-rated to contain a fire and is thus not subject to separation requirements; the chimney on the side of the house was brought up by the Board as an aesthetic concern, taking away from the look of the historic church, but the applicant has stated that the chimney and a wood-burning fireplace are important elements to the owners, and so the chimney has been maintained in its location. It has been, through previous iterations of the plans, been reduced to the minimum height the IBC will allow, and it has been tapered to minimize the visual impact.

2) Concerns about the 2-story massing of the addition along the neighboring property lines: The applicant has continued to make concessions to address this concern; in the current iteration: a) the exterior walls have been pulled away from the property lines to meet the IBC requirements for allowing walls with fenestrations, as discussed above, and the applicant has dropped the plate height of the second floor on the addition by one foot, which has lowered the proposed ridge height of the addition to 31 feet.

Mr. Drayton stated that staff recommended granting final approval for the renovation and addition work to turn the former church into a single-family home if the Board feels that the proposed changes would maintain the historical integrity as prescribed in the SIS Guidelines and that the proposal meets the Standards for Neighborhood Compatibility.

Mr. Fowler presented his application to the Board.

Ms. Christina Butler, historic preservationist hired by the owners of 2415 Middle Street, presented different churches in the area that currently have chimneys to the Board.

Ms. Bohan stated that town staff received public comments regarding this application (Exhibit 2 and 3).

Mr. Jason Fabrizio, property owner of 2414 Ion Avenue, stated that he was not in favor of the 2-story addition and the windows 3 feet from the property line would be more intrusive than the existing balcony 20 feet from the property line. Mr. Fabrizio stated that he was also not in favor of the second story addition and requested that the Board deny the application presented or ask that the massing be reduced.

Mr. Derek Wade, property owner of 2420 Ion Avenue, stated that he was not in favor of the application presented due to the size and massing of the addition. Mr. Wade requested that the applicant consider a one-story addition.

Ms. Lynn Fabrizio, property owner of 2414 Ion Avenue, stated that she was not in favor of the application submitted and requested that the applicant reduced the overall size and massing and requested a one-story addition on the rear.

Mr. Bryan was in favor of the application presented.

Ms. Wilson voiced her concern regarding the chimney location, the rear property line, and the massing of the structure.

Mr. Coish voiced his concern regarding the massing of the structure and suggested the applicant reduce the 2nd story addition to a 1 story addition. Ms. Bohan and Mr. Clarke agreed with Mr. Coish's comments.

Mr. Askins agreed with his Board members and suggested possibly adding palm trees to the rear property line to assist with the neighbor's concerns.

Ms. Wilson made a motion to defer the application provided that the applicant reduce the massing on the rear of the property. Mr. Coish seconded this motion. Motion passed 5 to 1. Mr. Bryan opposed.

2415 Middle Street: Jason Fowler, of Sea Island Builders, requested historic designation (Traditional Island Resource) of the former church building in accordance with Z. O. §21-94. (PIN# 529-10-00-012)

Ms. Wilson made a motion to defer this application. Mr. Coish seconded this motion. All were in favor. None opposed. Motion passed unanimously.

V. NON-HISTORIC DESIGN REVIEWS:

2901 I 'On Avenue: Matthew Wilks, applicant, requested conceptual approval to construct a new two-story home, with requests for additional principal building square footage and additional second story side façade setback relief. (PIN# 529-12-00-046)

Mr. Drayton stated that this is the DRB's first review of this project. The applicant has paid attention to potential massing issues that concern the island and is justifying the additional principal building square footage by masking most of the second story square footage within the rooflines and limiting the second story wall surfaces. Additionally, the applicant has appealed to the island vernacular by wrapping nearly all the exterior facades that face street right of ways with deep covered porches. Mr. Drayton stated that the applicant is justifying the relief from the second story side façade setback requirement by employing a gable end on the side of the home and by placing much of the second story square footage within the roof. Each of the wall sections on the left façade, where the relief is sought, has a unique profile which adds to the breaking up effect on the massing, as well as each section having a 4-foot articulation setting it apart from any other section of the façade. On the other section where relief is requested, there is a dormer placed above the knee wall, which effectively, although not regulatorily, breaks the length up on the already lowered mass of the second story wall.

Mr. Drayton stated that staff recommended final approval of the project if the Board finds that the design accomplishes the goals set forth in the Standards for Neighborhood Compatibility.

Mr. Wilks presented his application to the Board.

No public comment was made.

Mr. Coish asked if the gable located on the front façade could be lowered. Mr. Wilks responded by stating that this should not be an issue.

Ms. Wilson made a motion to grant preliminary approval for the application presented provided that the applicant lower the gable on the front façade. Mr. Coish seconded this motion. All were in favor. None opposed. Motion passed unanimously.

1749 Atlantic Avenue: Joel Adrian, of Studio 291, LLC, requested conceptual approval to construct a new two-story home, with requests for additional principal building square footage and additional second story side façade setback relief. (PIN# 523-12-00-023)

Mr. Drayton stated that this is the DRB's initial review of this project. There is a 93-foot-long wall along the first story, eastern façade; the wall has two articulations that provide some visual relief along the façade but do not meet the ordinance requirement for 4-foot-deep articulations. There is 24-foot 4-inch section that bumps out with 2-foot articulations, and a 23-foot 6-inch section that bumps out with 2 and 3-foot articulations. The applicant could work to increase the depth of the articulations to conform with the ordinance or revise the application to request relief if the DRB supports the design. Mr. Drayton stated that there are 4 sections along the second story side facades that need relief from the DRB in the design. On the eastern façade, with the long first story wall, there are sections that are articulated, but the requirement for the second story side façade is that it be setback 2 feet from the first story façade; this creates the need for a 100% reduction in the 2-foot setback to allow a second story wall that is 82 feet 2 inches. There is a gabled section of roof atop one section of the façade, and there are 3 dormers that break up the roofline across the rest of that façade, but these design elements do not negate the requirement. On the western façade the gabled roof design is transposed creating the core block of the house; this section creates a 23-foot 6-inch second story side façade and requires 100% relief from the 2-foot setback.

Mr. Drayton stated that staff recommended conceptual approval for the basic design, noting the need to request additional relief, provided the Board finds the plans are in keeping with the Standards for Neighborhood Compatibility.

Mr. Adrian presented his application to the Board.

No public comment was made.

Ms. Wilson stated that with an elevated home, she doesn't see the need for an elevated pool. Mr. Adrian stated that he does not see an issue with making the pool in ground and creating the outdoor space on the ground floor. Ms. Wilson suggested making the pool in ground and breaking up the chimneys and creating some sort of break on the second story.

The Board agreed with Ms. Wilson.

Ms. Wilson made a motion to grant preliminary approval provided that the applicant considered an in-ground pool, breaking up the chimneys and adding a hyphen on the second floor. Ms. Bohan seconded this motion. All were in favor. None opposed. Motion passed unanimously.

1602 Poe Avenue: Annemarie and Nestor Worobetz, homeowners, requested final approval to construct a small shed on their property, with a request for accessory structure setback relief. (PIN# 523-08-00-014)

Mr. Drayton stated that this is the Board's first review for this project; the applicant is requesting the maximum amount of accessory structure setback relief that the Board may grant, 40%, thereby reducing the side and rear setbacks for the shed to 6 feet from the property lines. The shed comes from Lowe's and is assembled on-site; it is slightly larger than the one it is replacing, but the applicant is also removing a 300-sf concrete slab from the backyard near the shed location. The net result is a 244-sf reduction in impervious surface coverage on the lot.

Mr. Drayton stated that staff recommended final approval to place the new shed 6 feet from the property lines, provided the Board finds the proposed placement in keeping with the Standards for Neighborhood Compatibility.

Mr. Worobetz presented his application to the Board.

