



**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, May 12, 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, Michael Daly and Manda Poletti.

Staff: Joe Henderson, Deputy Administrator, Charles Drayton, Planning and Zoning Administrator, and Pam Otto, Study Group staff member.

- A. **Call to Order.** Chair Winchester called the meeting to order at 4:01pm, stating the press and public were duly notified pursuant to state law.

Media: None present

Public: Thirteen (13) members present, including Land Use and Natural Resources (LUNR) member Gary Visser, Design and Review Board (DRB) member Ron Coish, and Planning Commission member Mark Howard.

- B. **Approval of Minutes from April 28, 2022 meeting.**

**Motion:** A motion was made to approve the April 28, 2022, meeting minutes by Ms. Bohan; seconded by Ms. Tezza, this motion passed unanimously with a 7-0 vote.

- C. **Items for Discussion.**

Chair Winchester mentioned this was the sixth (6<sup>th</sup>) meeting of the Study Group. Ms. Coste asked for more information about fractional ownership. Henderson said it was a new concept that staff just became aware of recently. He said there is an umbrella company out of California that offers shares in residential properties, there is one (1) fractionally owned property on the island, this company is called Picasso. He said that Town Council and the legal team are aware of this company and are working with other jurisdictions that have experienced the company as well. He said that the Town is looking into state law, which pre-empts local jurisdictions, to see if a law can be written and if anything can be done locally.

Chair Winchester then introduced Charles Drayton as the new Planning and Zoning Administrator and welcomed him to the Study Group.

### 1. **Historic Accessory Dwelling Unit (ADU) preservation incentive.**

Chair Winchester said at the last meeting the group seemed to agree for good reasons to retain the “rental option” for a restored ADU. While he saw the potential problems down the road for “thirty (30) day rentals,” this had not been a problem so far and clearly the group wanted to retain that as an incentive. He said that the group had discussed allowing DRB relief to allow increased square footage but that so far, no percentage had been agreed upon. The desire, as pointed out by Ms. Poletti, is to make the ADU option more attractive so it needs more incentives. Chair Winchester pointed out that that when the historic cottage is twelve hundred (1200) square feet (sf), it does not allow the construction of a home large enough to accommodate families. It was stated from a member of the public that consideration should be taken of families, with a caution that if building is made too restrictive it will be more difficult for families to live on the island.

**Motion:** A motion was made by Ms. Geer to remove §21-20 C. (2) (j); which states that the DRB may not grant discretionary increases in principal building coverage, impervious surface coverage and square footage to properties with a second structure; and to replace that section with one that grants the DRB discretionary authority to increase the principal building square footage by up to fifteen percent (15%) as long as the historic ADU remains at 1200sf or less; seconded by Ms. Bohan.

### **Discussion**

**Manda Poletti** – feels that 15% does not seem like enough. The group has already voted to grant twenty percent (20%) to attached additions, anything less is almost penalizing the ADU incentive. If the goal is to keep the historic cottage unattached, then you have to allow a larger percentage increase than the attached addition.

**Michael Daly** – Agrees with Ms. Poletti, the relief for the ADU should be greater than for the attached addition, and the overall square footage being discussed is minimal.

**Aussie Geer** – Agrees they have a point and is happy to amend the motion.

**Eddie Fava** – Feels most people buy these structures because they want to fix them up and won’t need an incentive to buy them. He asked about the maximum square footage allowed for a new construction with no ADU.

Ms. Bohan said she would like to know that as well. Henderson stated that the maximum allowed square footage depended on the size of the lot. The most allowed is fifty-six hundred (5600) sf. Henderson went through the formula used to determine allowed principal building square footage (PB sf). The starting point is twenty-four hundred (2400) sf, you are then allowed to increase by ten (10) sf for every one hundred (100) sf your lot is over 2400sf.

Mr. Fava said with that in mind, he is in favor of a larger percentage increase allowed for properties with ADUs in order to give them an incentive. He also said that a 5600sf house does not happen very often due to other checks and balances involving set backs and impervious coverage, it is an anomaly that something reaches that maximum limit.

