



# Town of Sullivan's Island

## SULLIVAN'S ISLAND HISTORIC PRESERVATION AND DESIGN STUDY GROUP FINAL REPORT

**To:** Land Use and Natural Resources Committee of Town Council

**From:** Sullivan's Island Historic Preservation and Design Study Group

**Final Report Approval:** July 7, 2022

**Topic:** Consideration of Zoning Policy Changes

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### INTRODUCTION

The Sullivan's Island Historic Preservation and Design Study Group (HPDSG) was formed in March of 2022 as a subcommittee of the Town's Land Use and Natural Resources Committee (LUNR) under Town Council. The origin of such a subcommittee can be found in the Town's 2018-2028 Comprehensive Plan (Land Use Policy 6.1 and 6.2). In essence, these two components of the Comprehensive Plan call for a Task Force to review the zoning ordinances to ensure that: (1) construction is "...respectful of the Island's traditional mass, height, scale and proportionality to lot size, neighborhood compatibility....and historic resources"; and (b) that design guidelines "... ensure consistency with the Island's open and informal character....".

Accordingly, LUNR formed the HPDSG and tasked them with conducting a broad review of the current zoning ordinances, and their implementation and impact on:

*"The character and feel of the Island's built-up environment in the context of the Comprehensive Plan and residents' popular opinion"*

and,

*"...Preservation of the Islands historic structures."*

From this overarching mission statement, implied tasks were derived, including making recommendations incidental to the basic mission, but impacting historic preservation and new construction. The HPDSG's tasking included providing a final report with recommendations to LUNR for action they deemed appropriate.

### COMPOSITION & TASKING

The HPDSG membership was selected by LUNR and composed of both voting members and non-voting members. Care was taken to ensure a varied representation including those with historical interest, builders, architects, representation from the Island's Boards and Commissions, and residents noted for having interest in the Island's historical preservation efforts. Voting members were as follows: John Winchester (Chair), Aussie Geer (Vice Chair), Beverly Bohan, Christina Butler (Historian, providing recommendations remotely), Michael Daly, Eddie Fava, Rita Langley, Manda Poletti, and Elizabeth Tezza.

Other members included: Joe Henderson, Charles Drayton, Max Wurthmann, Pat O’Neil, Gary Visser, Roy Williams, Mike Walsh, Linda Perkis, Carlson Huey, Mark Howard, Karen Coste, Kathy Heller, Hal Curry, and Cheryl Clark.

The HPDSG conducted a total of eight meetings on set days and times, and were, of course, open to the public. An Agenda was prepared and the usual “town meeting” notifications were made in addition to notations on the Town’s web site. FOIA requirements were met for each meeting. All attendees, including the public, had an opportunity to speak on the topic at hand; time was also made available to speak on topics “not at hand” or ask questions. Once a motion was “on the floor and seconded”, discussion was generally limited to voting members. Written communication was solicited, accepted, and made available to all membership, as well as being included in the minutes of the meeting.

The HPDSG approached the study by looking at historical restoration first, then “new construction”, and finally conditional uses, such as accessory structures. Our report and recommendations are detailed in subsequent paragraphs, including a “miscellaneous” section titled, “Incidental Thoughts, Comments, and Recommendations”.

Please note, some of the recommendations, for example those addressing DRB authority to increase square footage for historic projects and new construction, are indirectly tied to one another. The Group, as a matter of “evenness of policy”, attempted to ensure that what changes were recommended for, say an “attached” historic restoration project, equated in a logical way with recommended changes for an “ADU project”. Similarly, the recommended DRB authority for square footage increases for new construction was weighed against those recommendations for historic properties, given the additional difficulty and expense relative to a historic restoration. The point is, an attempt was made to create a logical outlay of square footage incentives for a balanced approach based on level of difficulty, expense, and contribution to the community; modifications to one recommendation, should prompt a review of all.

