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6 MEETING OF THE SULLIVAN'S ISLAND DESIGN REVIEW BOARD

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14 DATE: November 19, 2007
15 TIME: 6:00 p.m.
16 LOCATION: SULLIVAN'S ISLAND TOWN HALL
17 1610 Middle Street
18 Sullivan's Island, SC 29482

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23 REPORTED BY: NANCY ENNIS TIERNEY, CSR (IL)
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A P P E A R A N C E S

4 DESIGN REVIEW BOARD MEMBERS:
5 PAT ILBERTON - Chair
STEPHEN HERLONG - Vice Chair
6 DUKE WRIGHT - Secretary
BETTY HARMON - Member
7 FRED REINHARD - Member
BILLY CRAVER - Member
8 CYNDY EWING - Member

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ALSO PRESENT:

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Kat Kenyon - Administrative

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Kent Prause - Zoning Administrator

Randy Robinson - Building Official

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1 MR. ILDERTON: I'm going to go ahead and
2 call us into session, because we are already in
3 session, but I will state it.

4 (Cyndy Ewing stepped out momentarily.)

5 MR. ILDERTON: We met at 1902 Middle
6 Street, and I called all of us to order, but I am
7 going to read through this for your sake, for
8 everybody's sake. So I call us into session again
9 and repeat myself, because we started at 5:30.

10 This is the November 19th, 2007 meeting
11 of the Sullivan's Island Design Review Board. It
12 is now five to six, and the members in attendance
13 are Duke Wright, Pat Ilderton, Steve Herlong,
14 Betty Harmon, Fred Reinhard, Cyndy Ewing -- I
15 think she's here -- and Billy Craver.

16 The Freedom of Information requirements
17 have been met for this meeting. The items on
18 tonight's agenda are -- and we have already met at
19 the site. We had a site meeting at 1902 Middle
20 and -- okay. So we will approve the minutes first
21 and then we will go back to 1902 Middle.

22 Does anybody want to approve the
23 minutes, or does anybody have a problem with
24 them?

25 MR. WRIGHT: Has everybody read the

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1 minutes?

2 MR. ILDERTON: Yes.

3 MR. WRIGHT: I wish the lawyer was here,
4 Clay. Is he --

5 MR. ILDERTON: No, nobody is coming.

6 MR. WRIGHT: They are not here? Three
7 things that I think we need to talk about in the
8 minutes. One is, if you read the minutes you will
9 realize how much we ramble and cross-talk and
10 don't come to concise, crisp decisions. And I
11 think we are going to have to go back and try to
12 extract from the minutes a couple of things that
13 we need to decide what we are deciding because
14 it's not clear in the minutes, in my judgment.

15 Is Tom Hines here? If you remember the
16 last meeting, he suggested that we modify the
17 process to allow audience members to comment after
18 the board has their discussion on applications,
19 and in his comments he said that this would give
20 the audience participants who were interested an
21 opportunity to become more informed on items that
22 were being discussed.

23 The bylaws outline the process. If we
24 agree with Mr. Hines to change that, we would have
25 to change the bylaws. So I raise that. It's an

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1 open item as far as I'm concerned. I think we owe
2 him an answer.

3 Does anybody have any thoughts on that?

4 MR. ILDERTON: Well, my only concern is
5 extending these meetings beyond the time of their
6 ability, endurance for the board and anybody
7 else. If you tend to get people to comment once,
8 and then they come back and comment again and
9 everybody can comment, you just -- you get a lot
10 of activity.

11 MR. WRIGHT: Well, what he is talking
12 about is just changing the order, the batting
13 order, essentially, not having audience comments
14 before our discussion, but moving them to after.
15 Because, in his view, our discussions would make
16 interested people more informed.

17 MR. ILDERTON: I don't have a problem

18 with that.

19 MS. HARMON: I don't have a problem with
20 it.

21 MS. EWING: I thought that was a
22 procedural thing that you just can't do that.

23 MR. WRIGHT: No. You were out of the
24 room. In the bylaws it's clear, in the bylaws,
25 that the order that we are using is specified in
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1 the bylaws. I guess the question I have is can we
2 change the bylaws without going through a Kabuki
3 dance?

4 MR. CRAVER: We would have to amend the
5 bylaws.

6 MR. WRIGHT: I mean, can't the board do
7 that?

8 MR. CRAVER: Yes. The board can amend
9 the bylaws.

10 MR. PRAUSE: It spells out in there what
11 you have to do. I think that you distribute them
12 in writing, and seven or eight days later, then
13 you can approve them. You can't do it on the
14 spot, though.

15 MR. WRIGHT: I just raise the point that
16 I think we owe him an answer. Either we agree
17 with him or not.

18 MS. HARMON: I have no problem with it.
19 Do you-all?

20 MR. ILDETON: It's still going to be
21 limited to two minutes.

22 MR. WRIGHT: Yeah. It's just --

23 MS. HARMON: It's the same thing.

24 MR. WRIGHT: -- where it is.

25 MR. ILDETON: Yeah, in the process.

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1 MR. CRAVER: I would probably still have
2 the public comment when we have it, and then have
3 us deliberate over it, and if somebody has
4 something else they want to stay, I would rather
5 give the chairman the discretion to allow somebody
6 to say something else as opposed to --

7 MR. ILDETON: I don't want the
8 discretion. I mean, I like a set thing to where
9 people know that it's a set thing.

10 Now, we have allowed this before. When
11 somebody has something significant to say, we have
12 allowed people.

13 MR. CRAVER: That is essentially what
14 I'm saying.

15 MR. ILDERTON: And so maybe that is my
16 discretion. Or maybe I can do that, maybe I
17 can't, but we have allowed that before. It has
18 happened.

