

Duke here are a copy of the Design Review Minutes this is only a draft if you want to look it over and let me know. I am still working on the minutes of the special meeting I hope to have them done soon. Thanks Kat

February 16 Design Review Board Minutes

Pat Ilderton called the Meeting to order at 6:00 PM.

Steve Herlong: made a motion to approve the January Design Review Board minutes.

Michael Daly: seconded the motion.

Approved by unanimous vote.

Pat Ilderton called for the first application to be heard:

Jerald Scheer presented by Bill Barr.

Bill Barr: we would like to defer until March if the board will approve. One of the reasons is that I am not well and the other reasons is that we deferred until February in hopes that city council was going to do something to the ordinance, but they have not done anything yet but are talking about doing something in March. Possibly in March we can get a better feel for where we are, that is another reason we would like to defer.

Pat Ilderton: I don't see a problem with that.

Michael Daly: Either do I. I can understand why you want to wait we told you.

Pat Ilderton: Lets vote on that.

Unanimous vote.

Bill Barr: you could probably adopt a policy like the board of zoning appeals has if you want to defer just make it an administrative ruling.

Kent Prause: I would definitely recommend against that. I think that is a terrible idea you have enough information in front of you to rule on the application, I see no point in deferring it.

Pat Ilderton: the purpose is for them to wait for the revised ordinance to get passed.

Kent Prause: What if it doesn't pass?

Pat Ilderton: than they will defer again.

Bill Barr: Under the rules we can only ask for a continuance one time.

Kent Prause: I thought that had already been done

Bill Barr: No we did not ask for the continence the board continued it.

Betty Bragg Harmon: We did.

Pat Ilderton: Can we change the rules? This is a difficult situation the rules are being formed on a regular basis. Can't this board make a rule to defer as many times as we want to?

Bill Barr: You're by laws state that you can have continence onetime for good cause shown.

Pat Ilderton: can we change the bylaws?

Kent Prause: yes you adopted them.

Pat Ilderton: we may want to look at that later and talk about it. This is a different situation because of the transitation items of the town. Mr. Scheer has been encumbered enough.

Bill Barr: A point of administration if the Board of Zoning Appeals doesn't have everyone there they will give you the option of deferring until the next meeting.

Kent Prause: that is not a real good rule.

Pat Ilderton: There is a quorum here tonight,

Bill Barr: It takes three people to approve an application what the board of zoning appeals does is all have to approve your application if you would like to defer until we have more people here you can.

Kent Prause: That is true I am offering my opinion.

Pat Ilderton: We have a couple of things to discuss the documents on reference to historical document the Design Review Manual and is there any thing else that needs discussing?

Steve Herlong: When we met on February 3, we got through the residential section.

Pat Ilderton: for reference almost all of our suggestions were adopted by council and was endorsed by Planning and Zoning So I do not see why the things we suggest will not be adopted. They do not know yet what to do with a second house. And how much sq footage and that is a single large issue that they did not solve.

Steve Herlong: We have reviewed the residential portion but did not review article VI the Design Review Board. Were they asking us to review and comment on this as well?

Kent Prause: Yes and pretty much everything.

Steve Herlong: The commercial district we were given these three packets

Pat Ilderton: We have those two articles to look at along with the Design Review Manual.

Kent Prause: I would suggest you make some decision about guidelines manual to look at that in the context as it being incorporated into the ordinance itself. The historical overlay ordinance itself. It has been adopted already. It appears that the standards that you are going to be looking at with respect to the RS and commercial district is the concept of Neighborhood compatibility which is included in the drb article 11 it has the standards of neighborhood compatibility and also what has been labeled the design guidelines in the RS and commercial district which are recommendations and are not binding upon an applicant but if they incorporate those features than it adds to the concept of neighborhood compatibility and allows you to give those modifications in the RS district in the commercial district you are pretty much going to be looking at the neighborhood comp ability issues with respect to design materials. As far as the Historic Overlay it makes reference to findings that were suppose to be promulgated in the establishment of the district and that was never done. It appears is all you have to go by are the neighborhood compatibility standards for establishing a district but it looks like just the secretary of interior standards for reviewing individual buildings, which I think that what ever decision you, make in reviewing appropriateness or inappropriateness you try to integrate that into the ordinance itself.