The following sections detail the Group’s **“Findings and Recommendations:”**

- I. Historic Restoration: Process and Standards
- II. Historic Restoration: Group Assessment Regarding Size, Scale and Mass
- III. Historic Property: Incentives
- IV. New Construction: Group Assessment Regarding Size, Scale and Mass
- V. New Construction Incentives
- VI. Conditional Uses in the Residential District

Sections included in the **“Incidental Thoughts, Comments, and Recommendations:”**

1. Design Guidelines
2. Staff Architect
3. Historic Home Recognition Program
4. Residential Houses Minimum Height Above Grade

## FINDINGS AND RECOMMENDATIONS

### I. HISTORIC RESTORATION: PROCESS AND STANDARDS

In general, the HPDSG found the Town's process for seeing historical restoration projects go from start to finish is functional; all the pieces are in place: identification of structures, directive ordinances, application forms and process, a capable Design Review Board (DRB), inspection and enforcement. However, while the process has been improved and "tweaked" over the years, there are areas, both major and minor, that should be addressed by the Town.

#### A. Identification of Historic Structures

The base document used by the Town for identification of historic structures, the Schneider study, was initially done in 1987 and last updated 15 years ago. Within the study group there was wide agreement the Town should undertake a "validation" or an update of the Schneider study. It was pointed out many of the houses will not require lengthy study. For example, those houses of significant historical value (senior officer quarters, junior officer quarters, and almost all of the old Fort) will not require much effort, simply an update. Their status is clear. However, with the passage of more than 15 years, more houses are eligible for historic designation. Additionally, several homes, or portions thereof, that may have received some level of "historic designation" 20+ years ago may no longer warrant such and should no longer be listed (neither bound by nor eligible for the benefits granted a designation). Also, residents' standards have changed. What might have been considered an old house, significantly altered and thus not deemed "historical", may now warrant further review. One additional benefit of an updated study is the possibility of having the historical houses of the Island cataloged in a more user friendly 2022 system that allows the town to host the information using interactive maps on the Town's website.

***Recommendation: That Town Council direct an update of the Schneider Study be undertaken by a qualified source. (Motion made 3/17/22)***

#### B. DRB Application forms:

One 'sticking point' identified during an examination of the DRB process was confusion and often frustration with some aspects of the DRB application forms. To the Town's credit, the forms have been added to and refined over the years with a view toward making them more detailed and useful to the DRB. However, architects and some HPDSG members clearly felt they could be "streamlined" without sacrificing essential information. It was pointed out that the City of Charleston has a precise and concise one-page form as compared to our complicated multi-page application. The group feels this may be able to be accomplished at the staff level, but with input from DRB members, local architects and builders who are familiar with the process. It was also suggested that there be stipulated submission requirements for all DRB applications to reflect the context of adjacent homes, massing of the proposed structure, and general impact on the neighborhood streetscape.

***Recommendation: That Town Council direct a staff review of DRB application forms with input from local architects, builders, and DRB members with a view toward 'streamlining' and simplification. (Motion made 3/17/22)***

#### C. Design Guidelines:

Currently the DRB uses “The Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings” (henceforth referred to as DOI) in its assessment of proposed historical restoration projects. There is great value in using these standards and the Town should continue to do so. However, it’s clear one set of standards doesn’t necessarily apply well to varied projects and locations nationwide. For example, the standard of historical precision for George Washington’s birthplace is different, and should be, than that of a privately owned house on Sullivan’s Island. Likewise, a project in a rural area might be looked at differently than if it were in a large city. The HPDSG (with consultation with MS. Christine Butler, Historian) unanimously endorsed the recommendation for the Town to develop a “Sullivan’s Island Design Guidelines” booklet to augment DOI Standards and Guidelines and serve as a “bridge” between national standards and local uniqueness. Such a document could be of great value to property owners, applicants, staff, and those in the building industry, and provide better reference for DRB decisions. Of note, locally focused “Design Guidelines” are currently in use within many communities with historical preservation programs similar to Sullivan’s Island.