**Beverly Bohan** – Asked if the purpose was still to reduce mass and scale of homes. She pointed out that on a standard half (.5) acre lot with a 1200sf cottage, given twenty-five percent (25%) by the DRB could have a new house constructed to three thousand eight hundred ninety-seven (3897)sf for a total of almost fifty one hundred (5100) sf. She strongly recommends that the incentive be kept to no more than 20%. There is incentive toward attached because the fifty percent incentive was taken away from the attached addition. She said to allow too much of an increase to the new house with an ADU creates a scene similar to a “tugboat pulling the Queen Mary.”

Ms. Poletti said the two amounts for the incentives depend upon each other and if the route chosen is to give ADUs 20%, then the attached addition percentage might need to be revisited. That will make the ADU to appear to have more of an incentive. Ms. Bohan asked what was more important, to have ADUs over attached additions, or to reduce the overall mass, size and scale of homes. She said that the homeowners can’t be restricted on their vision for their properties but that the Town doesn’t have to give away or gift allowances, if it does it will end up exactly how it is now, with homes that are too extravagant.

**Elizabeth Tezza** – Agrees with Ms. Poletti that whatever is decided needs to be more due to perception of an incentive, the ADUs incentive should appear higher than the attached addition.

Chair Winchester said it is more at 15% or 20%, but that 25% is too much. He also said it should be understood that most of the cottages being dealt with are not 1200sf, they are smaller, around eight hundred (800) sf. Chair Winchester said that with a cottage at 800sf, then the new house being built can be significantly bigger with just the DRB relief of 15%. He feels like the ADU option is a situation that is more desirable to most people even with a lower percentage incentive, plus the rental option is a big incentive. Ms. Poletti asked if the ADU is more desirable, why are so many being lost to the attached. Chair Winchester said it was due to the fifty percent (50%) exemption incentive and the relief that incentive is able to request, essentially “double dipping” into two (2) opportunities for additional square footage. Henderson agreed, saying the 50% exemption allowed for considerably more square footage.

Chair Winchester asked if Ms. Geer modified her motion from 15% to 20%, would there be a consensus. Ms. Poletti said she is amenable to 20% but thinks the percentage allowed for attached should be lowered to be under that percentage. Ms. Bohan asked what the difference would be between 20% and 25% relief, Henderson said it would come out to about two hundred (200) sf. Ms. Poletti said she would prefer to see ADUs over attached and to do that thinks that ADUs should appear to have a higher incentive.

**Motion:** Ms. Geer amended her original motion, to recommend removal of §21-20 C. (2) (j); which states that the DRB may not grant discretionary increases in principal building coverage,

impervious surface coverage and square footage to properties with a second structure; and to replace that section with one that grants the DRB discretionary authority to increase the principal building square footage by up to 20% as long as the historic ADU remains at 1200sf or less; seconded by Ms. Bohan. This motion passed unanimously, 7-0.

### **Public Comment**

Ms. Heller said she believes that the group should go with the largest number, as any property would come before the DRB and they would have the option to turn it down. Chair Winchester said the group has done that, adding a possible 800sf to a house with an ADU on a half-acre lot. He said if that is not enough for a property owner, then the proposed property might not be the right one for them.

#### **2. New Construction: General discussion of the mass, size and scale of the new single-family homes and additions.**

Chair Winchester asked the group what they were feeling about new construction, knowing what has already been discussed. Mr. Visser said that Town Council is curious where the group is going but that the group can cover and discuss any aspect of the built environment on the island.

### **Discussion**

Mr. Coish feels that there are some new homes on the island that seem very big. Ms. Perkis said that there is no need to incentivize people to move here so there is no need for all of these increases, what is the purpose of allowing them to be bigger. She said that if there is a half-acre lot, there is a size you can build to and that should be it. Mr. Howard is interested in preserving the island character, maybe by encouraging porches and larger yards. All variance procedures should be reviewed. Chair Winchester pointed out that if a home is not seeking increases, they do not need to go to the DRB. Ms. Heller feels that newer corner lot homes are being built facing the wrong direction, longways, with no street presence. Ms. Perkis said that the Town consulted with a design group, Cooper Consulting, who contributed to the design guidelines. Ms. Coste feels that most new construction is out of compatibility with the island and that is an issue that needs to be addressed. It was asked if the purpose of the DRB was to preserve the character of the island., why are they approving these homes. Chair Winchester reiterated that not all homes come before the DRB. He also said that there needs to be better standards for the DRB to be able to enforce. Henderson said the purpose of the variances is to entice people who want increases to have to go before the DRB, triggering negotiations for better design. A property owner can build whatever they want, but if they want more square footage they need to go to the DRB where certain standards need to be demonstrated.