Steve Herlong: Town Council I assume wants to have any changes to them by the first reading?

Kent Prause: They have to as the zoning administrator I would say you have to have a prepared document to have the first reading.

Steve Herlong: Once that document is prepared are they going to have read it at the first reading?

Kent Prause: They read it by title only, but it has to be available to the public.

Steve Herlong: So between first and third readings there would be no plans to change it. Pat Ilderton: that is why they have the first reading is so that they can make changes if necessary. Things could be changed in the process of the first and second readings in the past there are items that have been pushed through so fast that there wasn't time to change things. Sometimes they have suspended the second and third readings. But I don't think that is their intention with this ordinance. They want people to discuss this and think about it.

Kent Prause: They are looking for a first reading in March, which puts it on a tight schedule. The Planning commission will meet again either on February 22 or 23 and council will I assume discuss whatever needs to be discussed. The first Monday is the 7th of March do they always have their meeting on the first Monday of the month? So they will have their discussions on any proposed changes on March 7 and the first reading at Town Council on March 15. They have hired a legal personnel to put this in a codified version to straighten it all out and I would think all of this will be accomplished by the first reading on March 15. Any input needs to happen before or at the meeting on the seventh.

Pat Ilderton: Lets look at the commercial is not difficult

Kent Prause: I think you should be happy with that one.

Pat Ilderton: I could do more in the commercial district than I could ever have done before, as far as what they are permitting. Allow ability as far as material. Is everything going to come before us? It hasn't been inserted into the ordinance has it?

Steve Herlong: A project that happens in the commercial district would it come before this board automatically?

Kent Prause: Yes, that is the operative phrase. Do all of you have this draft 2/12/05 number 2 no change the one that was handed out at the council meeting?

Steve Herlong: No I see 118/05

Kent Prause: That is one of the problems is that we have so many different draft versions. This is the one they had at the council meeting on Saturday. I'll read to you what I think is the most important phrase in it "21-47 B on the very first page number 1 states that unless otherwise specifically identified as a design standard or design guideline all the standard under this article should be considered as zoning standards. " Which are thou shalt. Number 2 says all plans for new construction in the cc district or renovations, which will change the exterior appearance within the cc district must be reviewed by the Design Review Board for neighborhood compatibility using the characteristics listed in section 21-94 and when appropriate the design guidelines listed in 21-66. It establishes the standards of neighborhood compatibility and in your discretion the design guidelines in section 21-66.

Pat Ilderton: Does it further down say what they mean by the word changes? If some one wants to paint the exterior of their building they don't have to come before us do they

Betty Bragg Harmon: Color is not included.

Kent Prause: With respect to if it is a zoning standard. No not the color of the building.

Pat Ilderton: I mean incidental items.

Kent Prause: I would say so.

Pat Ilderton I think that we should give s much discretion to Kent and Randy to approve as we can. They can make a call so the people don't have to come before the board

Steve Herlong: If someone in the commercial district is getting a repair permit and they want to say rebuild a porch and they want to use a fiberglass column instead of wood column that's not we would be judging.

Betty Bragg Harmon: In which district?

Steve Herlong: That is not in the historic district so that would not come before the DRB but if they want to deal with zoning issues that affect.

Kent Prause: Using your example I would say if they are going to repair it and put it back the way it was I would say no, but there is a provision in the accessory use that say all the building materials in the commercial district comes before the design review board. If you are going to be reviewing materials for accessory structures it seems logical that you would review materials for primary structures.

Steve Herlong: lets say that someone is wanting to repair their porch and they have a railing that is needing to be repaired and they want to change the way the railing looks now we are dealing with changing the appearance than I assume because its an appearance issue it seems to me it relates to neighborhood compatibility.

Kent Prause: these design guidelines if you feel they are appropriate, that really gives you the maximum amount of flexibility. Which is what a lot of people did not want in residential section. The commercial district is pretty limited. There is not a lot there I think that's why they felt comfortable giving you that much discretion for that area.

Pat Ilderton: they still have to come before us for small things like that?

Kent Prause: As currently written yes.

Pat Ilderton: We can at this point suggest that is more than we want to deal.