***Recommendation: That Town Council direct the development of a “Design Guidelines” booklet to completely replace the “design guidelines” section of the current ordinance and serve as an addendum to the DOI Standards and Guidelines. (Motion made 5/26/22)***

## **II. HISTORIC RESTORATION: GROUP ASSESSMENT REGARDING SIZE, SCALE AND MASS**

There were two clear thoughts regarding the Island’s restoration projects to date. One, the overriding opinion was that the Town’s program for preserving smaller (less than 1200 square feet) historical structures had been quite successful. This was commonly referred to as the Accessory Dwelling Unit (ADU) option, only eligible to the property owner if a less than 1200 SF historical structure existed on the property. In this case the ADU would be restored and a new principal house could be constructed on the same lot. This scheme, in general, rendered a restored, often “in place”, cottage with a separate, larger, main house. In these cases, there are no allowed increases to Principal Building Square Footage (PBSF) available to the property owner. The square footage allowed for the entire property (cottage and new house) is calculated by the standard formula for lot size. Put another way, there are no DRB increases allowed for an applicant who may want to maintain a freestanding historic cottage. There is, however, the option, with provisions, to use the cottage as a long-term rental.

The second approach was designed for restoration projects with structures more than 1200 SF. This was commonly referred to as the “attached” option. In this case the new construction (addition) would be, in effect, joined to the historic structure. As a result, the total square footage for the property could be significantly increased by the DRB using discretionary authorization (up to 25%), and by application of a provision (Sec 21-43: Preservation of Historic Properties) of the ordinance, called the “50% exemption”. In the HPDSG’s view, the “attached” option has too often rendered finished projects that are out of scale with the lot, and with a massing effect that dwarfs the traditional Sullivan’s Island house---both inconsistent with the Comprehensive Plan’s definition of “Town Character”. Worse, too often the historical portion of the house, relatively small, was seemingly enveloped and lost visibility. The analogy, “Looking like a row boat pulling the Queen Mary” was, unfortunately, descriptive. And, sadly, some property owners who had smaller historical structures (less than 1200 SF) understandably eschewed the ADU option, to which they were eligible, and selected the “attached” option in order to reap the significant amount of additional square footage allowed by the DRB.

To recap, the HPDSG felt strongly the ADU option was quite successful but it disadvantaged the property owner relative to the “attached” option due to the latter’s available square footage increases. The “attached” option in some (not all) cases rendered an overwhelming structure and tended to lose prominence of the historical section.

***Recommendation: The recommended actions are reflected in III. “Historic Property: Incentives” below. (Motion made 5/26/22)***

### **III. HISTORIC PROPERTY: INCENTIVES**

#### **A. Incentives for historic restorations in those cases of “attaching” new construction to an historic structure (additions).**

The ordinance currently allows for 50% of the square footage of the historical structure to be excluded from the total square footage of the post construction project. For example, a 1600 SF historic house would result in 800 more SF added to the square footage allowance for the total property. This is commonly referred to as the “50% exemption”. In addition, the property owner can request from the DRB’s discretionary authority up to 25% additional square footage for the total property than that allowed by lot formula. As an example, a one half acre lot with a 1600SF cottage would be eligible for upwards of over 1800 additional square feet (800 SF “exemption” plus over 1000 SF authorization by the DRB). It is common, as would be in this case, for these allowances to reach the maximum square footage allowed by the town of 5600 SF. The HPDSG fully supported significant incentives to property owners taking on restoration projects, recognizing the difficulty and expense. But, there was agreement without any voiced concerns that the incentives for “attached” projects were perhaps unnecessarily excessive, leading to the outsized projects and presumably the unintended consequences already described.

