TOWN OF SULLIVAN'S ISLAND DESIGN REVIEW BOARD

REGULAR MEETING MINUTES Wednesday, April 15, 2020

A regular meeting of the Town of Sullivan's Island Design Review Board was held on the above date at 4:00 p.m. online via Zoom. All requirements of the Freedom of Information Act were verified to have been satisfied. Present were Board members Luke Lewis Ron Coish, Billy Craver, Steve Herlong, Kevin Pennington and Bunky Wichmann.

Town Council Members present: No Council Members were present.

Staff Members present: Joe Henderson, Director of Planning/Zoning Administrator, Randy Robinson, Building Official, and Jessi Gress, Business Licensing and Permit Technician.

Members of the public:

Media present: no members of the media were present

CALL TO ORDER: Mr. Herlong 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: Mr. Wichmann made a motion to approve the February 19, 2020 Design Review Board Meeting Minutes. Mr. Coish seconded this motion. All were in favor. None opposed. Motion passed unanimously.
- II. PUBLIC INPUT: No public comment was made.
- III. SPECIAL EXCEPTIONS:

<u>1321 Middle Street:</u> Brent Fleming, applicant, requested final plan approval to receive the accessory dwelling unit special exception for a Traditional Island Resource in accordance with Zoning Ordinance Section 21-20 C. (2). Modifications to the zoning standards are requested for accessory structure side setbacks and foundation height. (TMS# 523-07-00-096)

Mr. Henderson stated that the applicant requested final approval for ADU special exception. The Design Review Board granted preliminary approval on July 17, 2019. Mr. Henderson stated that on January 9, 2020 the BZA granted approval provided the nonconforming shed demolished and a new structure constructed in compliance with the Zoning Ordinance. The driveway was also approved to be removed from Poe Avenue.

No public comment was made.

The Board was in favor of the application presented.

Mr. Craver made a motion to approve this application for final approval. Mr. Lewis seconded this motion. All were in favor. None opposed. Motion passed unanimously.

IV. HISTORIC DESIGN REVIEWS:

<u>2805 Atlantic Avenue:</u> Hunter Kennedy of KDS, applicant, requested conceptual approval of renovations to a Traditional Island Resource. Modifications requested for principal building front and side façade. (TMS# 529-11-00-049)

Mr. Henderson stated that the applicant is requesting conceptual approval for a historic renovation and addition. The applicant is requesting two options for elevating the home when the renovations are performed. Option one is shown under the current flood zone of VE 16 and VE-17 with a finished floor elevation being 9' 10" to 10 feet above grade and 2 feet above base floor elevation. Option two is at a AE flood zone being 7 feet above finish grade and 4 feet above base floor height.

The applicant and home owner requested approval for the lower option, meeting the new food maps and only elevating the floor framing 7' over finished grade.

No public comment was made.

The Board was in favor of the proposed addition and renovation strategy and gave the applicant the option to choose which elevation option they prefer.

Mr. Craver made a motion to approve this application for final approval granting the home owner to choose their preferred elevations. Mr. Pennington seconded this motion. All were in favor. None opposed. Motion passed unanimously.

413 Station 23: Drafted Architecture, applicants, requested conceptual approval for historic renovation plans for a Sullivan's Island Landmark property. (TMS# 529-06-00-108)

Mr. Henderson stated the applicant requested conceptual approval for a historic renovation. Mr. Henderson stated the applicant requested the following:

- Remove non-original additions
- Add new addition to existing master bedroom
- Remove siding and re-clad with wood siding
- Approval of siting accessory structures on the property
- Repair or replace damage and rot throughout: eves, facia, siding, foundation, roof materials

No public comment was made.

The Board was in favor of the application presented.

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

Mr. Herlong recused himself from the following applications: 1104 Osceola, 3203 Middle Street, and 2907 I'On Avenue (Exhibit 1,2 and 3).

<u>1104 Osceola Avenue</u>: Herlong and Associates, applicants, requested final approval of a living space addition and swimming pool for a Sullivan's Island Landmark property. Historic exemption was requested for principal building SF, principal building coverage and impervious coverage. (TMS# 523-07-00-069)

Mr. Henderson stated the applicant requested conceptual approval for a historic restoration that was previously approved in 2010 and 2014. There was also public input submitted from the neighbor to the north of the subject property with concerns about stormwater drainage, also noting there were no recommendations from the neighbor related to architectural design and historic preservation. Mr. Henderson stated the applicant requested the following:

- Extend porch to the west as previously approved in 2010 and 2014
- Add new addition (dining room and kitchen)
- Add guest bath on east side
- Add pool in rear yard (with new stormwater management plan)

Public comment was submitted via letter (Exhibit 4).