Ms. Bohan stated that town staff received public comment regarding this application (Exhibits 4 and 5).

The Board was in favor of the application presented.

Ms. Wilson made a motion to approve the application for final approval. Mr. Coish seconded this motion. All were in favor. None opposed. Motion passed unanimously.

1408 Thompson Avenue: Brent Fleming, of B. W. Fleming Architect, LLC, requested final approval to construct a new two-story home, with requests for additional principal building square footage and principal building coverage area, and for additional side setback and second story side façade setback relief. (PIN# 523-07-00-011)

Mr. Drayton stated that this is the DRB's second review of this project; at the DRB meeting in November 2022, the applicant received preliminary approval with the Board in general agreement that they liked the design as proposed and requested that construction details be added to the plans. Staff requested additional dimensional details be shown on the plans and for an exhibit showing the build-to line for the block. The applicant has provided the additional details that were requested by staff and by the Board. In the updated design some of the window placements have been altered, the pantry has been slightly extended, adding articulation in the side façade, the upstairs porch rail has been updated, the sliding glass doors opening onto the creek side porch have been redesigned, and the ground level openings on the creek side have been changed to archways.

Mr. Drayton stated that staff recommended final approval of the project if the Board considers the increases in square footage and coverage area, and setback relief are justified by the lot dimensions and the design conforms with the Standards for Neighborhood Compatibility.

Mr. Fleming presented his application to the Board.

No public comment was made.

The Board was in favor of the application presented.

Ms. Wilson made a motion to approve the application for final as presented. Mr. Clarke seconded this motion. All were in favor. None opposed. Motion passed unanimously.

808 Star of the West Street: Carl McCants, of Mc3 Designs, LLC, requested final approval to construct a one-story addition on the side of the existing home with a request for side setback relief and principal building side façade relief. (PIN# 523-06-00-078)

Mr. Drayton stated that This is the DRB's second review of this addition project; the applicant is requesting the maximum side setback relief and is seeking relief along the principal building side façade to allow the addition to extend for 42 ft ½ in along the western façade with two 1-foot articulations. The request is for an additional 12 ft ½ in of wall length along the façade, representing a 40% increase from 30-foot regulation. The proposed addition would only encroach 4 ft 5 in further into the setback than the side of the existing home, so despite the impression that the request is for maximum relief, it represents a 13% reduction in the existing combined setbacks. Mr. Drayton stated that at the DRB meeting in February 2023 the addition project was granted preliminary approval by the Board with direction to study the porch, the long wall, and the roof connections. The Board expressed concerns about the narrow alley effect that the addition would create in relation to the existing left wing on the front of the house; they suggested removing, narrowing, or cantilevering the porch to reduce the mass and create more openness between the wings. The applicant has responded by cantilevering the porch so that below the porch is now open. The other concern centered around the roof connections where the addition would meet the existing house, which has been modified in the current design.

Mr. Drayton stated that staff recommended final approval of the request if the Board find that the proposed addition, with setback relief and an extended side façade wall, befits the Standards for Neighborhood Compatibility.

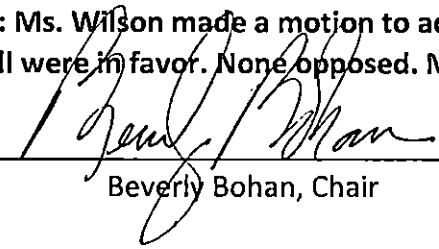
Mr. McCants presented his application to the Board.

Ms. Bohan stated that town staff received public comment regarding this application (Exhibit 6).

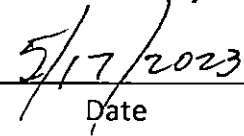
The Board was in favor of the application presented.

Ms. Bohan made a motion to grant final approval for the application presented. Mr. Askins seconded this motion. All were in favor. None opposed. Motion passed unanimously.

VI. ADJOURN: Ms. Wilson made a motion to adjourn at 6:43 p.m. Mr. Coish seconded this motion. All were in favor. None opposed. Motion passed unanimously.



Beverly Bohan, Chair



Date



RECUSAL STATEMENT

Member Name: Tal Ashkins

Meeting Date: 4-19-23

Agenda Item: 2 Section: Historic^E Number: 2754

Topic: Garage Addition

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

Justification to Recuse:

Professionally employed by or under contract with principal

Owns or has vested interest in principal or property

Other: _____

Tal Ashkins
Member Signature

4-19-23
Date

[Signature]
Signature of Official

4/19/23
Date

Exhibit 2

Re: 2415 Middle St Plans

Jerry Kaynard →

To: Jason.Fowler@seaislandbuilders.com

Cc: Jerry Kaynard

Tuesday, November 15, 2022 12:02PM

Show Details

Jason,

I own the property at 2416 Middle Street, Sullivan's Island, SC. I also live around the corner on Atlantic Avenue.

Upon review of the plans and drawings received, I do support this renovation of the property at 2415 Middle Street. This is consistent with the neighborhood and I think would be a welcome improvement.

Best regards,

Jerry

Gerald A. Kaynard
2501 Atlantic Avenue
Sullivan's Island, SC 29482
843-810-8017

April 19, 2023

To Charles and DRB board members,

Please consider the following when ruling on the progression of the home located at 2415 Middle Street.

This process has involved the applicant asking for approval to apply historical designs and lot regulations to approve the submitted plans. There are a few major issues with this request before you;

First: Like the old question, what came first: the chicken or the egg? The home is not historical and when talking with the Town's building official neither one of us is sure what part of the house will designated historic nor the entire house is historic? This is very important designation in figuring out what can be done and while I sympathize with applicant it needs to be decided (maybe not voted on to preserve applicant's flexibility), before you can do your duty as a DRB member.

If both the **Exhibit 0.0** "Original Church Footprint" and the "Existing Addition" (as shown on the attached applicant supplied plans) is given historic designation for this plan approval, then how can the back 35%+/- of the house be knocked down and rebuilt with a 100% new 2 story addition **Exhibit 0.1**? You cannot just tear down an historic structure, correct? This would also not qualify as a remodel or change of less than 50% per FEMA guideline would have brought up to current building and zoning regulations.

If the only the "Original Church Footprint" is approved as the historic part, then the existing addition is not historic and if it is altered in a material way it loses it non conformity and would have to be built to current code and zoning regulation or get a variance from the BZA.

The applicant has demonstrated with all submittals and meeting questioning that the "existing addition" is not historic and therefore should not be treated as such. Then any material adjustments to the "existing structure" should be treated separately from the "Original Church Footprint" and should have to go through any BZA for all variances.

Second: The applicant states that "no relief is being requested and the plans fully comply with all zoning and allowable uses per zoning" this simply is not true. When asking town officials there are numerous building code issues that are included for DRB plan approval. If DRB approvals are given this will cloud the issues of code compliance by the Town of Sullivan's Island building department. The following are non-compliant with 2021 IRC Building Code used by the Town of Sullivan's Island;

- **EXHIBIT 1,1.2.1.3** Per 2021 International Building Code (IRC) page 3-33 and Page 3-34 Table R302.1(1) projections (as shown as rear fireplace and rear roof overhang) cannot be less than 3 feet from property line for non-fire retardant material or less than 2 feet from line for any and all material.
- Per same page and table above, Openings in walls (windows and doors) ,are not allowed under 3' feet from line, 3'0" – 4'11" are only allowed max of 25% of wall, all over 5'0" from line are unlimited.