Kent Prause: I guess you can but the though for me and randy is where do we draw the line.

Steve Herlong: Where do you draw the line it can be an easy process they can easily come before us and we say ok that's fine it can be an easy process because it may be a small request.

Kent Prause: I would think so you could just say lets replace those columns with a certain type of column

Pat Ilderton: but people would have to make eight documents just to replace columns and come before the board if we can make a suggestion so they don't have to do all that work

Kent Prause: if they are going to replace it so that it isn't going to change there is no problem at all.

Pat Ilderton: I just don't think that we want to encumber our commercial people or residents whether it's a house with all this unnecessary administrative difficulties before they can get permission to do something that is relatively minor.

Steve Herlong: How would you structure it so to set a limit as to what would or would not come before us?

Pat Ilderton: I just know there are things that you can get approved downtown on a administrative level (because I have done it) on a lower level, they have people that are educated and trained downtown, that people will say this person is educated so we are willing to give him some decision making capabilities. Kent do they have that in Mount Pleasant?

Kent Prause: Michael Robinson has some.

Michael Daly: I think that Randy can do it. If someone is going to replace a railing or a column and they are dealing with like materials they can come into Randy can we replace this and Randy could give approval.

Pat Ilderton: I don't see a problem with that. Again we are not trying to make Sullivan's island more than what it is, a comfortable, nice place. We don't want it to be so prescriptive, and we don't need to be overly administrative and difficult.

Steve Herlong: So how can we propose to town council an adjustment that allows building official to make a discretionary call on what should come before us and what they can grant approval on?

Kent Prause: You cannot have an ordinance that is overly broad. One: it causes trouble and two: when some gets upset because they feel like some one else was allowed to do that they perceive as equal but really is not than you have trouble. You can't say the building official determines to what extent can be approved. You have to set some perimeters and it should be so that people can say I have a building in that commercial district and I want to know how this regulation applies to me do I have to go to the board or not? Does it go to Kent or Randy?

Pat Ilderton: I think what we can do is set a monetary limit. Anything over five thousand dollars need to come before the board, anything under five thousand you and Randy could make a discretionary decision. But you have the ability to say even though it is under five thousand dollars I think that you need to go before the board.

Kent Prause: You could put some language in there to the effect that as long as it does not alter the architectural style where it would be evident if something is so out of place with what is existing but is under five thousand dollars we could say you need to go to the board for approval. If that is ok with Larry we can come up with appropriate language **for that. We could make it either one of us.**

Steve Herlong: So that would go in section 21-48 maybe an item under B

Kent Prause: I would you would want to add a number three

Steve Herlong: My recommendation would be to add an item three under section 21-48 under B. that projects that cost less than five thousand dollars or do not change an existing architectural style or element would not need to come before the board.

Pat Ilderton: We need to have something in the interpretation of the local building inspector. Is that the only thing we need to change in this ordinance?

Steve Herlong: The commercial ordinance is fairly subjective because we are using the standards of neighborhood compatibility to judge them. It is a small district. Have we now finished?

Michael Daly: Kent do you see anything else in there that you would change?

Kent Prause: No its all planning commission items that they worked hard on to try to provide incentives to so that they would keep the buildings down low to the ground floor instead of elevating the buildings, I would leave it alone.

Randy Robinson: What about the situation that I showed you earlier. I have a man that wants to put a pool in the back yard of a structure that is brand new but it is in the historic district an in ground pool in.

Steve Herlong: It has not been permitted yet? The house was permitted prior to the establishment of this board.

Pat Ilderton: Is he over his thirty percent?

Randy Robinson: He meets all the zoning requirements>

Pat Ilderton: Are you asking if he needs to come before us?

Randy Robinson: Say that you have already ruled on two or three others in the past and you have allowed them to do it.

Pat Ilderton: I would love to say that you could just sign off

Kent Prause: I think he could probably do it if it is an in ground pool and its not attached to the principal building I think that would be something that you could exempt but if it is integrated into the structure than you need to review those.

Michael Daly: there is one built at one of the officer quarters and it doesn't look bad.

Pat ilderton: I would like to exempt the pools that are separate.

Steve Herlong: We talked earlier about landscaping and I was questioning if we are going to be dealing with landscape and fences in the historic district I was getting the impression that those would come before the design review board.

