



Town of Sullivan's Island, South Carolina
Historic Preservation and Design Study Group
A Subcommittee of the Land Use and Natural Resources Committee of
Council

Thursday, March 31, 2022

Subcommittee met at 4:00pm, at Town Hall, 2056 Middle Street, all requirements of the Freedom of Information Act having been met. Present were,

Subcommittee voting members: John Winchester (Chair), Aussie Geer (Vice Chair), Eddie Fava, Elizabeth Tezza, Beverly Bohan, and Rita Langley.

Staff: Joe Henderson, Planning and Zoning Administrator, Max Wurthmann, Building Official and Pamela Otto, Study Group Staff member

1. **Call to Order.** Chair Winchester called the meeting to order at 4:00pm, stating the press and public were duly notified pursuant to state law.

Media: None present

Public: Eighteen (18) members present, including Land Use and Natural Resources (LUNR) members Pat O'Neil and Gary Visser, as well as Planning Commission member Mark Howard.

2. **Approval of Minutes from March 17, 2022 meeting.**

Motion: A motion was made to approve the March 17, 2022, meeting minutes by Ms. Tezza, seconded by Vice Chair Geer, this motion passed unanimously with a 6-0 vote.

3. **Items for Discussion.**

Chair Winchester mentioned that today's meeting was the third of six (6) or eight (8) meetings total. The layout of the final report was discussed, with Chair Winchester proposing the report list the findings of the study group

followed by the recommendations of the study group, the motions voted upon by the group, ending with a comments section listing observations for Town Council. He mentioned that there were two (2) findings from the March 17, 2022 meeting; one was the need for an update of the Schneider Study, the second was that the processes were in place and the standards established for historical preservation projects with the Town using Department of Interior standards and a historian to advise the Design Review Board (DRB).

A. Size, mass, and scale of historic resources. Chair Winchester started the discussion by mentioning his view that the two (2) most important parts of a restoration project are the authenticity of the work and a pleasant balance of size, scale, and mass. He said he sent all of the members some questions to reflect on, those being,

- What do you see relative to scale, size, and mass when restorations on the island are viewed?
- Are projects balanced, do they fit and contribute to the surroundings?
- Do the projects capture the historic and the new in a way consistent with the Comprehensive Plan?
- How are we doing as a community, did we get it right?

Chair Winchester then asked each voting member to give their thoughts.

Eddie Fava – Feels the Town is on the right track but feels that the DRB application is too complicated and needs to be streamlined. He said the application for downtown Charleston is one (1) page and the application for the Town is ten (10) pages and too cumbersome. He felt the Town would benefit by having someone with architectural knowledge on staff to aid applicants. As far as size, scale, and mass, he feels that the accessory dwelling unit (ADU) is typically subordinate to the main structure. Some of the older ordinances incentivize attaching the ADU to the main structure which can make them seem too big.

Elizabeth Tezza – Agrees with Mr. Fava on his last comments. She said the DRB gives historic designation, but the Board of Zoning Appeals (BZA) has to approve special exception for an ADU. She believes that ADUs contribute to an openness by not having a large mass. When approving an ADU, the BZA does look at neighborhood compatibility and hardships, using a separate set of ordinances than the DRB. She said that ADUs contribute to the ambience of the island. She also stressed that you can't stop someone from building according to the code.

Beverly Bohan – Agrees with Mr. Fava. From a DRB standpoint, there are so many aspects on DRB applications that they must make sure align with the

paperwork to make an informed decision. They must look at the breakdown of lot coverages because each house and each lot are different. It would be very tricky to come up with a one size fits all formula for every historic house and every lot. She said there are reasons why some of the houses have become too large or not large enough, one is the exemption of the fifty percent (50%) rule and then there is the DRB max authority for relief.

Rita Langley – Did not realize the fifty percent rule applied to the historic homes that attach. She feels there is a need to get rid of the fifty percent rule. That would hopefully encourage no attachment of the ADU.

Aussie Geer – Agrees with the previous speakers. There are some areas with significant density on the lots. She feels the new Federal Emergency Management Agency (FEMA) flood maps will help with that, bringing down the height of homes. A key issue, under the purview of the DRB, is neighborhood compatibility. The DRB must make subjective decisions about what works in a neighborhood.