- All “proposed addition” rear of home windows on the first and second are not in compliant with 2021 IRC code. They are over the 25% maximum allowed wall area. It is important to understand that all wall areas are calculated for each level of the home. W
- All “proposed church tower” windows on Wade side of property are not in compliant with 2021 IRC Building Code
- “Proposed Church Tower” must be built with fire retardant material and cannot have any openings, unless located at least 3’0” from property line per 2021 IRC Building code
- Fireplace as shown on rear of property is not compliant with 2021 IRC building code, need to be at least 2’ from property line if made from fire retardant material, if not all must be 5’ feet or more.
- Fireplace as shown on the Fabrizio lot side of property is most likely not compliant with 2021 IRC building code (not sure of exact measurement from plan),
- Roof overhangs and gutters are not compliant with 2021 IRC Building code, must be more than 2’ feet from property line if made from fire retardant material, if not must be 5’ feet or more.
- The front elevations shown, may also not be compliant with 2021 Building IRC Building code due to the application showing it only 2’9” from the front setback. Per 2021 IRC Building Code should be 3’feet or greater
- I have concerns on fire ratings (need to clarify with Town Official(s) and engineers), on locations of HVAC stand , Pool Equipment Stand (for a pool that was removed and now replaced with a Hot Tub (why does an above ground hot tub need equipment stand 40+/- feet away ?). Looks like a smaller in ground pool is being proposed by a different name.

While some of the setbacks may or may not be exempt from Sullivan’s Island building codes (have asked where this is written in the building ordinances and have not been able to view it yet), things cannot be exempted from the 2021 IRC Building Code by DRB, BZA, or the Town’s Building Department. The building code is a requirement for all local municipalities by SC Statue.

Third: Also points of concern with applicants proposed plans when reviewing the published Zoning Ordinance on the Town of Sullivan’s Island web page include the following;

- **Sec. 21-22 D Minimum principle building side façade setback. EXHIBIT 2.0,2.1.2.2**
A principle buildings 2nd floor Side Façade having a width in excess of ten (10) feet shall be setback 2 feet from the 1st floor Side Façade....DRB my grant up to a 100% modification to this zoning standard (20 feet)
 - *All facades of the 2nd story except, proposed addition 2nd floor pool side (balcony present)do not conform to the Towns zoning ordinance*
- **Sec. 21-27.Principal building square footage EXHIBIT 3.0, 3.1 Section B.** Permitted principal building square footage. (1) Lot Area of five thousand (5,000) square feet or less: Principal Building Square Footage limited to twenty four hundred (2400) square feet.

- The Design Review Board may increase by no more than twenty-five percent (25%) the maximum permitted Principal Building Square Footage if this or other modifications achieve greater Neighborhood Compatibility as described in ARTICLE XII, except as provided in Section 21-20C.(2)(j) regarding historic properties with a second structure on the same lot. (5-15-07)
 - *Proposed applicant house is located on 3500+/- square foot lot , which allows 2400 square foot house, when adding in DRB variance 2975 Square feet house is allowed. This is only allowed if historic designation is given to all aspects of current structure. The proposed house is 3147 square feet .Since the all parts of the building are attached/connected it should be considered the Principle Building Square Footage, therefore it's too large for the lot.*
- **Sec. 21-43.Preservation of historic properties. Exhibit 4.0,4.1 B. Exceptions to standards.** If efforts are made to retain a Principal Building because it is an historically significant or contributing building (an historic property as described in Sec. 21-94. Historic property designation criteria)) that is compatible with existing development, the Design Review Board may:
 - (2) Exempt the Principal Building's pre-existing nonconforming Setbacks in order to permit additions in keeping with the Principal Building's historic character; and,
 - *Proposed house setbacks are all being changed, therefore DRB is not preserving, they are granting a change which I do not believe they are empowered to do.*

It is important to understand that all of the above issues/concerns are caused by the applicant/builder choice. There is no hardship; we are asking they reduce the house foot print a few feet to make it more compatible with the neighborhood.

They are already moving the house and placing it on a new foundation so the house and all projections can be moved at least 5' from the property lines and they will have more flexibility to build within the zoning or go to BZA for exceptions as allowed in ordinance.

I do not understand how a house can be moved, parts of a house 100% demolished and the old setbacks remain, the rule allowing this cannot be shown in any section of the towns zoning ordinance and the exact opposite is shown in many other instances throughout the zoning ordinance.

They have decided to add full size windows over the 25% maximum allowed per the 2021 IRC Building Code, reduce the window sizes or number of windows.

The full 2+ story brick wood burning fireplace in the rear of the house is currently located only 26- 30+/- from 3 bedrooms and 2 baths windows and anytime the wind is blowing from the north or east we will get smoked out. This is not even taking into consideration the fact there is a second one viewable from the street "historic church's" (have never been in a church with a fireplace, much less two) front of the house 15-20 feet away from the proposed rear one.

They can decide to remove the "existing addition" from being treated as historic and remodel within the current width and height footprint.

These are just a few ways they can control their own destiny. While the temptation to get through this process moving is growing from all parties (including us) and allow the applicant to build their home, this "one of kind" Sullivan's Island lot and home deserves the extended process to make sure it is done right for all parties involved today and the future.

Sincerely,

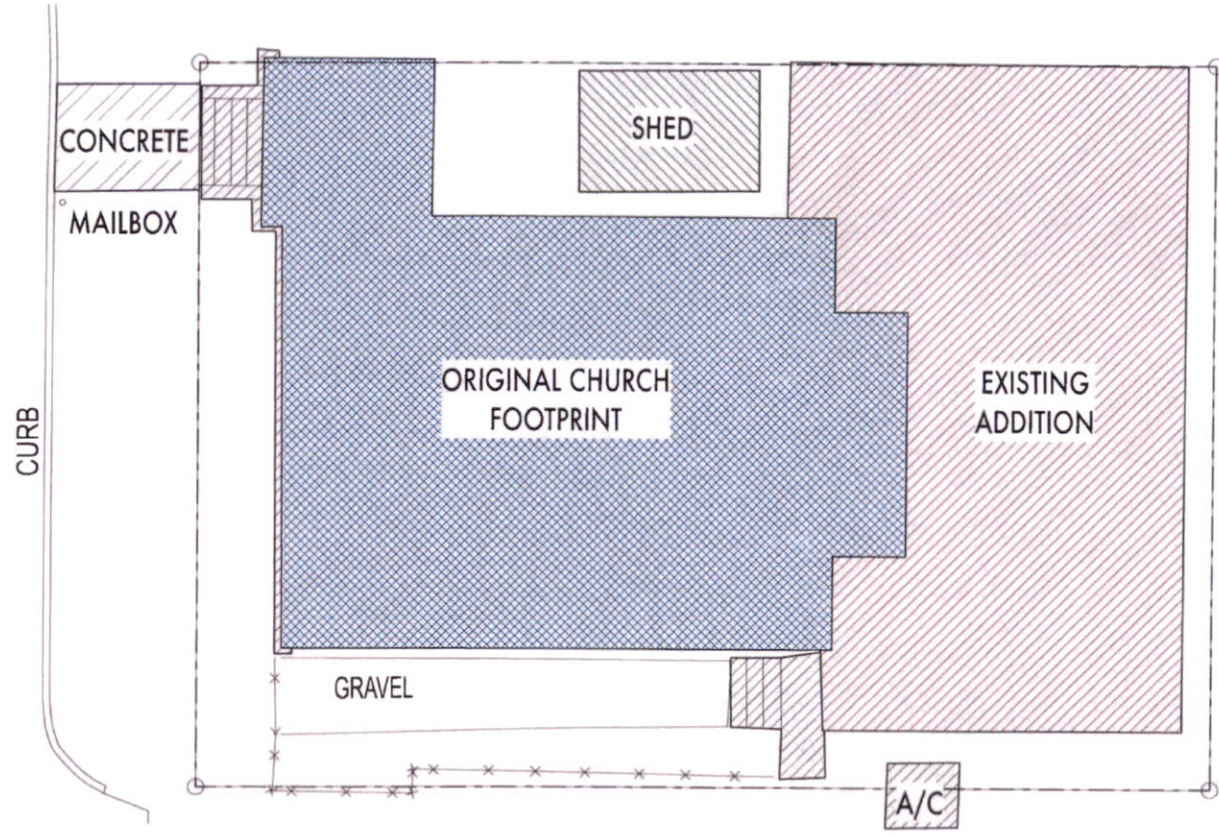
Jason and Lynn Fabrizio

2414 Ion Ave

Sullivan's Island, SC 29482

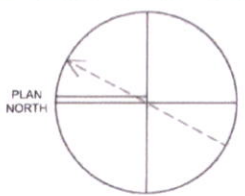
843.200.8764

EXHIBIT 0.0



EXISTING	
PRINCIPAL BUILDING COVERAGE	
ORIGINAL CHURCH	1350 sf
EXISTING ADDITION	1071 sf
SHED	105 sf
TOTAL:	2526 sf

SCALE: 1/8" = 1'-0"