19 MR. REINHARD: The whole purpose of
20 having the public period before our discussion is
21 so that we can listen and then weigh the
22 opportunities of the people that attend this
23 meeting. If they chime in after we have already
24 had our discussion, then we didn't have the
25 benefit of that input.

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1 MR. CRAVER: Yeah, yeah. And then it
2 becomes a debate between us --

3 MR. REINHARD: Exactly, exactly.

4 MR. CRAVER: -- and the public. And, I
5 mean, then they have something interesting to say,
6 but it shouldn't turn into a debate.

7 MR. REINHARD: I think that the bylaws
8 are written so that debate doesn't happen.

9 MR. ILDERTON: Yeah. I think you are
10 right. I mean, that is reasonable. Because most
11 of the time people who have something to say, they
12 either live next door to the house and they are
13 offended by it or they are not, or they are all
14 for it or not, or they just -- you know, and I
15 think maybe we ought to leave it like it is.

16 And then, like I say, maybe I will just
17 have the discretion and I won't be able to pass an
18 amendment or something.

19 MR. WRIGHT: I am not for it or against
20 it. I am just making the case.

21 MR. ILDERTON: Well, we do. A lot of
22 times people speak up because they live next door,
23 and we need to know that the next-door neighbor
24 either approves or likes it or doesn't like it.

25 MR. CRAVEN: It seems to me that that is

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1 the kind of input we want beforehand. But the

2 kind of input that you are exercising your
3 discretion on is that the applicant has something
4 else to say.

5 I think it behooves us to hear from the
6 person whose house it is that is being affected if
7 they want to add something after they have heard
8 discussion, especially if there is an issue that
9 we raise that we want an answer to. We may want
10 them to say something. We have asked questions of
11 them many times during our deliberations. I don't
12 think we can change the bylaws.

13 MR. WRIGHT: For the record, then, let's
14 state that we will -- we have discussed Mr. Hines'
15 recommendation and have decided to leave the
16 process order as it is, period.

17 MR. ILBERTON: What else?

18 MR. WRIGHT: The next item was, at the
19 end of last month's meeting we had a long and
20 painful and convoluted discussion regarding
21 whether or not the board can meet outside the
22 regular board meeting without public notice.

23 MR. CRAVEN: It cannot.

24 MR. ILBERTON: Well, that has been
25 determined it cannot. Kent was right, as he
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1 usually is.

2 MR. WRIGHT: Then that needs to be
3 clarified in the record, that the board, as a
4 board, cannot meet outside this meeting without
5 calling a formal board meeting which requires a
6 formal notification.

7 MR. ILBERTON: That is correct.

8 MR. WRIGHT: That was not clear in the
9 minutes.

10 MR. CRAVER: Well, it's the Freedom of
11 Information Act requirement that has to be
12 complied with.

13 Now, I don't remember whether our bylaws
14 provide for a specific amount of notice. That
15 would be the -- that would be that issue.

16 As within the board members, every board
17 member is entitled to be there and they are
18 entitled to the notice. But then the public is
19 entitled to be there, and they are entitled to the

20 Freedom of Information Act notice.

21 MS. KENYON: It's 15 days advertised
22 before the meeting and ten days to hang a sign
23 before the meeting. That is the requirements.

24 MR. WRIGHT: Okay, period.

25 The second item had to do with

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1 discussion regarding whether or not it was a good
2 idea for one or two board members to review the
3 applications immediately after the cutoff date to
4 determine whether or not they were completed to
5 prevent the board, in session, from wasting a lot
6 of time going through to determine whether or not
7 they are complete.

8 We didn't really decide on what to do
9 about that, and I'm not sure how the board feels
10 about it, whether we just want to receive the
11 applications as they come in to the Town and just
12 pass through to us at our board meeting rather
13 than a preliminary screening.

14 How does the board feel about that?

15 MR. ILDERTON: Well, they are screened.
16 The applications are screened.

17 MR. WRIGHT: They are just passed
18 through.

19 MS. KENYON: Can I say something?

20 MR. ILDERTON: Yes, sure.

21 MS. KENYON: It is the board's
22 responsibility, if you don't think an application
23 is complete, then when you get here, before you
24 start, it's your responsibility to say, no, we are
25 not going to hear this tonight because you have

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1 not completed it. If you do that a couple of
2 times, I can guarantee you people will make sure
3 that they are complete.

4 MR. HERLONG: Well, the idea about doing
5 that as a courtesy to applicants so that they
6 don't have to wait another month to find that they
7 needed an additional document, let's say, to be
8 submitted; that the thought was it would be a
9 courtesy to allow people to fill in the blanks and
10 add the information that maybe was not provided.

11 But the concern was that you have two

12 board members making some decisions that maybe the
13 entire board or administrative staff may not agree
14 with. That is the concern.

15 MS. KENYON: Well, and you guys have
16 done a really good job on the applications. I
17 mean, you are pretty straightforward.