Ms. Wilson said that when she has people ask her for home plans now, all they want is more square footage, they are thinking about resale value. She is under a pressure to ask for the most allowed square footage. The rules need to be more restrictive so she can tell people that she can't design a house that big. She feels the DRB is very important and that a place without one has no control over the houses being built. It is hard for her to tell a client no if the neighboring

house has received variances. She feels there need to be more restrictive rules. The architect should be able to prove their case and to do the work to get these variances. If a town does not support their Boards and make their rules stronger, there is the potential for the character of a town to be ruined. Henderson said that an attempt has been made by adding pages to the DRB application to request the applicant to justify the relief. He asked if it was feasible for architects to do more, a streetscape for example. Ms. Wilson said it used to be required. Mr. Winchester said that is an administrative task that can be done now and does not need to be brought to Council. Mr. Visser said if the application is not completed, it should be denied. That way the Board can have all of the necessary information to make an informed decision. Mr. Howard feels that neighborhood compatibility should always be considered, even if a project is not going before the DRB. Ms. Bohan said that it still has to go to staff to make sure it follows the guidelines. Henderson agreed, if a house is not going before the DRB, it still has to meet certain architectural standards.

**Eddie Fava** – Supports fewer and simpler rules. The application should not be so confusing. He also feels every new construction should go before the DRB and there should be an architect or design specialist on staff to oversee this. He also feels that there is too much on the DRB and that the Board of Zoning Appeals (BZA) should be more involved. He supports more openness of design, not restricted by more guidelines.

Mr. Winchester asked if he was saying there should be no relief by the DRB for new construction. Mr. Fava said yes, no relief keeps it simple. Ms. Campbell said Sullivan’s Island setbacks are more restrictive than others, and even now there are so many non-conforming properties on the island. Mr. Fava said yes the ordinances here are more restrictive and that it was intentional. It was done with the knowledge that if you were able to demonstrate a good design or there was some pre-existing condition, then DRB could give some relief. However, if there was some way to modify setbacks or other zoning issues so that if there is a hardship or a need then the property owner could go before the BZA, that would take some of the pressure off of the DRB. Henderson said there is a challenge in sending design issues to the BZA, their standards are restricted by size, shape and physical topography of a property. If a property owner is coming to the BZA, they are saying they can’t use the property for its intended use due to the regulation and they are requesting a variance.

**Elizabeth Tezza** – feels the island is very eclectic and she believes strongly in personal property rights. People building sideways seem to be building to the lot they are on, the more rectangular lots, or are putting their porches on the side to have more privacy. The Town is not a planned community, and she does not think it should look like one. She said many new homes seem very large, but they are not coming to the BZA for variances, they are getting all of the relief the DRB can give them. She would be fine with not allowing any relief for new construction, most lots are large and can accommodate a good-sized house.

**Beverly Bohan** – Hopes to create new construction guidelines, placed on the website, so there is less paperwork involved. She appreciated Ms. Wilson’s honesty about size, mass and scale of

new homes, and people asking to build bigger homes. She thinks if the guidelines were stricter, saying nothing over five thousand (5000) sf for example, it is a better way to scale down homes.

Henderson said that is the issue, what number should be used to define too big. Mr. Fava said staff and the Board can say a home is just too large, there is no need to use the percentages.