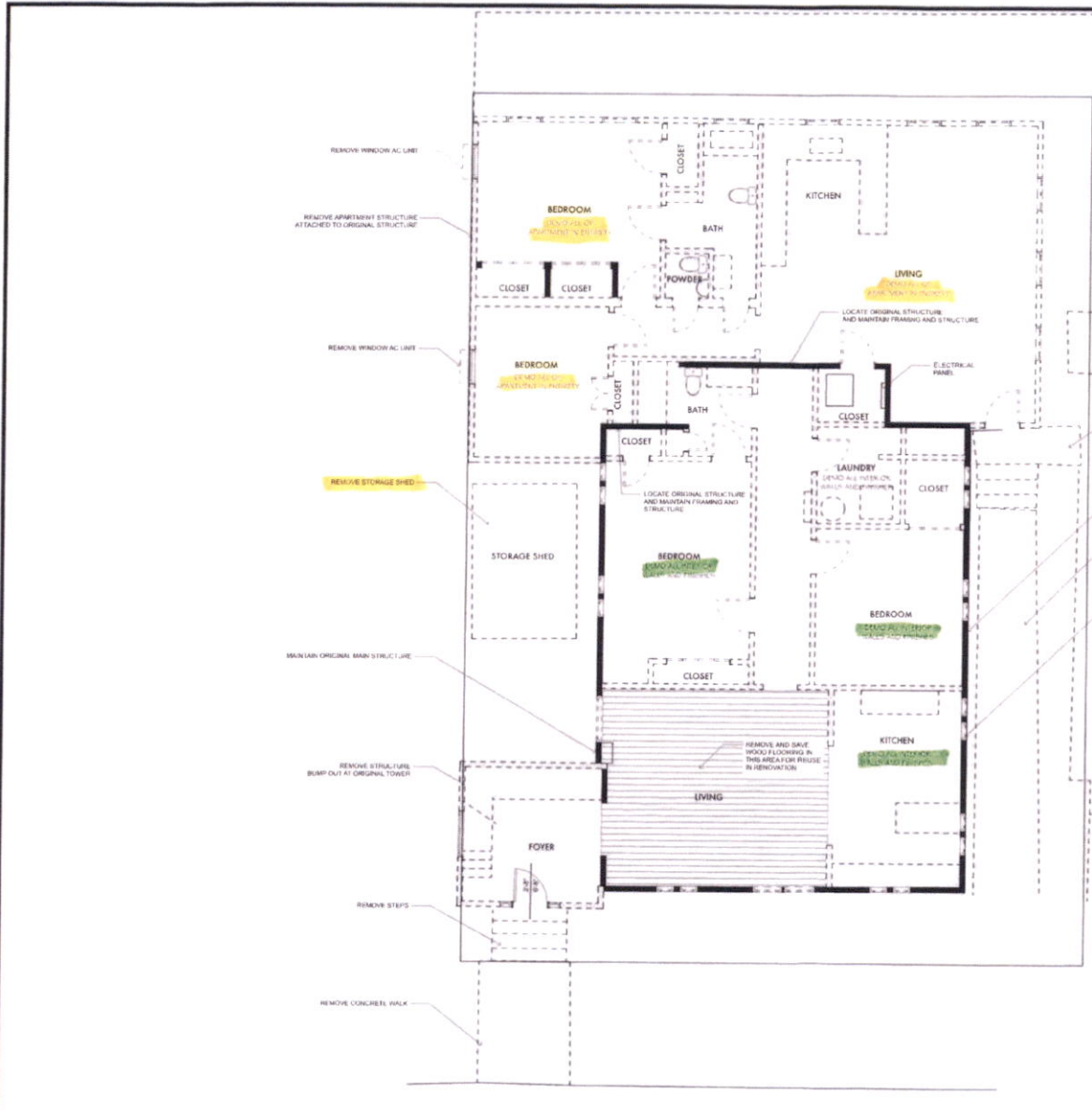


EXISTING SITE PLAN

2415 Middle Street
Sullivan's Island, SC

EXHIBIT O.1

[Yellow highlight] = Demo All IN ENTIRETY
[Green highlight] = Demo All Inclin Walls + Finishes



1 DEMO FIRST FLOOR PLAN

CONSULTANTS
ARCHITECT
SEA ISLAND BUILDERS
2015 MIDDLE STREET, STE. 100
SULLYWAY'S ISLAND, SC 29482
(843) 862-7430
WWW.SEAISLANDBUILDERS.COM
STRUCTURAL ENGINEER
R.M. POWELL ENGINEERING, LLC
2225 ASHLEY CROSSING DRIVE
SUITE 209
CHARLESTON, SC 29407
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LANDSCAPE ARCHITECT
GLENN R. GARDNER
LANDSCAPE ARCHITECT
PO BOX 295
CHARLESTON, SC 29402
(803) 722-5885
WWW.GARDNERLA.COM

Y oak Residence
2415 Middle Street
Sullyway's Island, SC
29482

3/15/2023 DRB PRELIM

PROJECT: 2415 MIDDLE
DATE: 3/23/23
DRAWN BY: SAK
COPYRIGHT

SEA ISLAND BUILDERS

SHEET TITLE
DEMO FIRST FLOOR PLAN

PRICING SET

A-102
SHEET 22 OF 47

TABLE R301.6
MINIMUM ROOF LIVE LOADS IN POUNDS-FORCE PER SQUARE FOOT OF HORIZONTAL PROJECTION

ROOF SLOPE	TRIBUTARY LOADED AREA IN SQUARE FEET FOR ANY STRUCTURAL MEMBER		
	0 to 200	201 to 600	Over 600
Flat or rise less than 4 inches per foot (1:3)	20	16	12
Rise 4 inches per foot (1:3) to less than 12 inches per foot (1:1)	16	14	12
Rise 12 inches per foot (1:1) and greater	12	12	12

For SI: 1 square foot = 0.0929 m², 1 pound per square foot = 0.0479 kPa, 1 inch per foot = 83.3 mm/m.

TABLE R301.7
ALLOWABLE DEFLECTION OF STRUCTURAL MEMBERS^{a-c}

STRUCTURAL MEMBER	ALLOWABLE DEFLECTION
Rafters having slopes greater than 3:12 with finished ceiling not attached to rafters	L/180
Interior walls and partitions	H/180
Floors	L/360
Ceilings with brittle finishes (including plaster and stucco)	L/360
Ceilings with flexible finishes (including gypsum board)	L/240
All other structural members	L/240
Exterior walls—wind loads ^d with plaster or stucco finish	H/360
Exterior walls—wind loads ^d with other brittle finishes	H/240
Exterior walls—wind loads ^d with flexible finishes	H/120 ^e
Lintels supporting masonry veneer walls ^f	L/600

Note: L = span length, H = span height.