Kent Prause: They do now.

Pat Ilderton: We should not be into landscaping but a pool is a structure, in that case I feel you should be able to grant it.

Randy Robinson: But he has to put a fence around the pool, so you would have to approve the fence.

Steve Herlong: It's in the historical district I think that was decided we should see them.

Pat Ilderton; I think that Randy should be able to make a decision of the fence we do have regulations on height already I don't see why we should have to have fences come in front of us, you can make a call for items you would like us to see to come before us

Randy Robinson: it is going to take a track record of what your decisions have been before we know how your decisions are made.

Steve Herlong: It goes back to the design review manual on page twenty three there that talks about site, setting, landscaping and fence guidelines if someone is submitting a fence there is this discussion about what is appropriate or not for fencing. It grows back to the fact that we need to discuss this manual its not going to be something that we can cover in one or two meetings. Lets say that someone comes before us with a fence that meets zoning with the height and the setbacks but it's a fence seems inappropriate for that house. We need to be able to say that fence doesn't meet whatever items it helps us stay on task with the issues and we would always have the ability to override the decision.

Pat Ilderton: I think we can give the authority to the building official to make decisions on smaller items.

Steve Herlong: What are we saying that we want to give the building official authority to do?

Kent Prause: How do you want to make the decisions on these historic properties what guidelines or standards do you want to use.

Pat Ilderton: We want to judge them on Neighborhood compatibility

Betty Bragg Harmon: I think that we need to review it.

Kent Prause: By what standards?

Betty Bragg Harmon: don't they have standards in here.

Kent Prause: The things that you have now the criteria for a certificate of appropriateness and this is to much the board shall determine to grant a certificate of appropriateness based on the following.

1. Consistency of the proposed work with the applicable HP Overlay District regulation.

2. Consistency of the proposed work with the regulations of the underlying zoning district
3. Consistency of the proposed work with the findings adopted by the Town Council in designating HP Overlay district.
4. For an historic property, consistency of the proposed work with the findings in designating it a historic structure, or comparable record of findings from a state or federal listing and
5. For an historic property, consistency with the Secretary of interior's pamphlet entitled, standards for rehabilitation and guidelines for Rehabilitating historic buildings.

I think those would be the most important to include they deal with that is a lot just to have to approve something. I think that you might want to consider some of the information that Kat found on the Internet. Reconstruction and rehabilitation look at those and scrap the other. These are concise and simple.

Pat Ilderton: We need to have it as a simple as possible; I think that might be a good idea

Kent Prause: That just gets us back to answering the initial question what do you want to use for reviewing these applications that come before you. I think you need to answer that before you can decide what you want Randy and I to review. Once you establish how you want to look at the larger stuff than we can determine what is appropriate for Randy and I to look at how and what context.

Pat Ilderton: We have always talked about massing and placement of structure has been the primary concern.

Kent Prause: How about the standards that are listed under findings section 21-5E if (section 21-95E) you add something to the historic overlay district it is suppose to be looked at in this context it talks about:

1. Height, scale, or mass of buildings and structures typical of the area:
2. Architectural style(s) and periods typical of the area;
3. Building materials and colors typical of the area: I know that you do not want to include colors.
4. Landscape typical of the area:
5. Typical relationships of buildings to the landscapes or the streets in the area;
6. Setbacks and other physical patterns of building in the area;
7. Typical patterns of rooflines of buildings in the area and/or
8. Typical patterns of porch and entrance treatments of buildings in the area or height and mass of the buildings.

Maybe you would like to look at something more along those lines as guidelines for reviewing alterations. It is just coming up with some kind of standards so that people making the applications. Right now people have no standards or guidelines to go by to make a good design.

Steve Herlong: I am having a lot of trouble with the word historic because I think of downtown Charleston as historic I don't think of the older homes on the island in the same way, most of the houses have had later additions and have been significantly repaired because of storms, and so the idea of taking them back to the way they originally were, and that's what these things talk about a method of determining what was original and maintaining that. It's more just a character issue.

Michael Daly: This is very good and is general and gives you the intent on keeping the structure looking like it did historically and gives you ten items it's the standard for rehabilitation.