The Board was in favor of the application submitted with the consideration of the stormwater issues from the neighbor and that the new stormwater management plans required by the Town's Zoning Ordinance ensure that there is no adverse impact to the adjacent or downstream properties as a result of the proposed new construction.

Mr. Wichmann made a motion to approve this application for final approval with the recommendation to address the stormwater issues. Mr. Craver seconded this motion. All were in favor. None opposed. Motion passed unanimously.

V. NON-HISTORIC DESIGN REVIEWS:

<u>3203 Middle Street:</u> Herlong and Associates, applicants, requested conceptual approval to construct a single-family residence with modifications to the zoning standards for principal building square footage, principal building coverage, principal building side façade, side setback and second story side façade setback. (TMS# 529-12-00-017)

Mr. Henderson stated the applicants requested conceptual approval to demolish the existing structure and reconstruct a new family residence with a total of 3,349 principal building square footage.

No public comment was made.

The Board reviewed the elevations and questions several areas visible from the Station 32 right of way. The Board was in favor of the application submitted.

Henderson reported there were two adjacent neighbors who supported this application by sending emails to Town staff (Paul Boehm and Larry Dodds).

Mr. Craver made a motion to approve this application for final approval. Mr. Pennington seconded this motion. All were in favor. None opposed. Motion passed unanimously.

<u>2907 I'On Avenue:</u> Herlong and Associates, applicants, requested approval to construct a new single- family residence with modifications to the zoning standards for principal building square footage and principal building coverage. (TMS# 529-12-00-047)

Mr. Henderson stated the applicant requested conceptual approval to demolish the existing structure and reconstruct a new family residence with a total of 3,400 principal building square footage.

Public comment was submitted via letter (Exhibit 5).

Mr. Greim, property owner of 2913 I'On Avenue, stated that he requested that the applicant move the structure away from his property line from the shown 10' to the originally approved 13'4" which was granted in 2017. The project architect James Selvitelli expressed this revision back to the 13'4" would be possible.

The Board was in favor of the application as submitted with the proposed setback adjustment.

Mr. Craver made a motion to approve the application submitted for final approval with the recommendation of moving the structure 13'4" feet from the eastern side setback. Mr. Pennington seconded this motion. All were in favor. None opposed. Motion passed unanimously.

<u>2902 I'On Avenue:</u> Jay Brown, applicant, requested final approval for modifications to the zoning standards for principal building square footage within an existing structure. (TMS# 529-12-00-045)

Mr. Henderson stated the applicant requested final approval for principal building square footage to a current home that is under construction. He showed a revised site plan illustrating all of the areas being converted in the second story and expressed that it fell under the

allowable 25% relief grantable by the DRB. No exterior changes would be made from what was originally approved at the staff level.

No public comment was made.

The Board was in favor of the application submitted.

Mr. Wichmann made a motion to approve this application for final approval. Mr. Craver seconded this motion. All were in favor. None opposed. Motion passed unanimously.

<u>1414 Middle Street:</u> Sacha Rosen, applicant, requested conceptual approval for construction of a new single-family residence with modifications to the zoning standards for principal building square footage, principal building side façade and second story side façade setback. (TMS# 523-07-00-047)

Mr. Henderson stated the applicant requested conceptual approval to demolish the existing structure and reconstruct a new family residence with a total of 3,678.74 in principal building square footage and relief proposed for architecture and other lot coverages. Henderson noted the modernist architectural characteristics are noncompliant with several provisions of the Zoning Ordinance's design guidelines related to roof shape and roof decks noted under Section 21-37 and 21-39.

No public comment was made.

The Board explained there were several homes in the area that were also contemporary designs and mentioned it was also located outside of the historic district. Several Board members expressed their approval of diversity in architectural design and were in favor of this flexibility if the proposed design is appropriate and compatible with the surrounding neighborhood. The Board members were in favor of the application as submitted.

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

<u>1219 Cove Avenue:</u> Rachel Burton, applicant, requested conceptual approval for renovations to a single-family residence with modifications to the zoning standards for principal building square footage, principal building coverage, front façade reorientation and principal building foundation height. (TMS# 523-07-00-019)

Mr. Henderson stated the applicant requested the elevation, reorientation and second story addition to the existing single-family residence. Mr. Henderson stated that the reorientation will place the front façade to be location on Station 13 Street.

Public comment was submitted via two letters from adjacent neighbors to the south and east of the subject property (Exhibit 6).

Mr. Hannes Grimes presented several slides illustrating the placement of the new construction and requested that the owners slide the house back toward the south as far as possible so as not to obstruct his view corridor toward the marsh.