- a. For the purpose of the determining deflection limits herein, the wind load shall be permitted to be taken as 0.7 times the component and cladding (ASD) loads obtained from Table R301.2.1(1).
- b. For cantilever members, L shall be taken as twice the length of the cantilever.
- c. For aluminum structural members or panels used in roofs or walls of sunroom additions or patio covers, not supporting edge of glass or sandwich panels, the total load deflection shall not exceed L/60. For continuous aluminum structural members supporting edge of glass, the total load deflection shall not exceed L/175 for each glass lite or L/60 for the entire length of the member, whichever is more stringent. For sandwich panels used in roofs or walls of sunroom additions or patio covers, the total load deflection shall not exceed L/120.
- d. Deflection for exterior walls with interior gypsum board finish shall be limited to an allowable deflection of H/180.
- e. Refer to Section R703.8.2. The dead load of supported materials shall be included when calculating the deflection of these members.

SECTION R302

SECTION R302

FIRE-RESISTANT CONSTRUCTION

R302.1 Exterior walls. Construction, projections, openings and penetrations of exterior walls of *dwelling*s and accessory buildings shall comply with Table R302.1(1); or *dwelling*s equipped throughout with an *automatic sprinkler system* installed in accordance with Section P2904 shall comply with Table R302.1(2).

Exceptions:

1. Walls, projections, openings or penetrations in walls perpendicular to the line used to determine the *fire separation distance*.
2. Walls of *individual dwelling units* and their *accessory structures* located on the same lot.
3. Detached tool sheds and storage sheds, playhouses and similar structures exempted from *permits* are not required to provide wall protection based on location on the lot. Projections beyond the exterior wall shall not extend over the lot line.
4. Detached garages accessory to a *dwelling* located within 2 feet (610 mm) of a lot line are permitted

to have roof eave projections not exceeding 4 inches (102 mm).

5. Foundation vents installed in compliance with this code are permitted.

R302.2 Townhouses. Walls separating *townhouse units* shall be constructed in accordance with Section R302.2.1 or R302.2.2 and shall comply with Sections 302.2.3 through 302.2.5.

R302.2.1 Double walls. Each *townhouse unit* shall be separated from other *townhouse units* by two 1-hour fire-resistance-rated wall assemblies tested in accordance with ASTM E119, UL 263 or Section 703.2.2 of the *International Building Code*.

R302.2.2 Common walls. Common walls separating *townhouse units* shall be assigned a fire-resistance rating in accordance with Item 1 or 2 and shall be rated for fire exposure from both sides. Common walls shall extend to and be tight against the exterior sheathing of the exterior walls, or the inside face of exterior walls without stud cavities, and the underside of the roof sheathing. The common wall shared by two *townhouse units* shall be constructed without plumbing or mechanical equipment, ducts or vents, other than water-filled fire sprinkler piping

Section 1.2

BUILDING PLANNING

in the cavity of the common wall. Electrical installations shall be in accordance with Chapters 34 through 43. Penetrations of the membrane of common walls for electrical outlet boxes shall be in accordance with Section R302.4.

- Where an automatic sprinkler system in accordance with Section P2904 is provided, the common wall shall be not less than a 1-hour fire-resistance-rated wall assembly tested in accordance with ASTM E119, UL 263 or Section 703.2.2 of the *International Building Code*.
- Where an automatic sprinkler system in accordance with Section P2904 is not provided, the common wall shall be not less than a 2-hour fire-resistance-rated wall assembly tested in accordance with ASTM E119, UL 263 or Section 703.2.2 of the *International Building Code*.

Exception: Common walls are permitted to extend to and be tight against the inside of the exterior walls if the cavity between the end of the common wall and the

TABLE R302.1(1)
EXTERIOR WALLS

EXTERIOR WALL ELEMENT		MINIMUM FIRE-RESISTANCE RATING	MINIMUM FIRE SEPARATION DISTANCE
Walls	Fire-resistance rated	1 hour—tested in accordance with ASTM E119, UL 263 or Section 703.3 of the <i>International Building Code</i> with exposure from both sides	0 feet
	Not fire-resistance rated	0 hours	≥ 5 feet
Projections	Not allowed	NA	< 2 feet
	Fire-resistance rated	1 hour on the underside, or heavy timber, or fire-retardant-treated wood ^{a,b}	≥ 2 feet to < 5 feet
	Not fire-resistance rated	0 hours	≥ 5 feet
Openings in walls	Not allowed	NA	< 3 feet
	25% maximum of wall area	0 hours	3 feet
	Unlimited	0 hours	5 feet
Penetrations	All	Comply with Section R302.4	< 3 feet
		None required	3 feet

Chimneys
Overhangs
Windows
Doors
Could also be Roofing
Rafters

For SI: 1 foot = 304.8 mm.
NA = Not Applicable.

- The fire-resistance rating shall be permitted to be reduced to 0 hours on the underside of the eave overhang if fireblocking is provided from the wall top plate to the underside of the roof sheathing.
- The fire-resistance rating shall be permitted to be reduced to 0 hours on the underside of the rake overhang where gable vent openings are not installed.

TABLE R302.1(2)
EXTERIOR WALLS—DWELLINGS WITH FIRE SPRINKLERS

EXTERIOR WALL ELEMENT		MINIMUM FIRE-RESISTANCE RATING	MINIMUM FIRE SEPARATION DISTANCE
Walls	Fire-resistance rated	1 hour—tested in accordance with ASTM E119, UL 263 or Section 703.2.2 of the <i>International Building Code</i> with exposure from the outside	0 feet
	Not fire-resistance rated	0 hours	3 feet ^a
Projections	Not allowed	NA	< 2 feet
	Fire-resistance rated	1 hour on the underside, or heavy timber, or fire-retardant-treated wood ^{a,c}	2 feet ^a
	Not fire-resistance rated	0 hours	3 feet
Openings in walls	Not allowed	NA	< 3 feet
	Unlimited	0 hours	3 feet ^a
	Comply with Section R302.4	0 hours	< 3 feet
Penetrations	All	None required	3 feet ^a

For SI: 1 foot = 304.8 mm.
NA = Not Applicable.

- For residential subdivisions where all dwellings are equipped throughout with an automatic sprinkler system installed in accordance with Section P2904, the fire separation distance for exterior walls not fire-resistance rated and for fire-resistance-rated projections shall be permitted to be reduced to 0 feet, and unlimited unprotected openings and penetrations shall be permitted, where the adjoining lot provides an open setback yard that is 6 feet or more in width on the opposite side of the property line.
- The fire-resistance rating shall be permitted to be reduced to 0 hours on the underside of the eave overhang if fireblocking is provided from the wall top plate to the underside of the roof sheathing.
- The fire-resistance rating shall be permitted to be reduced to 0 hours on the underside of the rake overhang where gable vent openings are not installed.

Exhibit 1.3

CHAPTER 9 ROOF ASSEMBLIES

User note:

About this chapter: Chapter 9 addresses the design and construction of roof assemblies. A roof assembly includes the roof deck, substrate or thermal barrier, insulation, vapor retarder and roof covering. This chapter provides the requirement for wind resistance of roof coverings. The types of roof covering materials and installation addressed by Chapter 9 are: asphalt shingles, clay and concrete tile, metal roof shingles, mineral-surfaced roll roofing, slate and slate-type shingles, wood shakes and shingles, built-up roofs, metal roof panels, modified bitumen roofing, thermoset and thermoplastic single-ply roofing, sprayed polyurethane foam roofing, liquid applied coatings and photovoltaic shingles. Chapter 9 also provides requirements for roof drainage, flashing, above-deck thermal insulation, rooftop-mounted photovoltaic systems and recovering or replacing an existing roof covering.

SECTION R901 GENERAL

R901.1 Scope. The provisions of this chapter shall govern the design, materials, construction and quality of roof assemblies.

