



**Town of Sullivan's Island, South Carolina  
Planning Commission  
Regular Meeting Minutes**

**Wednesday, February 8, 2023**

A regular meeting was held at 4:00pm, on Wednesday, February 8, 2023, in Town Hall at 2056 Middle Street. All requirements of the Freedom of Information Act were verified to have been satisfied.

**Present:** Commissioners Carl Hubbard (Chair), Manda Poletti (Vice Chair), Mark Howard, Gallia Coles, David Peterseim, Laura Schroeder, and Charles Cole.

**Staff Members:** Charles Drayton, Director of Planning and Zoning; Joe Henderson, Deputy Administrator; and Pamela Otto, Planning Commission staff member.

A. **Call to Order.** Chair Hubbard called the meeting to order at 4:02pm, and it was stated the press and public were duly notified pursuant to the Freedom of Information Act requirements.

**Public:** There was one (1) member of the public present.

**Media:** There were no members of the media present.

B. **Approval of Minutes** – January 11, 2023

**Motion:** A motion was made by Mr. Peterseim to approve the January 11, 2023 meeting minutes as written, seconded by Ms. Coles; this motion passed unanimously, 6-0.

C. **Public Input and Correspondence.** There was no public input or correspondence.

D. **Zoning Ordinance Text Amendments**

1. **Consideration of Changes to Section 21-142 – Recreation Facilities (Focused on Swimming Pools)**

Drayton summarized the changes recommended by the Historic Preservation and Design Study Group (HPDSG) to Town Council, stating that Town Council had tasked the Planning Commission to review these recommendations.

Swimming pools are accessory structures governed by Town Ordinance under Section 21-138, but they are also categorized as recreation facilities, which have

additional regulations under Section 21-142. The ordinance considers two (2) types of swimming pools, in ground and elevated (any pool elevated more than six (6) inches over grade). Accessory structures have location guidelines, recreational facilities are required to meet a combination of the accessory structure guidelines and the principal building location requirements.

Recreational facilities must be at least twenty feet (20ft) from the rear of the principal building, the side setbacks must be at forty feet (40ft) combined with a fifteen feet (15ft) minimum on one side, and the rear setback must be twenty-five feet (25ft). Pools of any type are prohibited in the front yard. Ms. Poletti arrived at 4:08pm.

Drayton then provided some benchmarks from neighboring municipalities and how they restrict swimming pools, including Isle of Palms, Mount Pleasant, Pawley's Island and Folly Beach. This showed the restrictions on swimming pools on Sullivan's Island are more restrictive than others. It was suggested by Mr. Peterseim to get the restrictions employed by Kiawah Island and Seabrook as well. Drayton stated he could get those for the next meeting.

Drayton then showed some site plans of different pools and how they fit into the lots when trying to comply with the setbacks. Mr. Howard asked if the setback applied to the distance from the edge of the pool. Drayton stated it applied to the edge of any type of decking or pavement surrounding the pool.

Drayton said staff recommendations were to consider allowing in ground pools to encroach into the rear setback up to ten feet (10ft), to allow in ground pools and their decking to go up to 15ft into the RC-1 and RC-2 setbacks and only allowing it if there is a five foot (5ft) pervious decking to convey water away from the Ocean and Coastal Resource Management (OCRM) line so that chlorinated pool water runoff is not shunted into critical areas. Ms. Poletti asked if there were any ordinances that specified that you must provide a system to keep pool runoff from going into the critical areas. Henderson stated that was not covered locally but that the OCRM may have it. Mr. Howard asked if the Design Review Board (DRB) could provide any relief to the stated setbacks. Drayton said only on the side setbacks. There was some discussion over front yard situations for homes on the island.

Drayton feels that the rear setback for a pool is onerous, especially when compared to the surrounding municipalities. Ms. Poletti said this was discussed by the HPDSG, who felt that the strict guidelines were pushing homeowners to raise their pools in order to have a pool on the property. The preference of the HPDSG was fewer elevated pools and more in ground, as elevated pools were perceived to be noisier. Drayton said it could be considered to reduce the setback conditionally, on the addition of a noise reducing buffer.

It was asked if there was a size restriction on pools but there is not, they are only controlled by the allowed impervious coverage.

Drayton stated the purpose of the staff recommendations is to allow pools to be more functionally located on the lots. Henderson said the idea was to reduce the number of elevated pools.