The Board read the email from the neighbor to the south and the concerns expressed related to massing and stormwater drainage.

The Board was in favor of the application submitted however, expressed concern about the home being elevated and not complying with the required 10' setback on the Cove Avenue frontage. The house is being elevated substantially and therefore should be brought south by 3' to meet the Zoning ordinance requirements for side setback (10'). The Board also recommended consideration of the stormwater issues from the neighbor and that the new stormwater management plans required by the Town's Zoning Ordinance ensure that there is no adverse impact to the adjacent or downstream properties as a result of the proposed new construction.

Mr. Craver thanked Ms. Burton for such a thorough presentation.

Mr. Craver made a motion to approve this application for final approval subjected to moving the structure 3' feet to meet the 10' side setback. Mr. Coish seconded this motion. All were in favor. None opposed. Motion passed unanimously.

<u>1710 Blanchard Street:</u> Heather Wilson, applicant, requested approval for design review of an attached addition and porch additions with modification to the zoning standard for side setbacks. (TMS# 523-08-00-085)

Mr. Henderson stated the applicant requested final approval to add an attached addition and a porch additions to the existing single-family residence. Henderson explained the attached addition would need to be deed restricted and must be architecturally compatible with the main portion of the home.

No public comment was made.

The Board was in favor of the application submitted.

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

Mr. Herlong recused himself from this application (Exhibit 7).

2302 Atlantic Avenue: Katie Duncan, applicant, requested approval for principal building reorientation towards I'On Avenue in accordance with Zoning Ordinance Section 21-30 and relocation of the driveway to Atlantic Avenue. (TMS# 529-10-00-049)

Mr. Henderson stated that the applicant requested conceptual approval to reorient the home to I'On Avenue and place a pool on the proposed rear of the property which would be Atlantic Avenue. Henderson showed several adjacent properties and explained that the home and property may only be reoriented if the Board makes findings of fact that the reorientation will make for a more compatible design within the context of the surrounding neighborhood.

No public comment was made.

The Board was in favor of the application submitted.

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

<u>2720-B Goldbug Avenue:</u> Paul Boehm, applicant, requested conceptual approval of additions to a non-historic second principal structure. (TMS# 529-07-00-002)

Mr. Henderson stated the applicant requested conceptual approval to add an addition to the second story of the single-family residence with relief of 25% in principal building square footage, 6% in principal building coverage, 8.7% in side setbacks relief, and 17.5% in principal building side façade.

The Board inquired about legal issues related to the request. Mr. Henderson stated that the additions may be added to this second structure provided the principal building coverage does not expand. Henderson stated that the project request was extensively adjudicated before the Sullivan's Island Board of Zoning Appeals and the South Carolina Court of Appeals. Both determined that Mr. Boehm's structure at 2720-B Goldbug Avenue is in fact a second principal building and may be expanded under the previous Zoning Ordinance conditions of 21-150 Nonconforming Uses. According to the BZA and SC Court of Appeals, Section 21-150 allowed the vertical expansion of principal building square footage provided the there is no expansion of principal building coverage or "heated" square footage. The previous regulations as written also allowed the addition of nonheated porch space provided they met the zoning standards.

The Board expressed that because there were no legal prohibitions to Mr. Boehm's expansion of the nonconforming use and nonconforming structure, they were in favor of the application as submitted.

No public comment was made.

Mr. Craver made a motion to approve the application for final approval with the recommendation that Town Staff confirm all required setback requirements are met on both

structures located on the lot. Mr. Pennington seconded this motion. All were in favor. None opposed. Motion passed unanimously.

VI.	ADJOUN: Mr. Wichmann made a motion to adjourn at 7:20 p.m. Mr. Lewis seconded this motion. All were in favor. None opposed. Motion passed unanimously.		
	Steve Herlong, Chairman	JUNE 4- 2020 Date	
	Beverly Bohan, Vice-Chairman	 Date	



Member Name: <u>Sterre Herlong</u>		
Meeting Date: <u>April 15,2020</u>		
Agenda Item: 4 Section: E Number: 3		
Topic: 1104 Oscrola Avenue		
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!		
4/19/20		
Member Signature / Date		
4/17/20		
Signature of Official Date		