SECTION R902 FIRE CLASSIFICATION

R902.1 Roof covering materials. Roofs shall be covered with materials as set forth in Sections R904 and R905. Class A, B or C roofing shall be installed in jurisdictions designated by law as requiring their use or where the edge of the roof is less than 3 feet (914 mm) from a lot line. Class A, B and C roofing required by this section to be listed shall be tested in accordance with ASTM E108 or UL 790.

Exceptions:

1. Class A roof assemblies include those with coverings of brick, masonry and exposed concrete roof deck.
2. Class A roof assemblies include ferrous or copper shingles or sheets, metal sheets and shingles, clay or concrete roof tile, or slate installed on noncombustible decks.
3. Class A roof assemblies include minimum 16 ounces per square foot (4.882 kg/m²) copper sheets installed over combustible decks.
4. Class A roof assemblies include slate installed over underlayment over combustible decks.

R902.2 Fire-retardant-treated shingles and shakes. Fire-retardant-treated wood shakes and shingles shall be treated by impregnation with chemicals by the full-cell vacuum-pressure process, in accordance with AWPA C1. Each bundle shall be marked to identify the manufactured unit and the manufacturer, and shall be labeled to identify the classification of the material in accordance with the testing required in Section R902.1, the treating company and the quality control agency.

R902.3 Building-integrated photovoltaic product. Building-integrated photovoltaic (BIPV) products installed as the roof covering shall be tested, listed and labeled for fire classification in accordance with UL 7103. Class A, B or C BIPV products shall be installed where the edge of the roof is less than 3 feet (914 mm) from a lot line.

R902.4 Rooftop-mounted photovoltaic panel systems. Rooftop-mounted photovoltaic panel systems installed on or above the roof covering shall be tested, listed and identified with a fire classification in accordance with UL 2703. Class A, B or C photovoltaic panel systems and modules shall be installed in jurisdictions designated by law as requiring their use or where the edge of the roof is less than 3 feet (914 mm) from a lot line.

SECTION R903 WEATHER PROTECTION

R903.1 General. Roof decks shall be covered with approved roof coverings secured to the building or structure in accordance with the provisions of this chapter. Roof assemblies shall be designed and installed in accordance with this code and the approved manufacturer's instructions such that the roof assembly shall serve to protect the building or structure.

R903.2 Flashing. Flashings shall be installed in a manner that prevents moisture from entering the wall and roof through joints in copings, through moisture permeable materials and at intersections with parapet walls and other penetrations through the roof plane.

R903.2.1 Locations. Flashings shall be installed at wall and roof intersections, wherever there is a change in roof slope or direction and around roof openings. A flashing shall be installed to divert the water away from where the eave of a sloped roof intersects a vertical sidewall. Where flashing is of metal, the metal shall be corrosion resistant with a thickness of not less than 0.019 inch (0.5 mm) (No. 26 galvanized sheet).

R903.2.2 Crickets and saddles. A cricket or saddle shall be installed on the ridge side of any chimney or penetra-

CHAPTER 9

Exh. bit 2.0

ii. The Town shall receive a copy of the Annual Conservation Easement Inspection Report, and; (11-17-15)

iii. The Town of Sullivan's Island shall reserve a third-party right of enforcement in the conservation easement agreement. (11-17-15)

D. Prohibited uses in the RS-District.

- (1) Residences that contain less than one thousand (1,000) square feet of enclosed living area;
- (2) Erosion control structures.
- (3) Guest bedroom or dwelling unit for a person or persons not meeting the Zoning Ordinance's definition of "family" or not lawfully occupied in accordance with (6) below.
- (4) Mobile homes or manufactured homes.
- (5) Non-commercial horticulture or agriculture that includes poultry, bovine or swine or any other type of non-traditional animal or reptile.
- (6) Vacation Rentals other than those permitted in accordance with ARTICLE XIII.

Sec. 21-21. Lot area and width.1

A. The minimum Lot Area is one-half (1/2) acre

B. The minimum lot width as measured at the building line is one hundred five (105) feet.

Sec. 21-22. Front, side and rear setbacks.2

A. Encroachments into yard setbacks.

- (1) For the purpose of determining the Setbacks required for Principal Buildings, it shall not include encroachments by
 - (a) Roof eave overhangs to thirty (30) inches; *but against 2021 IRC codes*
 - (b) Step treads below a height of six (6) feet with combined width no greater than 12 feet;
 - (c) HVAC stands within five feet (5) of the Principal Building located in the side or rear yards as long as no part of the HVAC stand is within ten feet (10) of the side property line. (08-15-06)
 - (d) Chimneys. *But against 2021 IRC codes*
- (2) In no case shall there be any other type of encroachment into the required Setbacks by any type of structure unless expressly permitted hereafter.

B. Minimum front yard setback.

- (1) Front Yard Setback.
The minimum required Front Yard Setback shall be twenty-five (25) feet.
- (2) Corner lot. The required Front Yard Setback for a Corner Lot shall be fifteen (15) feet from that portion of the lot running parallel to the side of the Principal Building. If the Principal Building is sited in a manner that neither side runs parallel to the lot line, then the Principal Building shall be set back from both lot lines the required twenty-five (25) feet.
- (3) Shallow lot.
 - (a) A shallow lot is a lot with less depth than width as measured at the building line.
 - (b) The required Front Yard Setback may be reduced by one-third (1/3) foot for each foot by which the lot depth is less than eighty (80) feet rounded up or down to the nearest whole foot, provided, however, the Front Yard Setback shall never be less than fifteen (15) feet.
- (4) Additional Front Yard Setback:

1 Please note the impact of Sec. 21-49 with respect to lots designated CCOD. (3/20/12)

2 Please note the impact of Sec. 21-49 with respect to lots designated CCOD. (3/20/12)

Exh. b. 2.1

- (a) For any portion of a Principal Building's height exceeding twenty (20) feet, that portion in excess of twenty (20) feet shall be set back from the Front Yard Setback an additional one (1) foot for every one (1) foot of increased height above twenty (20) feet as measured at the Front Yard Setback.
- (b) Explanation.
 - a. This requirement creates a Front Yard Setback "building envelope" within which the Principal Building's front façade shall fit.
 - b. The additional front setback line shall be measured as a straight line from the Front Lot Line to the required setback line, then turning at a 90 degree angle and extended twenty (20) feet vertically, and then angled at a 45-degree slope to infinity (1-foot of run to 1-foot of rise).
 - c. Design Review Board.
The Design Review Board may grant up to a fifteen percent (15%) modification in this Zoning Standard if the modification or other modifications achieve greater Neighborhood Compatibility as described in article XII.
- (5) Principal building constructed adjacent to post-FEMA elevated Principal Buildings.
 - (a) If the foundations of the Principal Buildings on either side of a proposed Principal Building are elevated to meet FEMA's current flood standards, the proposed Principal Building is permitted to have the same Front Yard Setback as the Principal Building having the greater Front Yard Setback, but in no case shall the Front Yard Setback of the Principal Building be less than fifteen (15) feet.
 - (b) If the proposed Principal Building is located on a corner lot, the Principal Buildings sharing a common side lot line with the corner lot shall govern the permitted front setback.
 - (c) This provision to the Front Yard Setback applies only to the Principal Building (no accessory structures).
 - (d) Design Review Board.
The Design Review Board may grant up to a fifteen percent (15%) modification in this Zoning Standard if the modification or other modifications achieve greater Neighborhood Compatibility as described in article XII.