***Recommendation: That for “attached” restoration projects, the “50% exemption” feature of the current ordinance be deleted (Sec. 21-43 Preservation of Historic Properties). And, that the discretionary authorization of the DRB for additional square footage be reduced from 25% to 20%. (Motion made 5/12/22 was not unanimous; vote 7-1)***

#### **B. Incentives for ADU restoration project:**

As mentioned previously, the only incentive for ADU option restorations is the authorization to use that accessory structure as a long-term rental (provisions apply). The Group recognized that like “attached” restorations, there was significant expense and difficulty involved, and the “rental” incentive was insufficient given the nature of such projects. Clearly the incentives were not in line with those given to “attached” restorations, either under current ordinances or those proposed in the recommendation above. In order to encourage property owners who were eligible to keep the ADU separate from the principal building, recognize the expense and difficulty of such projects, and to bring all restoration project incentives to a more equitable basis, the group recommended additional incentives for this option, as well as retaining the current “rental” authorization.

***Recommendation: That for ADU restoration projects the property owner would be eligible to apply to the DRB for up to 20% of Principal Building Square Footage (PBSF) incentive relief for the total square footage allowed for the lot size. (Motion made 5/26/22)***

#### **IV. NEW CONSTRUCTION: GROUP ASSESSMENT REGARDING SIZE, SCALE AND MASS**

There was consensus agreement among voting members, members, and the public who were present that in too many cases newly constructed houses appeared too large for the lot size, seemed out of scale to the surrounds, and suffered from a lack of “openness”. In some cases, the elevation and size created a “mass effect” that simply seemed overwhelming relative to the streetscape. Other houses seemed to run from front setback to rear setback, side to side setback, and were finished off with fences and landscaping so as to isolate the property, hardly presenting an “open”, welcoming look.

While architectural creativity can mitigate some of the effects of “oversize appearing houses”, there was consensus some newer houses were simply too large in square footage for lot size.

#### **V. NEW CONSTRUCTION INCENTIVES**

The DRB authorization to approve relief from standard code requirements is considered a valuable tool in working with architects and builders to help create the type residences that make Sullivan’s Island special. For example, the DRB authority to modify the “lot coverage” limit from 15% to 20% can be, and has been, useful in lowering the profile of a house, leading to a more favorable “look”. Adjusting setbacks to a small degree can be beneficial to all. The Group, in general, accepts these types of modifications, and the DRB’s application of them, as an overall good for the property owner and the Island. However, the Group felt the current discretionary authority for additional square footage is considered excessive and has led directly and indirectly to the problems described in paragraph IV. above. Accordingly, the Group strongly felt the current discretionary authority for new construction should be reduced from 25% to 10%.

***Recommendation: That the current DRB discretionary authority for new construction square footage be reduced from 25% to 10%. (Motion made 5/26/22)***

##### **A. New Construction: Review of All Projects by the DRB**

This proposal from HPDSG membership would have required all construction projects to come before the DRB. Currently, only those requesting code relief within some aspect of the DRB authority are required to go before the DRB---as are, of course, all historic projects. There are relatively few new construction projects that do not ask for DRB “relief”; these are simply approved at staff level after meeting all standard code requirements.

The proposal was designed to ensure houses were not built without some review other than “meeting code standards” by staff. Within the HPDSG there was voiced frustration over the “sameness” of some houses and it was pointed out that indeed there are multiple pairs of houses that are essentially identical. While there was wide agreement this was not a desirable outcome, the solution of having all projects come to the DRB was, after extensive discussion, deemed not a good alternative at this time. The reasons were varied, some stronger than others: lack of guidance for the DRB to make an assessment, lack of adequate design guidance for architects, DRB workload, property rights, apprehensions of asking the DRB to make “taste” judgements, questions over the size of the problem, etc. The Group discussed requiring a DRB review that would be without “teeth”, some called a “courtesy review”, that would be advisory. This idea was set aside without much interest.

***No motions were made; no recommendations are offered. However, the problem---significant to some, less so to others---remains a concern. (Discussion held 5/26/22)***

## VI. CONDITIONAL USES IN THE RESIDENTIAL DISTRICT

### A. Accessory Structures

These structures are separate from the principal house and are associated with normal residential usage such as detached garages, carports, cabanas, etc. The Group took no issue with the types of structures authorized by current code or the DRB's discretionary authority to modify certain setbacks. The size authorized by code, currently 750 square feet or 25% of house size (whichever was smaller) was thought by many, not all, to be adequate for the generally larger accessory structures, a double garage. While it's not uncommon to build an office, or say, a studio, above the garage, there was a general thought, though not unanimous, that 750 square feet was an adequate allowance.