Member Name: Steve. Herlong	
Meeting Date: April 15, 2020	
Agenda Item: Section: Number:	1
Topic: 3203 Mickelle, Street	
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The Ethics Act, SC Code §8-13-700, provides that no public official may know obtain an economic interest for himself a family member of his immediate family whom he is associated, or a business with which he is associated. No public of participate in making, or influence a governmental decision in which he or any business has an economic interest. Failure to recuse oneself from an issue in we conflict of interest is the sole responsibility of the council member (1991 Op. A written statement describing the matter requiring action and the nature of the interest is required.	ily, an individual with ficial may make, I such person or Thich there is or may be tty. Gen. No. 91-37.) <u>A</u>
Justification to Recuse:	
Professionally employed by or under contract with princip	pal
Owns or has vested therest in principal or property	
Other:	
4/1/	20
Member signature 'Da	te
Signature of Official Da	



Member Name: Steve Herlang
Meeting Date: April 15,2020
Agenda Item: Section: Number:
Topic: 2907 I'on Avenue
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
1/1/1/20
Member Signature Date
1. / Cap 417/20
Signature of Official Date

Exhibit 4

Dear Members of the DRB,

It is unfortunate we need to conduct such matters in the midst of a global pandemic, but it seems development must go on.

I appreciate the opportunity to provide feedback on the proposed construction at 1104 Osceola, the Huston Residence.

I have two primary concerns with the proposal:

- 1. The request for 35% relief on allowable impervious coverage area
 - a. We have a severe flooding problem on Seabreeze Lane. We are regularly inundated with water during King tides and heavy rain events, not even mentioning hurricanes. I have attached two photographs I took on separate occasions of heavy rain events. One shows the back of my property looking towards the Tompkins residence (the Huston residence is to the left of the photo). The other is of Seabreeze Lane looking towards Msgr. McInerney's house (prior to his recent addition). Adding 35% more impervious coverage area to the Huston residence is going to significantly exacerbate this situation. I've spoken with my neighbors on Seabreeze Lane and they share my concern; whether or not they use this forum to express it is up to them. I know within the guidelines of historic properties the DRB has authority for exemption up to 50% but that doesn't mean you should in every case. I'm asking you to consider the overall impact of their request in context of the Sullivans Island community, not just their property value. It's ironic, earlier I was leafing through the report just published by Biohabitats on their recommendations for our accreted land (what timing, I know). I found this quotation to be particularly relevant to the Huston application: "The Sullivan's Island 2018 Comprehensive Plan... also calls for a resilience framework for Sullivan's Island that should be coordinated, planned and integrated as a multifaceted strategy that addresses rising waters through water management in the form of stormwater infrastructure improvements and drainage outfall improvements." Considering the proposed changes to the Huston residence in this light, I question how consistent they are with the expert consultant's (Biohabitats) recommendation.

2. Public Health and Safety

a. As previously mentioned, we are in the midst of a global pandemic, days or weeks from its peak impact in the United States as I write this according to experts. COVID-19 is a deadly virus for many. Our various governments have put strict and aggressive measures in place to slow the spread of the disease. The good news is many of these measures seem to be working, not the least of which are social distancing, mask-wearing in public, and limiting gatherings to no more than three people (while still observing the six-feet social distancing requirement). My question to you is: how are these government mandates going to be enforced with workers when construction is underway at the Huston residence? I've witnessed many construction projects on this island. They often involve teams of 10-15 laborers at a time traveling here from off the island, perhaps from locations where the virus might spread more easily due to lack of compliance with social distancing guidelines and other prevention methods. My driveway abuts the Huston residence property line. My house, where my wife and I sit on our porch, is a few feet from there. I am not going to tolerate groups of workers

convening around my property line while this pandemic is active and our respective governments are mandating behaviors that prohibit such gathering. I will not endure a lack of adherence to our governments' mandates during this **global pandemic**.

Lastly, I have two other concerns with the proposed plans:

- 1. The plan indicates the HVAC units will be "removed, relocated, and installed." But I don't see in the plans where the new location(s) will be for the HVAC units. Can you specify?
- 2. I do not see a landscape plan. Is there intent to raise the grade? If so, the flooding issue I raised above will only be worse. Also, will the fence along my property line be modified in any way? Please clarify the landscape plan.

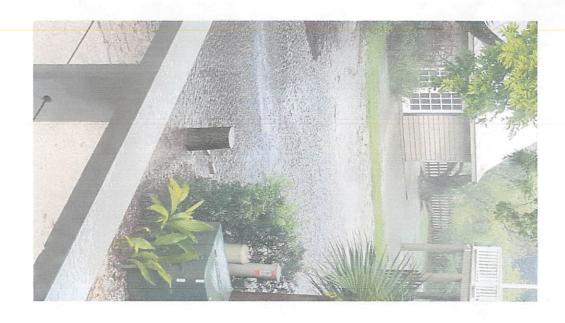
Thank you again for the opportunity to provide my feedback to the proposed changes to 1104 Osceola. Given that residents cannot attend the meeting in person, how will I know my feedback is being considered? What are the next steps?