18 MR. HERLONG: But we do still get
19 incomplete applications.

20 MR. WRIGHT: Yes.

21 MR. ILDERTON: And I think we just
22 need -- this board has the latitude to say this is
23 close enough. We are not dealing with -- I mean,
24 you know, we need the courtesy of dealing -- we
25 have got clients, and we have got the homeowners

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1 that are like clients, anyway, and we need -- we
2 have -- if we get a really bad application that is
3 totally disregard and sloppy, then we have the
4 right to say we are not going to accept it.

5 Now, if we get one that is almost
6 complete, but there's something, you know, then we
7 may or may not. I mean, we have the discretion,
8 you know.

9 But I don't think we ought to make a
10 blanket if it's not 100 percent right every time,
11 then go out, you know.

12 MR. WRIGHT: I agree.

13 MR. ILDERTON: We have a discretion to
14 give people the benefit of the doubt. And because
15 they shouldn't have to hire professionals to come
16 before this board.

17 MR. WRIGHT: Okay. And I think -- does
18 anybody have any other feelings on that issue? We
19 will close it out. I just --

20 MR. REINHARD: I think if you make a
21 valiant effort to fill in this form -- and it is a
22 checklist. It includes just about everything that
23 we would ever want to know about an application.

24 And if they do a decent job of filling
25 in what they know, if we have a question on

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1 something, rather than saying it's incomplete we
2 can ask the question. And if they have an
3 appropriate answer, then we can move forward. But

4 if they just sign it and don't fill anything out,
5 then it's incomplete.

6 MR. WRIGHT: Okay. For the record, to
7 clarify the convoluted minutes of the October
8 meeting, the board has determined that there will
9 be no pre-review of applications and they will
10 come to the board as submitted. Thank you.

11 MS. KENYON: Thank you.

12 MR. ILDERTON: Do we have any other
13 comments on the minutes?

14 MS. HARMON: I have a question about the
15 minutes, but I am going to get with Kat, so I am
16 going to abstain from voting.

17 MR. ILDERTON: Okay.

18 (Ms. Harmon will abstain from voting on
19 the approval of the minutes.)

20 MR. ILDERTON: Do I hear a motion?

21 MR. REINHARD: Move for approval.

22 MR. ILDERTON: Second?

23 MR. CRAVER: Second.

24 MR. ILDERTON: Discussion? Everybody in
25 favor, aye?

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1 (All hands raised except Ms. Harmon.)

2 MR. ILDERTON: All right. Minutes are
3 approved.

4 1902 Middle Street, add structure to
5 historic list and addition to that structure.

6 MR. HERLONG: I'm recusing myself from
7 this discussion.

8 MR. ILDERTON: Got you.

9 (Mr. Herlong recused himself.)

10 MR. ILDERTON: Kent, this is back before
11 us, right?

12 MR. PRAUSE: Yes.

13 MR. ILDERTON: We heard it last month
14 and we deferred it?

15 MR. PRAUSE: Correct, for a site visit
16 and also to clarify some issues. It's back to you
17 again as far as the issues with respect to putting
18 the smaller house on the list.

19 And how that can be accomplished is
20 through Section 21-149(h) in the code that
21 basically says that if a building is historic, and

22 it's a nonconforming use, then it becomes
23 conforming in all respects. So that would allow
24 it to be added on to, subject, of course, to the
25 other provisions that apply to it.

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1 And so what they have for you tonight,
2 after your site visit, is a form that they filled
3 out requesting it to be added, and they have
4 circled at least two of the eight items of which
5 you should make some specific findings if you
6 agree to put it on the list with respect to that
7 aspect of it.

8 And then they have also, of course,
9 submitted plans to add onto the house, and they
10 are seeking final approval in that regard.

11 So I think you should, obviously, first
12 address the issue of adding the building to the
13 list; and, if that is appropriate, then proceed to
14 entertain the request to add onto it.

15 MR. ILBERTON: Great. Thank you. Yes,
16 ma'am?

17 MS. NELSON: Layne Nelson with Herlong
18 Architects.

19 I just wanted to -- I agree
20 wholeheartedly with Kent. I think the easiest and
21 clearest way to do this is to separate this.
22 First, address whether or not we believe the
23 cottage is historic, and then, second, deal with
24 whether or not what we plan to do with it or
25 propose to do with it is compatible with the

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1 neighborhood.

2 I did want to -- as we know, this was
3 deferred. I wanted to kind of address real
4 quickly two comments that were made at the last
5 meeting when we were discussing this.

6 One was that so much has happened with
7 this property, we just can't even imagine
8 entertaining something else with it. And, yes, a
9 lot has gone on with this property. But I want to
10 clarify that everything negative, that was a
11 negative issue with this property, was done with a
12 previous owner.

13 The building outside of what was

14 permitted, exceeding the 50 percent rule,
15 requiring it to be raised, the Board of Zoning
16 Appeals, all of that was the previous owner.

17 The new owner, since they have taken it
18 on, have reduced the principal building square
19 footage, reduced the principal building coverage,
20 reduced the elaborate pool and deck. And I just
21 want to make sure that we are reviewing the
22 property tonight outside of that shadow, or out
23 from under the shadow of the previous owners.

24 The second comment, too, was just a
25 comment about whether or not we should look at
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1 this because we are intending to add on to it, and
2 that was our reason for wanting it to be
3 considered historic.

4 Again, we think that it has merit. We
5 wouldn't be here if we didn't. We could have come
6 and just asked to have it studied to be put on the
7 list and come back to you later with what we plan
8 to do, but we didn't feel that was the right thing
9 to do.