Discussion

Chair Winchester asked if it was suggested that the twelve hundred (1200) square foot rule should be increased. Ms. Tezza said she was suggesting that the special exception as it exists promotes open spaces and the second house on the lot not overshadowing the historic structure.

Kathy Heller feels the friendly and welcome feeling of the island is diminished by the large homes and their orientation on the lot, forming street to street compounds. One solution she offered was to allow the square footage of the historic structure and the new structure combined equal what could be built in a new, single structure. Karen Coste does not want compatibility overlooked. Linda Perkis feels allowances and variances have been allowed to excessive levels, with multiple per lot. If they ask for too many then either the house is too big or the lot they are seeking to build on is too small. Ms. Perkis also feels it is better to have a house high enough to park under than to have a garage covering more property. Chair Winchester asked what is given up in coverage for the houses built lower with the added garage. Henderson said the incentive was that the garage is exempt from impervious coverage requirements. You get the benefit of that incentive if the foundation of the house is lower than six (6) feet. Henderson also said there is no DRB oversight, it is a staff level review. Ms. Perkis asked if there was a limit on the size of the garage and Henderson said it was seven hundred fifty (750) square feet.

Chair Winchester feels that something that can be done to reduce massing is to get houses lower. Mark Howard asked if the discussion was covering strictly historic structures, Chair Winchester said yes but there is some blurring of the lines. He mentioned “double dipping”, the process where a builder will get the fifty percent incentive and then apply for other relief. Mr. Howard asked for more clarification on the size, mass, and scale formula. Chair Winchester really just wants to know what the residents think. He wants to know if they think the Town is appropriately dealing with the formula, and if not, why? Ms. Tezza does not think the Town can tell someone how their house has to look, there are some personal property rights. She feels that the designs being discussed as a problem, are being used to protect the owner’s privacy. Chair Winchester pointed out the Comprehensive Plan discusses an openness on the island that the DRB must also consider. Mr Fava feels that preferences are subjective, not everyone likes the same thing. He feels every project is different but should not override the importance of the historic structure as it is very important. He feels there are different ways to achieve compatibility and island character, without limiting personal choice. Mr. Visser feels setbacks are a very important part of this. Cheryl Clark feels that styles evolve and it is important to discuss.

Ms. Coste asked if there was a definition of neighborhood compatibility. Henderson said the definition is in the DRB application, directly from the zoning ordinance. There were changes to the application based on meeting standards, with more elaboration on requests for relief. The applicant must explain what they are doing architecturally to justify that relief, a reason that the application is ten (10) pages long.

From the discussion, Chair Winchester surmised that ADUs are relatively non-controversial with the issue seeming to be with attached additions.

B. Historic preservation incentives. Henderson gave an introduction to historic incentives. The regulatory framework for historic projects is the National Register districts, of which there are four (4). Also, the zoning ordinance was changed to create a historic preservation overlay district, giving the Town the ability to prevent destruction of historic structures. Lastly, the Town has two (2) incentives, the historic ADU incentive and the fifty percent exemption incentive.

The ADU incentive allows for the building of a second house on the lot along with a plan to preserve the historic structure. The historic structure has to be twelve hundred (1200) square feet or smaller, and portions of the structure can be removed, if they are not original, with approval of the DRB. The property has to be deed restricted, prohibiting short term rental and separate ownership of the main house and the ADU, and the homeowner must live in the main house if the ADU is being rented out. The DRB must review to ascertain whether the height, scale, mass of the second structure is compatible with the surrounding neighborhood and also for the scale of the historic structure. The DRB can't grant any increases under this incentive. Henderson went through an example, the residence of Kathy Heller who provided pictures of the project, which he described as a successful ADU project.

The fifty percent exemption incentive allows a property owner to exempt fifty percent of the dedicated square footage of the historic structure and also allows fifty percent exemption of the maximum impervious surface. Henderson said the wording of this ordinance makes the job challenging for the DRB. An example was given of a new structure on a half-acre lot with a two thousand (2000) square foot existing historic structure, a thousand (1000) square feet can be added in the addition, and regular DRB relief can be granted in addition to that, which is twenty-five percent (25%).