C. Minimum side yard setback.

- (1) Lots equal to or greater than one hundred five (105) feet wide as measured at the required Front Yard Setback Line:
 - (a) The Side Yard Setback shall be a minimum of fifteen feet (15) with a combined Side Yard Setback for both sides equal to forty (40) feet.
- (2) Lots less than one hundred five (105) feet wide as measured at the required Front Yard Setback Line:
 - (a) The required Side Yard Setback may be reduced by one-third (1/3) foot for each foot by which the lot width is less than one hundred five (105) feet rounded up or down to the nearest whole foot; provided, however, the Side Yard Setback shall never be less than ten (10) feet.
 - (b) Design Review Board. The Design Review Board may grant up to a twenty-five percent (25%) modification in this Zoning Standard if this or other modifications achieve greater Neighborhood Compatibility as described in ARTICLE XII, so long as neither Side Yard Setback is less than ten (10) feet.
- (3) Accessory structures Side Yard Setbacks.
 - (a) See article XV for Setbacks required for accessory structures.

D. Minimum principal building side façade setback.

- (1) A Principal Building's 2nd floor Side Façade having a width in excess of ten (10) feet shall be setback two (2) feet from the 1st floor Side Façade.
- (2) If a Principal Building's 2nd floor Side Façade has an unenclosed porch with a minimum depth of four (4) feet, the Side Façade encompassed by the porch shall not be subject to the additional required setback.

Exhibit 2.2

(3) Design Review Board.

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

E. Minimum rear yard setback.

- (1) Unless otherwise provided, no structure or part of a structure shall be erected or allowed to remain nearer than twenty-five (25) feet to a Rear Lot Line.
- (2) Shallow lot:
 - (a) A Shallow Lot is a lot with less depth than width at the Building Line.
 - (b) The required Rear Yard Setback may be reduced by one-third (1/3) foot for each foot by which the lot depth is less than eighty (80) feet rounded up or down to the nearest whole foot; provided, however, the Rear Yard Setback shall never be less than ten (10) feet.
 - (c) This provision does not eliminate the required Setbacks from the RC-1 and RC-2 Districts stipulated in article III 21-23.
- (3) See required Setbacks from RC-1 and RC-2 Districts in article III 21-23.
- (4) See required Setbacks for Accessory Structures in ARTICLE XV.

Sec. 21-23. Setbacks from RC-1 & RC-2 Districts.

A. Purpose.

The purpose of the Setbacks from the RC-1 and RC-2 Area Districts is to create a buffer zone that allows passive treatment of stormwater run-off before entering the waters surrounding Sullivan's Island and to provide a buffer zone from floodwater and erosion caused by storms, sea level rise and other natural conditions.

B. Structure defined.

For the purpose of this section a structure shall include any man made construction, including but not limited to, sheds, garages, gazebos, and houses (excluding stairs without landing areas or with landing areas not greater than one hundred (100) square feet, docks and boathouses).

C. Exceptions to setback.

For the purpose of determining Setbacks from front, side and rear yards, a structure or part of a structure shall not include

- (1) Roof eave overhangs to thirty (30) inches;
- (2) step treads below a height of six (6) feet with combined width no greater than 12 feet;
- (3) HVAC stands within five (5) feet of the outside wall of the Principal Building located in the side or rear yards, or
- (4) Chimneys.

D. Setbacks from RC-1 District.

- (1) The following Setback requirements shall apply to structures constructed or placed on lots bordering the RC-1 District:
 - (a) Thirty (30) foot Setback from the lot line bordering the RC-1 District boundary line or the RC-1 District boundary line established as of the date a Certificate of Zoning Compliance and a Building Permit are issued, whichever is further landward.
 - (b) No structure greater than four and one-half (4 ½) feet tall shall be constructed or moved on a lot so that the seaward most point of the structure is further from the center line of the right-of-way forming the landward boundary of the Lot and running generally parallel with the ocean shoreline than the greatest distance between the centerline of said right-of-way to the most seaward point of any other dwelling on the block on which the Lot is located.
 - (c) Any Certificate of Zoning Compliance and Building Permit issued for construction governed by this section shall be valid for twelve (12) months. If construction has not commenced within said twelve (12) months, new applications for a Certificate of Zoning Compliance in accordance with ARTICLE

EXHIBIT 3.0

- (3) Garage exception to impervious coverage area.

Where the finished first floor elevation in compliance with ARTICLE III, Sec. 21-31 (Foundation Height), limits the finished first floor elevation to six and a half (6.5) feet or less, an accessory garage shall be permitted in accordance with ARTICLE XV, Sec. 21-138 (Accessory Structures) without penalty toward the impervious surface coverage limits. In this case, the area beneath the dwelling shall not be used for parking of vehicles or equipment of any type.

- (4) Examples:

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

C. Design Review Board.

- (1) *The Design Review Board may increase by no more than 25% the maximum permitted Impervious Coverage if the increased impervious coverage consists solely of materials such as grass pavers are employed that allow vegetative materials such as grass to permeate the surface giving the appearance of grassed areas.*
- (2) *In cases of interpretation of Impervious Coverage, the Design Review Board shall determine what portion of the Impervious Coverage area shall be included or excluded in the calculations.*

Sec. 21-27. Principal building square footage.

A. Purpose and definition.

- (1) Purpose: The overall size of a Principal Building in relation to lot size affects the impact of the Principal Building's scale and mass on adjacent buildings and the Island as a whole. Improving the relationship between lot size and the Principal Building by limiting the Principal Building's maximum size promotes greater compatibility of new construction with existing development and contributes to overall neighborhood compatibility.
- (2) Principal Building Square Footage: The entire square footage of the Principal Building or Buildings measured from the outside of the exterior walls, specifically including more than one dwelling on the same lot and historic structures used as accessory dwelling units, but not including (S-15-07) (12-17-13)
 - (a) interior space not readily useable as living space (attic used only for storage or parking area beneath dwelling);
 - (b) structures that are not used as living space;
 - (c) exterior porches and decks; and,
 - (d) exterior stairs.

B. Permitted principal building square footage.

- (1) Lot Area of five thousand (5,000) square feet or less: Principal Building Square Footage limited to twenty four hundred (2400) square feet.
- (2) Lot Area exceeding five thousand (5,000) square feet: maximum Principal Building Square Footage of twenty four hundred (2400) square feet may be increased 10 sf for every additional 100 square feet of Lot Area.
- (3) Equation: $[(\text{Lot Area} - 5000 \text{ sf}) / 100 \text{ sf}] \times (10) + 2400 = \text{Principal Building Square Footage}$.

Examples:

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

Exhibit 3.1

- (4) The maximum permitted Principal Building Square Footage is fifty six hundred (5600) square feet for any newly constructed single-family home. Existing buildings shall be exempt from the 5600 square foot requirement and able to utilize their total principal building square footage for single-family use. (12-17-13)

C. Design Review Board.

- (1) The Design Review Board may increase by no more than twenty-five percent (25%) the maximum permitted Principal Building Square Footage if this or other modifications achieve greater Neighborhood Compatibility as described in ARTICLE XII, except as provided in Section 21-20C.(2)(j) regarding historic properties with a second structure on the same lot. (5-15-07)
- (2) However, in no case shall any Principal Building Square Footage exceed 5,600 square feet or, when applicable, the principal square footage permitted in 21-27 B (4). (5-15-07) (12-17-13)

D. Notwithstanding any of the requirements in Sec. 21-27 A-C above, single family residential structures in the CCOD 1 District may be permitted only if the principal building coverage area shall not exceed 80% of the maximum principal building square footage otherwise permitted in Sec. 21-27 A-C. The Design Review Board shall not have the authority to increase the principal building square footage as set forth in Sec. 21-27 (C) for single family residential structures on CCOD 1 or 2 Overlay District lots; provided, however, the Design Review Board may exercise the discretion described in Sec. 21-49. (6/19/07) (3/20/12)

Sec. 21-28. Third story.