10 We came with full disclosure, with a
11 full set of plans showing our intent, and our just
12 wanting to look at this property on its own merit
13 to be included on the list.

14 And, to address that, you have seen it.
15 You know from our submittal that we feel that at
16 least Number 5 and Number 7 from Section 21 and --
17 21-194 apply to this house; Number 5 being that
18 individually, or as a collection of resources, it
19 embodies distinguishing characteristics of a type
20 style period or specimen in architecture and
21 engineering.

22 And then Number 7 represents an
23 established and familiar visual feature of a
24 neighborhood or of the town.

25 We read in the Schneider's Historic
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1 Survey that this was constructed about 1900. It
2 is in the Sullivan's Island historic district and
3 was given a historic designation of Number 230 and
4 classified as altered.

5 I know we have had lots of discussions

6 as to whether an altered structure is protected or
7 not, whether it's historic or not, and I know that
8 there are differing opinions on that. But it was
9 given a number and considered, also.

10 The survey also comments that it has
11 potential for National Register Historic District,
12 and says that it is representative of the modest
13 homes built in the 19th and early 20th Centuries,
14 which speaks to Criteria Number 5.

15 And I think I will just stop right there
16 and let you guys ask your questions and have your
17 comments from what we did at the site visit, and
18 depending on the outcome of that, move on to the
19 next part of our presentation.

20 MR. ILDERTON: Well, Layne, you
21 finished, essentially, your presentation of this
22 part of the --

23 MS. NELSON: On whether or not to
24 consider it historic.

25 MR. ILDERTON: Right, if it's historic
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1 or not.

2 So let me ask for any public comment.
3 Is there anybody here that would like to comment
4 on this application? All right. So the public
5 comment section is closed.

6 And, Kent, do you have anything final to
7 say?

8 MR. PRAUSE: No.

9 MR. ILDERTON: Randy?

10 MR. ROBINSON: No.

11 MR. ILDERTON: Great. Now, let's just
12 have discussion. We will just run down this way.

13 MR. WRIGHT: You want me to start off?

14 MR. ILDERTON: Start off and then I will
15 run --

16 MR. WRIGHT: I believe it's worthy of
17 serious consideration to be added to the historic
18 list. I think it's a fine example of a cottage
19 constructed at that period, in that period, and I
20 believe it should be added to the list.

21 MR. ILDERTON: Not much of the house,
22 the skin of the house, nor the roof of the house,
23 nor the lattice of the house or the foundation of

24 the house is historic, but the size of the house
25 and where it's placed on the lot is historic, and
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1 probably inside it is, some of the guts of the
2 house.

3 And I think the size is very important.
4 Nobody is going to build these kind of houses
5 anymore on Sullivan's Island. They are lost to
6 what people really could do and would want to do
7 now. And so I also think it should be considered
8 for the historic list, if nothing else, because of
9 where it sits, how it sits and the size it is.

10 And even though a lot of the exterior
11 windows and siding is not historic, but still I
12 think the size and the way it sits on the lot is,
13 and so I think we ought to consider putting it on.

14 Betty?

15 MS. HARMON: I agree with Pat.

16 MR. REINHARD: I agree.

17 MS. EWING: I don't feel that I have
18 enough information to make a determination at this
19 point, and I have serious concerns about putting
20 the house on the list and then adding additions on
21 to it.

22 The front structure has already been
23 lost. David Schneider's, the house is now listed
24 as integrity lost and it has no historic value.

25 And as the Deveaux house, the gate house
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1 is also -- no historic integrity whatsoever
2 because of adding additions on and the house has
3 been so altered.

4 So I really don't see -- I know we are
5 being asked to consider whether it should be
6 placed on the list, but I have concerns about
7 placing it on the list only to grant extra square
8 footage so that it can be altered. And then
9 basically what we would be doing would be creating
10 a home that is absolutely nonhistoric.

11 And forgetting this addition part, I
12 don't believe as a board that we can really
13 make -- I think there are some other things that
14 we should check out to discover.

15 Pat, for instance, says that the

16 exterior siding is not historic. The windows are
17 not historic. Well, then what is historic about
18 this home? And I think we need to either defer
19 this until a next meeting and contact previous
20 owners and find out when extra siding was put on
21 and if they can help us determine.

22 I have looked at the Sanborn maps, and
23 they can take you only so far. So I, at this
24 point, with the information I have, would have to
25 not place it on the historic list.

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1 MR. ILDERTON: Billy?

2 MR. CRAVEN: I have mixed feelings about
3 it. I don't disagree with what Cyndy says. This
4 could be a first.

5 MS. EWING: I think it's the second.

6 MR. CRAVER: Maybe we have agreed
7 before.

8 I don't disagree with what Cyndy is
9 saying. I believe, though, it has a flavor of an
10 old Sullivan's Island house. I can't disagree
11 with Pat's comment that nobody is going to build
12 houses like this anymore.

13 I wish there were a designation that was
14 something between historic and just wide open for
15 destruction, which was like Traditional Island
16 Resource, so that we could designate something as
17 having an historic flavor, but so that once we do
18 it, that you don't turn around and say, okay,
19 well, now that this is historic you can't change
20 anything. Because I would take whatever action
21 was necessary to preserve this nifty little
22 cottage, but allow them to do some things to it to
23 make it more functional.