Matthew Erck (3024 P'On Ave.) said that due to setbacks, he would need to elevate a pool if he installed one but he would prefer to keep it in ground.

Chair Hubbard asked if the Commission would like to think on the issue more and discuss it again at the next meeting, giving staff time to get the information on pools on Kiawah and how many pools are on Sullivan's Island.

**Motion:** A motion was made by Mr. Howard to have fifty percent (50%) of the square footage of an elevated pool count toward the living space of the principal building; this motion did not pass, 1-6.

**Motion:** A motion was made by Chair Hubbard to postpone the discussion of swimming pools to the next Planning Commission meeting, seconded by Ms. Schroeder; this motion passed unanimously.

**2. Consideration of Changes to Sections 21-22 B. (4), 21-22 D., and 21-29 – Regarding Secondary Setbacks for Principal Buildings**

Drayton stated that since the beginning of his time with the Town, he has been tracking DRB requests. The most common relief requests are for additional principal building square footage. The second most common is side setback relief. The third is principal building coverage area and secondary setbacks.

The current regulations for second story side façade allow a 2-story element to be only 10ft wide, that can be avoided by setting the second story 2ft back from the first floor wall. Drayton mentioned that very few take advantage of wall setback as it creates load bearing issues in construction, increasing construction costs. However, the DRB can provide one hundred percent (100%) relief for this. Drayton feels there needs to be a better way to accomplish the spirit of the ordinance. He then showed an example of a home that had come before the DRB for relief.

The current regulations for principal building side façade states that it may not exceed thirty (30) linear feet without having a four-foot (4ft) articulation, a 4ft deep porch can be substituted for the articulation. The DRB can grant 100% relief on this as well.

Drayton compared the Town's regulations to the same municipalities that he used for the swimming pool comparison.

Drayton summarized the staff proposals below.

**PROPOSED SIDE SETBACK REQUIREMENTS**

**Section 21-22 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 combined Side Yard Setback for both sides shall be equal to a minimum of forty (40) feet with a minimum average setback for any one side of fifteen (15) feet, with the minimum distance from the property line of ten (10) feet on one side and twenty (20) feet on the other.

(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.

(3) Secondary side yard setback requirements:

(a) Ground level and first floor elements shall not exceed thirty-eight (38) feet in length along the side façade without an articulation.

(b) Second floor elements shall not exceed thirty-two (32) feet in length along the side façade without an articulation. This application shall not apply to second floor elements whose knee wall is less than six (6) feet high.

(c) Articulations shall be a minimum of sixteen (16) inches (1.25 feet) in depth and a minimum of nine (9) feet in length; the length may be reduced by a foot for every sixteen (16) inches of increased depth, but a minimum of a 2:1 length to depth ratio must be maintained.

(d) A porch or deck with a minimum depth of (6) six feet, meeting the 2:1 length to depth ratio, may be substituted for the articulation requirement.

(e) Second floor elements shall be subject to an additional 5-foot setback on each side, with a minimum average setback on one side of twenty (20) feet and a minimum distance from the property line of at least 15 feet, and a minimum average setback on the other side of at least thirty (30) feet with a minimum distance to the property line of at least twenty (20) feet. This application shall not apply to second floor elements whose knee wall is less than six (6) feet high.

He stated that these proposals came from the suggestions of 2 architects with whom he consulted. Ms. Poletti asked if he had received any input from the DRB. He said no but that both architects have come before the DRB and were familiar with the island. It was stated that the Commission would really like the input of the DRB. Henderson mentioned that it was possible to have an architect use software to sketch examples so the application of the requirements can be seen, as well as have a few DRB members present for a meeting. Drayton mentioned that these could be considered after the Commission dealt with the other referrals from Town Council.

On another subject, Mr. Cole asked how many short-term rentals were on the island. Staff said there were 40 legally permitted short-term rentals left.

Ms. Poletti mentioned the new Carolopolis Award category featuring preservation through resiliency.

There was some discussion about the historic survey about to be undertaken by the Town.

**E. Adjourn.** There being no new business, nor further discussion, the meeting adjourned at approximately 5:24pm.

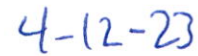
**Motion:** A motion was made to adjourn by Ms. Poletti, seconded by Mr. Hubbard; this motion passed unanimously, 7-0.

Respectfully submitted,

Pamela Otto, Planning Commission Staff



Carl Hubbard, Chair



Date