The DRB currently has discretion to authorize an additional 20% of square footage (from 750 SF up to 900 square feet) and a 20% increase of footprint from 625 SF up to 750 SF. The DRB can also authorize the maximum height to go from 18 feet to 21.5 feet (20%). There was some membership support for maintaining these DRB increases of square footage provisions in order to allow more usage options to a homeowner. There was also a reasoned argument for maintaining all these provisions in order to give architects the most flexibility in design, as it may allow for less height/mass or a diminished scale of a new main house. However, the resulting predominate thought by the Group was that size and lot proportionality, and the basic code (without DRB relief), provided an adequate allowance for such structures. The Group did agree, though, that the height increase option (20%) contributed to architectural flexibility and better usage options in a positive way.

***Recommendation: That the provisions of the ordinance pertaining to DRB discretionary allowances for accessory structures currently at 20% for square footage and 20% for footprint, be deleted. The provision of the ordinance pertaining to DRB discretionary allowance of up to 20% in maximum height would remain. (Motion made 6/9/22, not unanimous, 5 to 2)***

### B. Attached Additions

Attached additions are currently allowed under Sec. 21-20 B. of the code. They are deed restricted as to rental options, no kitchen permitted, are "connected" to the house by a non-heated maximum 20 foot corridor, and must go before the DRB. The Group noted this type "attachment" has a long-standing tradition on Sullivan's Island, as residents would add on to a principal property to accommodate guests, perhaps better known as a "mother-in-law" suite. When properly designed and executed, the home can relate well to its context, and allow for a reduced overall scale.

The concern expressed by the majority of the Group was that these "attachments", other than regulated as above, have no ceiling as to maximum square footage (other than total SF per overall lot size), height (other than maximum code allowance), or standards pertaining to placement or orientation on the lot. It's quite possible a new "attachment" could be taller and larger than the principal building, and be oriented so as to detract from the overall setting of the property. Recommendations were discussed, all relating to establishing some conditions of restraint that brought the "attached" property more into the common sizing and proportionality of a guest house or "mother-in-law" suite (smaller and in better proportion to principal structure). Time did not allow for detailed discussion in this regard and a recommendation was made to refer further study to the Planning Commission.

***Recommendation:*** *That the subject of “attached additions” (Sec 21-20 B.) be referred to the Planning Commission for further study and recommendations, with a view toward creating ordinance changes leading to smaller, more proportional, and better sited “attached additions”.*

### **C. Swimming Pools**

Similar to “Attached Additions” above, time constraints did not allow a full discussion of all the components of this aspect of accessory structures. What was clear is that there is a great deal of interest in the ordinance provisions regarding pools. There was a specific suggestion to allow DRB relief, for small lots, of the current rear setback requirements that was met with both support and suggestions of caution due to noise. There was concern over provisions of the ordinance that, as a practical matter, push the homeowner into a “raised pool” option as opposed to ground level. There is an array of peripheral issues regarding pools: lighting, fencing, noise, and the argument our current regulations on pools and setbacks restrict architectural options for the homebuilder who wants a pool. The Group offers no recommendation other than referral to the Planning Commission should Town Council see fit.