24 So if calling it historic allows us to
25 preserve it, I'm willing to do that. But I, at

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1 the same time, don't believe that it takes on an
2 antique flavor that doesn't allow you to change
3 this historic cottage.

4 So I would probably vote to call it
5 historic. But, in doing so, I am not in any way
6 saying that anything about it is sacred as far as
7 going in and being able to improve it.

8 MR. ILDERTON: Thank you. Do I hear a
9 motion?

10 MR. WRIGHT: I move that we approve the
11 application to declare this cottage as a historic
12 property based on the criteria covered in the
13 presentation items 5 and 7 in Section --

14 MS. NELSON: 21-94 or 194?

15 MR. WRIGHT: -- 21-194.

16 MS. NELSON: Is 21-94 the correct
17 section?

18 MR. WRIGHT: We just need to get the
19 number here.

20 MS. NELSON: It's 21-94. I think I
21 misspoke earlier and said 194.

22 MR. ILDERTON: Do I hear a second?

23 MR. REINHARD: Second.

24 MR. ILDERTON: Discussion?

25 MS. EWING: I just want to add -- read
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1 into the record the description on the Schneider
2 Survey of the tenant house to the north with a
3 gabled V-crimped metal roof, a shed addition to
4 the rear, wood weatherboard siding, six over six
5 windows, screen porch and a raised foundation,
6 which appears to be renovated around 1980.

7 And I just ask the question again, if
8 the exterior is thought by some to not be
9 historic, if the roof is not historic, if the
10 windows are not, and then we are going to vote
11 this historic and allow the small charming tenant
12 house or dependency to be changed and so severely
13 altered, what then is historic?

14 MS. NELSON: Am I allowed to answer?

15 MR. ILDERTON: We can have discussion.

16 MS. NELSON: Is that a yes?

17 MR. ILDERTON: Yes, yes.

18 MS. NELSON: Just as a point, when we
19 were discussing 2101 Pettigrew, we knew that none
20 of that fiber was historic fiber. We knew that it
21 had been renovated. I believe Ilderton
22 Contractors did a lot of that renovation.

23 So, again, the siding was new. It had
24 been renovated. This has been raised and
25 renovated, but we put 2101 Pettigrew on the list

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1 because it represented a familiar scene, you know,
2 on Sullivan's Island, because a particular builder
3 had built it.

4 I think that Pat's comment about it
5 being a familiar, very familiar little cottage,
6 the fact that there are very few of them left, and
7 that it is characteristic of the 1900s, you know,
8 early 20th Century, is at least meeting some of
9 these criteria. Not that it's --

10 MS. EWING: I understand. 2101 I voted
11 against. And it was -- I mean, it is no longer a
12 historic building once it's rotated 180 degrees
13 and moved and has the addition. So, anyway --

14 MS. HARMON: My problem is that -- this
15 is my thinking. I think we ought to save the
16 building, the little house.

17 My problem is that I do not think there
18 should be an addition to it because then you have
19 altered it even more, and so you are changing what
20 we are putting it on the list for tonight for what
21 it is now. But then when you add an addition to
22 it, then you have a totally different look.

23 So that is the way I feel. If we add it
24 to the list, I do not want any alterations. I
25 don't want the addition added on on the back.

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1 MS. NELSON: Can we discuss that at the
2 next --

3 MS. HARMON: I am saying those are my
4 thoughts.

5 MR. WRIGHT: I have a question. I
6 believe if we do not designate this cottage as
7 historic, it could be torn down tomorrow, is that
8 correct?

9 MS. NELSON: I believe the application
10 still has to come before the board, but --

11 MR. WRIGHT: But, I mean, it is
12 eligible?

13 MS. NELSON: Yes.

14 MR. WRIGHT: It could be demolished?

15 MS. HARMON: Is that right, Kent?

16 MR. PRAUSE: Is it in the district?

17 MR. ROBINSON: It's in the district.

18 MR. PRAUSE: They would need to get your
19 permission to do it. I mean, they couldn't come
20 in and get a demolition permit. We would give it
21 to them so they could do it.

22 MR. WRIGHT: They would have to come
23 here for it?

24 MR. PRAUSE: Correct.

25 MS. NELSON: If we did, and the board
0028

1 opted to not allow the demolition, would they not
2 then have to declare it historic and that would be
3 the reason that they were allowed to prohibit the
4 demolition?

5 MR. PRAUSE: I don't know. We need to
6 look at that a little more closely. Too bad our
7 lawyer is not here tonight.

8 MR. WRIGHT: I would just hate to see it
9 demolished. It just has, as we have talked
10 before, the character of Sullivan's Island. The
11 small cottages are going to be -- even with some
12 modifications, we should preserve it.

13 MR. CRAVEN: That was my whole point
14 earlier, is that -- and I think it was Pat's.
15 Even though this has been substantially altered,
16 that it's a neat little cottage, and I would call
17 it a Traditional Island Resource, and it doesn't
18 mean you can't change it, but if we can keep it
19 and keep something that looks pretty much like it,
20 even changed substantially to make it even better,
21 is worth preserving it to me.

22 MR. ILBERTON: I would like to call for
23 a vote. Everybody in favor?

24 (All hands raised except Ms. Ewing.)

25 MR. ILBERTON: Everybody opposed?

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1 (Hand raised by Ms. Ewing.)