Steve Herlong: It lists new additions; alterations and related new construction will not destroy historic materials features or special relationships that characterize the property.

Kent Prause: If you have nothing else I think that you would want to keep those standards particularly as they relate to preservation of existing buildings if fact I think just the last one is really the only one that deals with new construction.

Pat Ilderton: Can we just adopt these?

Steve Herlong: Is it possible to for us to do away with the historic design review manual and adopt these.

Pat Ilderton: Down the road if we find that we need to make additions or alterations we can always amend it.

Steve Herlong: This looks easy to work with.

Michael Daly: Kent how would you feel in your professional opinion if we adopt that instead of the design review manual.

Kent Prause: I think that you need to adopt something to form a basis for your decision-making, and the simpler the better. I would not only think about adopting it but also including it into the ordinance.

Pat Ilderton: So when we adopt it we ask for it to be included into the ordinance.

Steve Herlong: It would be nice if we need to make changes that the Design Review Board could do so without going to town council I would like to make a motion to replace the current Design Review Manual with the secretary of standards for rehabilitation and it list items one through ten and we would use those as we review the properties in the historic district and those properties designated as protected.

Betty Bragg Harmon: I second the motion.

Pat Ilderton: Let's vote unanimous ayes have it.

Michael Daly: There are two.

Steve Herlong: One is for rehabilitation and the other one is for restoration. We just adopted the one for rehabilitation only. Rehabilitation is really what we do to all these homes.

Pat Ilderton: The typical thing will be for homeowners to either do a second home or a large addition or redo the interior of the old home.

Steve Herlong: They will still have to maintain the character features of the home. As an example deteriorated features of the older home will be repaired instead of replaced.

Kent Prause: The only other aspect you might want to look at standards for reconstruction because they are definitely instances when standards for construction or reconstruction there are vacant lots that are in the district or damaged, I guess you could use the same standards as rehabilitation.

Pat Ilderton: We can give the two page document to applicants and it will be easier for them to design what we want and it will be easier for us to look at also.

Steve Herlong: Do we want to discuss the article eleven, the Design Review Board that is the only other thing that the town council has asked us to review?

Pat Ilderton: I guess one of the biggest things for the Design Review Board is we going to see everything or substantial construction.

Michael Daly: I would say yes.

Steve Herlong: By having very restrictive zoning requirement you could build smaller homes and not come before us. It seemed we were in favor of that and when someone needed relief they would come to us. I do think that is a misunderstanding with the people who live here. When they hear the restrictive guidelines they are concerned yet the Design Review Board is going to be given the authority to grant relief from the zoning requirements only they will have to come before us with neighborhood compatibility requirements.

Michael Daly: Except that the twenty foot setbacks.

Betty Bragg Harmon: we need to look at everything in the historic district.

Steve Herlong: If it is in the first two categories on the list outside the district it has to come before us and all historical homes and all homes within the district.

Kent Prause: Traditional island resources and Sullivan's landmarks if it inside the district even if it is a vacant lot.

Steve Herlong: Do we want to make recommendation to council that the Design Review Board feels that only when someone needs relief from the standards should come before us?

Kent Prause: That is the way it is right now.

Pat Ilderton: Is there anything else we need to go over?

Steve Herlong: We talked about timelines; do they work for the town? Can we get the information to everyone in time? Bill Barr was mentioning something about time limitations; the Design review board shall take action on an application within forty-five days.

Kent Prause: Where are you reading?

Steve Herlong: Section 21-109 in article eleven.

Betty Bragg Harmon: Its Section twenty one – ninety-three B. Time limit has changed to thirty day instead of forty-five.

Steve Herlong: Some of the time limitations have changed from what is in here.

Randy Robinson: it has been changes to sixty two days there was not enough time from applying to having the next meeting if there was not a quorum the first time limit would run out before you could take action. And we needed those sixty-two days.

Steve Herlong: There is also a time limit in the next section under administrative appeals what is that for? The zoning administrators decision if the zoning administrator and the owner wants to appeal to the design review board than they have only thirty days?

Kent Prause: They only need to file we don't have to take action within thirty days.

Steve Herlong: I make a motion to adjourn

Michael Daly: I second that motion.

Unanimous.