- A.** The Enclosed Portion of any third Story of any Principal Building shall be no greater than four hundred (400) square feet and shall only have fifty percent (50%) of its wall area projecting outside the roof area as measured from the outside of the wall studs.
- B.** *The Design Review Board may grant up to a fifteen percent (15%) modification in this Zoning Standard if the modification or other modifications achieve greater Neighborhood Compatibility as described in article XII.*

Sec. 21-29. Principal building front and side façade.

A. Purpose.

The overall width and depth of a Principal Building has a substantial impact on the Principal Building's mass and scale and how well the Principal Building blends with existing development of the Island.

B. Definitions.

- (1) Primary Front Façade. The largest front facing surface of a Principal Building that is parallel or nearly parallel to the front yard street frontage and is considered to be the front of the structure.
- (2) Façade, Side. The side-facing surface of a Principal Building that is parallel or nearly parallel to the side lot line.

C. Design standards.

- (1) Principal Building's Primary Front Façade:
- (a) The width of a Principal Building's Primary Front Façade shall not exceed the lesser of fifty feet or two-thirds (2/3) of the lot's buildable width (width of lot at the building line less that portion required to meet the side yard Setbacks). All other front facing facades shall be set back at least eight (8) feet from the Principal Building's Primary Front Façade.
- (b) A Principal Building having a porch or porches with a depth of eight (8) feet extending across forty percent (40%) of the Principal Building's Primary Front Façade 1st floor shall be exempt from meeting the requirement of (a) above.
- (c)
- (2) Principal Building's Side Façade:
- (a) The length of a Principal Building's Side Façade shall not exceed thirty (30) feet without an articulation (building inset) in the Side Façade of at least four (4) feet.
- (b) This standard may be met by inclusion of side porch having a minimum depth of four (4) feet.

Exhibit 4.0

B. Design guideline.

- (1) Roof decks and roof gazebos should be designed to be an integral part of roof structure in order to diminish their impact.

C. Design Review Board.

This is a Design Guideline not binding on the applicant. The Design Review Board may encourage the use of this guideline for achieving greater Neighborhood Compatibility as described in Article XII.

Sec. 21-40. Front-oriented stairs.

A. Purpose.

Principal Buildings with visible access from the front yard to the Principal Building's "front door" are more compatible with the Island architecture.

B. Design guideline.

- (1) A Principal Building should have stairs that provide access directly from the Principal Building's front façade to the front yard; other exterior stairs should be on the side or rear of Principal Building.

C. Design Review Board.

This is a Design Guideline not binding on the applicant. The Design Review Board may encourage the use of this guideline for achieving greater Neighborhood Compatibility as described in Article XII.

Sec. 21-41. Landscaping.

A. Purpose.

A significant contribution to the informality of Sullivan's Island is the manner in which landscape materials are used. Highly stylized plantings and plantings used to create a strong sense of lot privacy are not approaches that work well with the Island's open and informal landscape character.

B. Design guideline.

- (1) Landscaping should be arranged to allow visual access through the site by using grasses, low shrubs, and high-canopy trees.
- (2) Use of native species and other traditional ornamental species is encouraged.
- (3) Front yard berms should be avoided.

C. Design Review Board.

This is a Design Guideline not binding on the applicant. The Design Review Board may encourage the use of this guideline for achieving greater Neighborhood Compatibility as described in Article XII.

Sec. 21-42. Driveways.

A. Purpose.

The impact of drives and parking can be considerable in a residential district particularly if the front yard area is developed as the primary location for access and parking.

B. Design guidelines.

- (1) Double Frontage or Corner Lots should provide vehicle access via the rear or side of the Principal Building unless these access points are along heavily traveled streets.
- (2) Excessive paved parking areas, particularly within the Front Yard should be avoided.

C. Design Review Board.

This is a Design Guideline not binding on the applicant. The Design Review Board may encourage the use of this guideline for achieving greater Neighborhood Compatibility as described in Article XII.

Sec. 21-43. Preservation of historic properties.

A. Purpose.

Sullivan's Island has a rich architectural and cultural history as reflected in the Historic Sites Survey, 2003 that inventoried over three hundred (300) Principal Buildings that are part of the Island's historical roots.

Increases in land values and more restrictive buildable area standards have increased the rate at which many of these historically significant or contributing structures have been demolished.

B. Exceptions to standards.

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

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

C. Design Review Board.

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

Sec 21-44. Elevating Historic Buildings. (8/15/17)

A. Purpose.

To preserve the character of designated historic properties and surrounding neighborhoods, an integrated design approach shall be taken when elevating Sullivan's Island Landmarks and Traditional Island Resources.

B. Design Standards.

Any proposed elevation or site relocation of an historic structure shall carefully consider site conditions (site elevations and topography), parcel access, typology of architecture, building composition and scale, and its context with adjoining historic properties while employing the following standards:

- (1) Height: To minimize the height of elevating historic structures, the finished floor elevation (FFE) shall exceed no more than one (1) foot above the required FEMA base flood elevation (BFE).
- (2) Composition and Scale: To maintain an historic building's visual character and design compatibility with the surrounding neighborhood, an elevation design plan shall be submitted to illustrate the composition and scale of the building's principal architectural features are being maintained and will remain proportional to the elevated foundation.
- (3) Perspective and Orientation: Any proposed elevation or relocation should maintain the building's historic perspective from the principal right-of-way. All historic architectural elements should be maintained after elevation or relocation.
- (4) Scale Minimization and Architectural Screening: Appropriate measures should be introduced into the site design to reduce or eliminate negative visual effects from the elevation of a historic structure. These elements include fencing, landscaping (foundation plantings), stair configuration and any other site considerations noted by the Design Review Board.

Exhibit 4

March 23, 2023
Town of Sullivan's Island
Board Of Zoning Appeals
P.O. Box 427
Sullivan's Island SC 29482

To Whom It May Concern,
Our property at 1601 Middle Street abuts the property of Annemarie and Dan Worobetz located at 1602 Poc Avenue. We are aware that they are requesting a variance to replace a small storage shed on the corner of their property. We do not have a problem with their request and hope that a variance will be granted.

Thank you and please feel free to contact us if you have any questions or concerns.

Respectfully yours,
Tim and Beth Harrell
843.469.1117

March 27, 2023

Town of Sullivan's Island

Board of Zoning Appeals

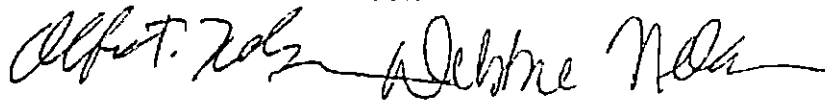
P.O.Box 427

Sullivan's Island, SC 29482

To Whom It May Concern:

Our property at 1608 Poe Avenue borders that of Annemarie and Dan Worobetz of 1602 Poe Avenue. We are aware that they have applied for a variance to replace a small storage shed at the back corner of their property, where it borders ours. We do not have a problem at all with that being granted. If you have any questions, please do not hesitate to call us. Thank you.

Alfred and Debra Nelson

Handwritten signatures of Alfred and Debra Nelson in black ink.

854-420-7134



April 14, 2023

SI 2, LLC
c/o Beemok Capital, LLC
200 Meeting Street
Suite 206
Charleston, SC 29401

To Whom It May Concern:

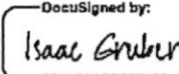
We write in our capacity as the owner of 810 Star of the West. We are aware that our neighbors at 808 Star of the West are pursuing a project that includes a side encroachment towards our property.

We are in favor of the proposed project at 808 Star of the West. The side encroachment towards our property does not adversely affect our property.

We hope to see the DRB approve this project as presented.

If you have any questions regarding the matters discussed above, please do not hesitate to contact me at igruber@beemok.com.

Best regards,

DocuSigned by:

938A98AFD605495...
Isaac Gruber

as authorized representative of SI 2, LLC, the owning entity of 810 Star of the West