2 MR. ILBERTON: Thank you. On to the
3 next section. Kent, do you need to say anything?

4 MR. PRAUSE: No, I don't.

5 MS. NELSON: When we looked at the
6 cottage, the owners came to us, they had just the
7 idea to make it minimally more functional than it
8 is, a little bit more aesthetically pleasing.

9 We again went back to the historic study

10 trying to figure out what the history of the house
11 was. And from that, and kind of our review of the
12 property, we feel that what was most altered was
13 this east elevation, the rear elevation.

14 We can't really tell if it was a porch
15 and a shed addition or a porch that was just
16 enclosed, but we feel like it was kind of done out
17 of necessity, and not well. And that elevation
18 has pretty much suffered from it. It's almost
19 kind of lost its connection to the main house. If
20 this was the main house and a guest house, you
21 really don't get much of an inviting sense.

22 When we looked at the function of the
23 plans, we realized that it's very, very poor. The
24 owners' one request was could we possibly find a
25 place to put a little dining table, somewhere

0030

1 where you can actually sit and eat. It has two
2 bedrooms, you know, let's see what we can do with
3 it.

4 So, in doing so, we looked at it and
5 decided that if we could add -- I think if we
6 added 87 square feet and reconfigure it, we could
7 get the room that we needed. So we proposed to
8 add the 87 square feet along the back, not running
9 it the length of the original building.

10 We did it deliberately to allow for a
11 modest six-foot wide wraparound porch. We think
12 that there was a porch originally on that side of
13 the house. We feel that a porch and steps on that
14 side help it relate, again, to the main house on
15 the property and make it more inviting as well.

16 It takes the heated space and tucks it
17 back up under that porch roof, keeping it from
18 looking so solid and looking larger than it needs
19 to be.

20 And that is basically what we have done
21 and what we have asked for, and we feel that it's
22 very in keeping. We deliberately did not show the
23 front elevation because there is no intent to
24 change the front elevation whatsoever.

25 There will be some repair with like kind

0031

1 materials piecing what is rotted back together

2 with like kind materials. But outside of that, no
3 change to the front elevation at all.

4 MR. ILDERTON: Great. Thank you. Is
5 there any public comment on this section of the
6 application? The public comment section is
7 closed.

8 Any other comments from Kent or Randy?

9 MR. PRAUSE: No.

10 MR. ROBINSON: No.

11 MR. ILDERTON: All right. Billy, what
12 do you think?

13 MR. CRAVEN: I like the plan. I think
14 it's a minimal addition. I don't think it changes
15 the character at all. There is nothing sacred
16 about the box that is there now, and it makes it
17 much more usable. I would approve the request.

18 MR. ILDERTON: Cyndy?

19 MS. EWING: I think everybody knows what
20 I'm going to say. The Sanborn map clearly shows
21 they never had a porch in the back and it did have
22 a porch in the front. And, again, for all the
23 reasons I stated before, I would not be in favor
24 of granting this.

25 MR. ILDERTON: Fred?

0032

1 MR. REINHARD: I think this is a nice
2 way to preserve a historic small cottage. I'm
3 okay with it.

4 MR. ILDERTON: Betty?

5 MS. HARMON: I'm not in favor of the
6 addition.

7 MR. ILDERTON: I think the design is --
8 I mean, it's going to make the house look better,
9 live better. Is it 87 square feet?

10 MS. NELSON: That we are adding.

11 MR. ILDERTON: Yeah. I mean, it's
12 relatively small. And why penalize the
13 structure? And it's on the back of the house.

14 I mean, historically, in Charleston, if
15 you are considering most places like downtown
16 Charleston and all, when it gets to the back of
17 the house, they are very easy on folks, what they
18 want to do to the back of their houses. It's not
19 on the front.

20 So all of that being that it is, I don't
21 see a problem with the addition and the wraparound
22 porch. It would be on the back of the house.
23 It's really going to make the house look very nice
24 and live very nice. And I don't think this board
25 should be in a position of just because people
0033

1 want something, I don't know, that we ought to be
2 so hard and fast. We need to be, whenever we can,
3 on the side of good architecture and good living,
4 which I think this house would be better off as
5 it's drawn.

6 Duke?

7 MR. WRIGHT: I agree. I think -- again,
8 I go back to my point. The street elevation is
9 not changed, and that, to me, is the interesting
10 part, the historic preservation of this house.
11 And the side, from the street, elevation is not
12 changed significantly with this small addition,
13 and it's protected by shrubbery on the north side,
14 so I don't have any trouble with this.

15 MR. ILDERTON: Do I hear a motion?

16 MR. CRAVER: I move that we approve --

17 MR. ILDERTON: Second?

18 MR. CRAVER: -- the requested changes.

19 MR. ILDERTON: Any discussion? All for
20 a vote? Everybody in favor?

21 (All hands raised except Ms. Harmon and
22 Ms. Ewing.)

23 MR. ILDERTON: Anybody opposed?

24 (Hands raised by Ms. Harmon and Ms.
25 Ewing.)

0034

1 MR. ILDERTON: Thank you. 2851 Jasper
2 Boulevard, request Jasper Boulevard to be restored
3 as principal building primary facade, and addition
4 of a pool.

5 MR. ILDERTON: Kent, what do you think?

6 MR. PRAUSE: This item was before you
7 once before, and you have gotten a copy of the
8 certificate of appropriateness and the minutes
9 that went along with it.