Chair Winchester wanted to point out the difference between the ADU project, which is not eligible for any bonus relief but can be used as a long-term rental, and the fifty percent project, which can be much bigger. He feels there should be more reward for the ADU projects, to reinforce success.

Henderson gave an example of a project using the fifty percent exemption incentive and all of the relief offered by the DRB, leading to a fifty-two hundred (5200) square foot home. He feels there is a need to tailor the language to not allow the "double dipping" of the fifty percent combined with maximum DRB relief. Henderson also mentioned that Town Council and staff had created guidelines for elevating a historic house. The local ordinances restrict elevating a historic home to only one (1) foot over base flood elevation (BFE). All future historic structures will be prohibited from

being elevated above the one foot. It was asked if a historic structure used both the fifty percent exemption incentive and applied for maximum DRB relief, could they still build a garage if they were elevated under six (6) feet. Henderson stated that yes, they could still build a garage as well.

Eddie Fava – Feels that if someone wants extra square footage, they will find a way to get it. If the rules are tightened up, then some of the weight could be taken off of the DRB and put on the BZA. If the extra relief was subject to zoning by the BZA, there would not be so much flexibility.

Elizabeth Tezza – Agrees with Mr. Fava. BZA gets the ADUs and maybe they should get more of the variances in order to give a second perspective. It might be a more balanced approach to the process.

Beverly Bohan – Feels that all house plans should come to the DRB, and a recommendation should be made to Town Council about that. That way if someone comes to the DRB and gets denied, they can reduce their plans and come to Town staff. She also suggested that the group make a motion to remove form C-1 from the DRB application. The DRB's maximum authority for relief added together can allow too much.

Chair Winchester asked if it was better to keep the fifty percent exemption or get rid of form C-1. Ms. Tezza felt it should be one or the other, not both. Chair Winchester wants to discuss the optimum mix of incentives at the next meeting. He asked Ms. Heller to meet with no more than two (2) other members to sift through the ways to give a benefit to those who pursue the ADU incentive. Ms. Heller said the present policy is not fair because there is no relief for ADUs. Chair Winchester is against long term rentals, as it is in effect subdividing the lot. Ms. Heller wants to maintain the cottages that are left. Ms. Clark asked about the path for the recommendations, would they still have to go to the Land Use and Natural Resources Committee (LUNR), then on to Council. Chair Winchester said yes, all the study group is doing is making recommendations to Town Council. It was asked where the twelve hundred (1200) square foot number came from for the ADU incentive. Mr. O'Neil said it came from compromise in order to get Town Council to approve something, it was purely arbitrary. There was a discussion over non-original not being the same as non-historic, as many island resources have additions that can be considered historic as well. Mr. O'Neil mentioned the incentives were to sweeten the fact that the Town was now doing design review,

they wanted to encourage people to bring their plans to the DRB. He and Chair Winchester did not agree that all plans should go to the DRB. Chair Winchester asked if property owners had to get DRB approval to remove these non-original additions to get the historic structure down to twelve hundred (1200) square feet, Henderson said yes. Chair Winchester said that at the next meeting he wanted to discuss these concerns and pick up where we left off. He asked Ms. Bohan, who was prepared for a motion on attached historical restoration projects, to hold her motion until the next meeting.

4. **General public input and questions.** Chair Winchester wants to deal with incentives next meeting. Mr. Howard felt it would be helpful to have some visual aid when applying numbers to possible scenarios. Mr. Visser said there have been many safety issues fixed when these historic properties were improved. Ms. Langley mentioned that she had dealt with that on her own property, closing old pipes made it to where the stormwater was not going to the Wastewater Treatment Plant.

5. **Adjourn.** There being no further public discussion and no new business, the meeting adjourned at approximately 5:40pm.

Motion: A motion to adjourn was made by Ms. Bohan; seconded by Ms. Langley. This motion passed unanimously, 6-0.

Respectfully submitted,

Pamela Otto