Ms. Bohan says the Board tries to push the percentages back and homeowners just keep resisting. She is asking if it is possible to just set limits, based on the lot size, that are firm. Then if there is an issue, they would have to go to the BZA for a variance. Henderson said it would be easy to change the formula currently being used to determine maximum heated square footage based on lot size, then you could allow the 20% from the DRB. Chair Winchester asked why it was simpler to address it from that aspect, that it would be more difficult to negotiate backwards from a set size. Mr. Howard said that the house is not the only filling the lot, porches, garages and swimming pools don't count.

Chair Winchester asked where this discussion was going. The group has looked at the ADU incentive and decided to allow DRB relief for property owners going this route. He sees no purpose in changing the formula and not using the DRB relief. Ms. Bohan said if that is the case, then she would propose lowering the possible DRB relief for new construction to 20% across the board.

**Aussie Geer** – Thinks new construction is too large. If a homeowner wants the extra 25%, they will insist upon it from their architect and contractor. They will also not understand why they can't have it if a neighbor did get it. She feels that it can be reigned in by having a set amount allowed, then if you have a hardship you can go to the BZA.

**Michael Daly** – Agreed, if there is a maximum allowed, most people will ask for it and expect it. He thinks an option is to provide more relief to a single-story house, when they are lower to the ground it controls the appearance of size.

**Manda Poletti** – Described the house next to hers, which is similar in size to hers by square footage but is built up and seems much larger. She asked if it was possible to make it where you can only get the additional square footage for new construction if you leave the house low.

#### **D. Discussion of next meeting's agenda items.**

Chair Winchester said at the next meeting the 25% relief the DRB can offer on new construction will be discussed. He said the DRB needs this as a means to get houses lower. He does not feel it has worked so far. He asked the group to consider that if it necessary to reduce the discretionary authority of the DRB and maybe tying it to keeping the houses lower. A property owner could only get the relief if they stay within 2 feet of the Base Flood Elevation (BFE) is an idea worth considering. Ms. Perkis said that it is not practical if a hurricane comes through, not to mention that if they are that low, they can build a garage. Chair Winchester said all of the historic properties are low and that is the goal. The zoning standards for new construction will also be discussed at the next meeting.

**E. Adjourn**

There being no further public discussion and no new business, the meeting adjourned at approximately 5:47pm.

Respectfully submitted,

Pamela Otto,

Historic Preservation and Design Study Group staff member

\*Correspondence sent to Study Group attached



Dear Historic Preservation And Design Study Group members,

5/2/2022

My name is Rick Graham and I live at 2102 Ion Avenue. I deeply appreciate historic preservation and its relationship to the quality of life on Sullivan's Island. The appropriate balance between new realities and historic preservation is difficult to maintain so your work is very important.

While you're addressing the balance, I'd like to call your attention to a major violation of our current historic preservation ordinances. The parking lot at Battery Thomson is a violation and there's no justification for it. This is certainly an example of the Town doing whatever it wants and it diminishes the importance of historic preservation. Town Council doesn't care about the Battery Thomson eyesore but I'm sure it's present condition isn't what previous Town Council members had in mind when a consultant was hired to get Battery Thomson on the National Historic Register. A picture is included. The relationship between the site and the structure of Battery Thomson is definitely not being maintained as called for by federal guidelines.

Sullivan's Island is becoming more popular and crowded every year so parking will always be a concern. There's been plenty of worthless meetings and studies about parking which didn't accomplish anything although we did finally make some progress with the opening of the new parking lot on Middle Street. With a real commitment to solving problems there are plenty of ways to address parking issues without destroying historic properties and the new parking lot is only one example. What a shame it would be to continue degrading Battery Thomson while also weakening the argument for historic preservation by allowing the illegal parking lot to continue. You can't preserve history by destroying it.

I request the Historic Preservation Study Group address the Battery Thomson parking lot. The town will likely claim past uses to justify it. Those brief infrequent uses were never as intense as the current parking lot and probably not legal either. Although this letter is being submitted late in the process I believe there is time for the study group to form a statement concerning the appropriateness of using Battery Thomson for parking and the importance of the Town following its own zoning code. Please ask town officials at the next meeting to explain the creation and use of the Battery Thomson parking lot.

Respectfully,  
Richard Graham



2102 Ion Ave.