10 And it was really to allow the Design
11 Review Board to make a designation of what the

12 front of a house is to achieve greater
13 neighborhood compatibility, and the previous
14 owners wanted to install a pool on the Jasper
15 Boulevard side, and --

16 MR. WRIGHT: Which one are we doing?

17 MR. ILDERTON: 2851 Jasper Boulevard.

18 MR. WRIGHT: Oh, these are out of order.

19 MR. ILDERTON: Okay.

20 MR. PRAUSE: Just to put the pool on the
21 Jasper Boulevard side. And the board basically
22 made the determination that the front of the house
23 faced Station 28-1/2, which the ordinance requires
24 the pool to be 20 feet back from the primary front
25 facade of the house, which is Station 28-1/2, and
0035

1 that would put the pool on the Jasper Street side
2 of the lot.

3 They sold the house, and the new owners
4 don't want the pool there, so they are coming back
5 to you to try and get you to say that the front
6 facade of the house is now on the Jasper Boulevard
7 side, that would then allow them to put the pool
8 on the Station 28-1/2 street side.

9 MR. ILDERTON: I see.

10 MR. PRAUSE: That is why we are here --
11 they are here.

12 MR. ILDERTON: Good deal. And that is
13 why Mr. Barr is here.

14 MR. BARR: Good evening. I'm Bill Barr,
15 and tonight with me is Peter Naylor, who is the
16 owner. His wife, Natalie, is with the children.
17 And Bob Ables is here, who is the landscape
18 architect who has designed the pool arrangement
19 that you see on your plans.

20 Kent is right. Basically we are asking
21 you to unwind what you did back in November
22 of '06. As Layne stated earlier, I hope you won't
23 hold it against me what the previous owner did,
24 because essentially the previous owner, in their
25 interest to have a pool on Jasper Boulevard, for
0036

1 whoever knows what, asked the board to change the
2 orientation on the street address of this house
3 from Jasper to Station 28-1/2.

4 The ordinance itself says that on a
5 corner lot such as this the lots are supposed to
6 face Jasper and phase -- excuse me, face the marsh
7 and face the ocean. And so the reason the
8 original owner came in to begin with was because
9 it constructed the house.

10 And the way the ordinance read, the
11 front of the house was facing Jasper Boulevard
12 because that was the marsh direction in accordance
13 with the ordinance.

14 So what we are asking now is to unwind
15 what you did back in November of '06, let the
16 house be restored to its original configuration,
17 and then Dr. Naylor and his wife would like to
18 build a pool in the area which is designated on
19 the plan before you tonight.

20 The decision, I think, with the previous
21 owner to put the house at the other end towards
22 Jasper was really sort of inconsistent with the
23 layout of the house because on the side toward
24 Jasper is where all the bedrooms, et cetera, are,
25 and on the side toward that is closest to the
0037

1 ocean is where the kitchen, living quarters and
2 such as that are.

3 So the design is to re-orient the
4 driveway and then place the pool in the location
5 that it is right there. And that's the plan.

6 Bob Ables is here with me tonight. He
7 designed the pool. The request tonight is for
8 actually conceptual, if you were to allow the
9 re-orientation of the house, would be to ask for
10 conceptual approval of the pool.

11 But I asked Bob earlier, I said, Bob,
12 looking at the checklist for final approval, is
13 there anything really on there that would really
14 be necessary to come back to the board, and he
15 indicated negatively.

16 I know there was some discussion earlier
17 about amending the applications once the process
18 has started, but I hope this board won't come like
19 the highway department was and keep running me all
20 the way around to get to square one.

21 That is essentially the plan. Bob

22 has -- and, really, it's as simple as Ken stated,
23 that we want to unwind what you did before. Thank
24 you.

25 MR. ILDERTON: Thank you. Duke?

0038

1 MR. WRIGHT: I have no problems with --

2 MR. ILDERTON: I'm sorry. Public
3 comment on this? The public comment section is
4 closed.

5 MR. WRIGHT: I don't have a problem.

6 MR. ILDERTON: I don't have a problem
7 with the application. Steve?

8 MR. HERLONG: I have no trouble at all.
9 I think it faces -- it's putting it on, actually,
10 the correct side. It would face south. And the
11 pool would be oriented to the south and to the
12 southwest breezes, so this is the better
13 location.

14 MS. HARMON: I like the location, but
15 I'm trying to figure out where the new driveway is
16 going to be.

17 MR. ABLES: I believe it's shown on Page
18 2.

19 MS. HARMON: Okay. That's fine.

20 MR. ILDERTON: Fred?

21 MR. REINHARD: I don't have a problem
22 with it. I mean, it's a good place for the pool.
23 But it seems odd that we are -- why don't we just
24 give them a variance to put the pool there rather
25 than saying the front of the house isn't really

0039

1 where the front of the house is?

2 MR. ILDERTON: I don't know. I mean, I
3 don't know if we can do that. I mean, maybe we
4 can, but I --

5 MR. REINHARD: Well, it sounds silly.

6 MR. ILDERTON: Yeah. Well --

7 MR. REINHARD: I'm okay with the pool
8 being where it is. The principal building
9 frontage is somewhere other than 28-1/2 sounds
10 ridiculous, but I'm all right with it.