Sincerely,

Vince Sonson

Digital Transformation Environment (DTE)
843-991-7334 | Website | Roadshow | LinkedIn





Sullivan's Island Design Review Board,

We are writing to provide feedback regarding the plans for modifications to 1219 Cove Avenue. We reside year-round at 1301 Cove Avenue, which is directly across Station 13 Street from the project. While we understand the desire to elevate the home, and feel that the overall design and style fit well within the neighborhood, we have concerns about the detrimental impact to our property that the proposed design will incur. Since the proposal is to elevate an existing structure, rather than demolish the current structure and replace it with a newly built one, several of the zoning ordinance's set-back non-conformities will be (as we understand it) allowed to be maintained. That means, for example, that a second floor "additional set-back" beyond the reduced front-of-property set-back for narrow properties, which would be required in a new construction, may not be required in this plan. As such, the impact to our views from elevating and enlarging the existing structure go beyond the impact we would experience from a new construction adhering to the zoning ordinances.

We are, of course, sympathetic to the goals of the homeowners to raise and renew their property, and we are hopeful that a solution that will accommodate both parties' objectives can be found. We propose that the planned structure be shifted, as is, further back from Cove Avenue, without impacting the front or rear set-backs. This would maintain some of our current horizontal viewing angles of the marshland, intra-coastal waterway, and green-space of the park at the cost of removing viewing angles on the other side of the house (primarily parking area). It would also further bring the modified structure into compliance with the required set-back from Cove Avenue at the front (now side) of the property without impeding on the required set-back at the rear (now other side) of the property. We are attaching a file with images of what we estimate the impact to our viewing angles from various floors of our residence will be under the current plan and the set-back solution we propose. It is our understanding that the architect would consider increasing the set-back on the Cove Avenue side of the property to accomplish this, provided doing so would not create new non-conformities.

As you can imagine, the views from our property were a key motivating factor in the purchase of our home and contribute to our quality of living on the island. Since we are full-time residents and spend most of our days in the agreeable seasons out on our porches (which are primarily oriented towards Station 13), the lines of sight from our house are of extreme importance to us. While we do not wish to impose upon the Baker's rights to improve their property, we also want to ensure that our interests are considered and that efforts are made to mitigate the adverse impacts.

The other concern we have about the proposed plans is whether the newly raised property will be able to drain rainwater effectively, without adding to our already serious flooding problem on the Station 13 side of our property. Any significant rainfall leads to the majority of our property, including the slab underneath our house, being submersed under inches of water for multiple days. The side of our property along Station 13 is generally the last area in our neighborhood to dry out after flooding. We are concerned that an unsuccessful attempt to engineer adequate drainage combined with the requested 2 feet of elevation gain on the property grade will significantly worsen our current problem. We are encouraged by the architect's intention to study the feasibility of a low-height drainage system which would drain water from the property into the marsh or storm drain and thereby relieve the pressure on the neighboring properties.

We are available for additional clarification and discussion, and we thank you for your time and consideration.

Best regards, Hannes Greim & Andrea Shafer 1301 Cove Avenue, Sullivan's Island (c) 843.801.4319

Exhibit 6

DRB of Sullivan's Island,

We are writing to express our concern for the redesign of <u>1219 Cove Avenue</u>. In particular while we welcome the redesign of this house, particularly after the recent water damage to the property, we do not approve of the principal building foundation height modifications and the zoning exceptions necessary to allow this.

This height exception request if granted will have a meaningful impact on the view lines for those of us with homes on Station 13 Street that currently have limited view of the intracoastal waterway and with the redesign of 1219 Cove Avenue even that limited view will now be nearly completely cut off.

We believe that a redesign is in order, however, the height exception as shown in these plans is something we want to discuss and will ask for consideration of more modest height adjustments.

The primary issue is one of **neighborhood compatibility** given the significant number of single story and split-level homes on this part of the island. As neighbors who abut this Cove Avenue property we hope you will consider our request to reconsider the exception.

We formally request that the principal building foundation height exception is not approved by the Design Review Board.

Thank you for the work done by the DRB and the impact this board has had over the years in shaping how our island homes are built and developed.

Sincerely,

Jeff and Ruth Lloyd 411 Station 13 Street Sullivan's Island SC 29482 919.641.9100



Member Name: Steve Herlong
Meeting Date: April 15, 2020
Agenda Item: 1 Section: F Number: 7
Topic: 2302 Atlantic Avenue
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 yested interest in principal or property
Other:
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Member Signature Date
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Signature of Official Date