***Recommendation:*** *That the subject of pools as accessory structures be referred by Town Council to the Planning Commission for further study and recommendations if seen fit.*



## INCIDENTAL THOUGHTS, COMMENTS, AND RECOMMENDATIONS

- 1. Design Guides:** The HPDSG, in Section I C. above, has recommended the town develop a “Design Guide” booklet to, in effect, replace much, if not all, of the design guidance in the current ordinance. While time constraints precluded detailed discussion of what is, or is not, the best and most appropriate design guidance specifics for the Island, some thoughts evolved that are considered worth noting.
  - One, in the proposed booklet the specifications and guidance for historic restoration projects and new construction projects should be kept separate. For historic restorations, the “Design Guide” augments the DOI standards and essentially “localizes” accepted restoration principles. By its nature, one would expect more definitive guidance and specifics in addressing the historic structure and the “new construction” add-on (or separately standing structure for ADU’s).
  - Two, conversely, the design guidance for totally new construction should be more flexible and encourage creativity. To specify every house facing a certain way or fit within a certain ratio, for example, can deter creative solutions. The new construction section of the proposed “Design Guide” should avoid absolutes, encourage a wide mix of unique houses (the “no cookie cutter effect”), yet ensure houses are compatible with the neighborhood and Island. However, new construction applicants requesting “relief” from zoning standards, such as additional square footage, should have clear guidance regarding lowering the “mass effect”, such as reducing the elevation of the house or, reducing the “mass effect” by architectural nuances. In short, demonstrate an effort to “enhance neighborhood compatibility.”
  - Finally, many other jurisdictions with historic properties, some similar to Sullivan’s Island, have adopted “Design Guides” for their communities. These guides can be a useful starting point for the Town and can save time and effort. The options for development of a guide are basically “in house” or contract. Either way, while public input (and “buy in”) is important, the subject matter can be both highly technical and confusing; direct and studied input from architects, builders, historians, and DRB members will be essential.
- 2. Staff Architect:** It was suggested by several of the membership that the Town would benefit from having access to a level of architectural knowledge not always available to residents, the DRB or even the Town staff. An experienced architect (as part time staff or on retainer) could review and comment on proposals, and advise the applicant, staff and the DRB as required. Such a person would assist with staff review workload, coordinate with architects during the design and submission stages of proposals, provide for a consistently better resourced DRB, and add a measure of professionalism to an area that has become increasingly necessary and important to the Island residents. In house and qualified design guidance would also then be available for other island-wide issues, from signage to off street parking, utilities, streetscapes and boardwalks.
- 3. Historic Home Recognition:** Those residents, our neighbors, who go to the time and expense of restoring our historic structures contribute to all of us who live here by adding to the “specialness” of Sullivan’s Island. The HPDSG, with no exceptions, thought those houses and residents deserved to be recognized in some way. Ideas included plaques, similar to those seen in downtown Charleston’s Carolopolis Awards, and booklets with the history of the house and perhaps Island history. It seems

a simple thing, and the right thing, for the town to undertake an effort to recognize our historic structures and those who have made the restoration effort.

4. **Residential Houses Minimum Height Above Grade:** Current provisions of the ordinance require historic houses to be no higher than one foot above Base Flood Elevation (BFE). With the current FEMA maps, some of these lots have finished grade and BFE very close to the same height. These situations, while very infrequent, are forcing historic homes to be built with framing members very close to, if not touching, the ground or requiring the builder to “reverse grade” the area under the house, creating a bowl below the house to get the required 18” of clearance between framing and earth. Builders, architects, and the Town staff recognize the need to allow for the finished floor to be three feet above finished grade only in these scenarios where the one foot above BFE maximum height creates hardships for the required structural systems, utilities, mechanical systems, proper inspection and long-term maintenance. The HPDSG recommends steps be taken to change provisions of the current ordinance to allow for this clearance if it is requested.

#### PUBLIC MEETINGS HELD

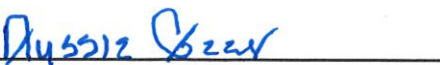
- March 3, 2022
- March 17, 2022
- March 31, 2022
- April 14, 2022
- April 28, 2022
- May 12, 2022
- May 26, 2022
- June 9, 2022
- July X, 2022 (Approval of Final Report)-tbd

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Respectfully submitted,

  
John Winchester, Chair

  
Date

  
Aussie Geer, Vice Chair

  
Date