11 MR. ILDERTON: Cyndy?

12 MS. EWING: I don't have a problem.

13 Although, again, I will state basically what I

14 said the last time when this came before us. I
15 hope the Design Review Board is not used to work
16 around the yard setbacks, which is clearly what
17 this is a matter of. But I don't have a problem.
18 It looks good to me.

19 MR. ILDERTON: Billy?

20 MR. CRAVER: I don't have a problem with
21 it.

22 MR. ILDERTON: All right. Do I hear a
23 motion?

24 MR. WRIGHT: I move that the application
25 be approved as submitted.

0040

1 MR. ILDERTON: Second?

2 MR. HERLONG: Second.

3 MR. ILDERTON: Discussion? Everybody in
4 favor?

5 (All hands raised.)

6 MR. ILDERTON: 2708 Goldbug, addition
7 and renovations to a historic property. 2708
8 Goldbug.

9 MR. HERLONG: I am recusing myself from
10 this discussion.

11 (Mr. Herlong recused himself.)

12 MR. PRAUSE: This one is coming back to
13 you again as well. There have been at least two
14 occurrences. The first was denied for a lack of
15 specificity back on May 27th of 2005. And the
16 second, I believe, it was probably deferred for
17 further study.

18 At that time I believe they were going
19 to rotate the house and add -- the existing house
20 and add onto it. But now they have come back with
21 a treatment that leaves the house in its
22 current -- or its current existing location and
23 adds to it.

24 They are also asking, per their
25 application, for a 20 percent increase in the

0041

1 principal building coverage, which you are allowed
2 to grant up to 20 percent of that.

3 They are also asking for relief on the
4 side setback of six feet, which is 15 percent,
5 which you are allowed to grant up to 25 percent

6 under 21-22. But, as Randy had pointed out to
7 me -- and, again, it's too bad our legal counsel
8 is not here.

9 But under 21-22(c), minimum side yard
10 setback, under 1 it addresses lots equal or
11 greater than 105 feet. And then under (a) it
12 establishes the setback.

13 And under 2 it says lots less than 105
14 feet measured at the front yard setback line.
15 There is an (a) and a (b), and the Design Review
16 Board relief is under (b), which appears only to
17 grant relief to lots less than 105 feet wide,
18 which this is.

19 So that is a question, and I don't have
20 the answer for it. I think the intent of that was
21 probably it should have been under 3 with no (a)s
22 and (b)s and allow the Design Review Board to
23 grant relief to both, I would assume, but I don't
24 know.

25 MR. ILDERTON: I thought that is the way
0042

1 we were working all of these months.

2 MR. PRAUSE: Yes, but it has just now
3 come up. And, as I said, I don't have a
4 definitive answer for that. Legal counsel is not
5 here to address it.

6 So, I mean, if you are inclined to grant
7 it, then we will just get a legal opinion as to
8 whether or not it does apply.

9 MR. ILDERTON: Okay, great. Yes, sir?

10 MR. HENSHAW: Jim Henshaw with Herlong
11 Architects. Tim Cook is on vacation with his
12 family and couldn't be here tonight, but we are
13 both excited about the direction that the design
14 of this house is now taking, and I think you will
15 be as well.

16 And just to expand on what Kent was
17 saying about it being brought before the board, I
18 think this is the fourth or fifth time that it has
19 been brought before the board, that the property
20 has, either by Tim Cook or by us.

21 And I would like to briefly go through
22 the history of the submittals that have been
23 brought before you just so we remember where we

24 are today.

25 Tim originally came to the board asking

0043

1 to relocate the house from its current position
2 towards Goldbug and maintain the existing
3 orientation and to construct a new home on the
4 marsh side. So move the house towards Goldbug and
5 build additions behind it.

6 We once presented a concept that would
7 move the house towards Goldbug, rotate it, and
8 build additions towards the marsh side.

9 The board has also seen versions of a
10 home that proposed to build additions to the
11 Goldbug side of the existing structure.

12 And at the most recent meeting, I think
13 it was in the June, there were comments from the
14 board and from neighbors that did not want the
15 house moved at all. They wanted it to remain
16 where it was in that dune.

17 You might recall at the end of that
18 meeting that Tim Cook stood up and asked where do
19 I go with this. But this conceptual submittal, we
20 are excited about it because we took the
21 neighbors' comments and we took the board's
22 comments, and we have designed a house that
23 respects the history of that existing structure
24 without moving it. It's staying in the same
25 place.

0044

1 The house is all on one level, as you
2 can see from the elevations and the plans, and we
3 did this to reduce the massing. And the forms
4 were articulated, as you can see in this -- can
5 you-all see that?

6 We articulated the forms so that no one
7 element of those additions was larger or
8 overwhelmed the existing cottage. And, to do
9 that, we have had a lot of turns in the floor
10 plan, as you can see.

11 Each connection to that existing cottage
12 was treated as a link, so that we didn't just
13 ramble it all into the side of the cottage. We
14 stepped it back so that it looks more like a link,
15 and you can differentiate the new from the

16 existing.

17 The approach to the property, as you can
18 see in the site plan, won't change. You are
19 basically entering the site the same way you do
20 now. And we are maintaining the existing cottage
21 as the main entry of the house.

22 We are proposing, if you look at the
23 floor plan or the site plan, we are proposing to
24 take some of the infilled porch of that existing
25 structure, those later additions, and make that
0045

1 more of an inviting entry porch.

2 The additions to the side of the
3 existing structure, as you can see here on the
4 site plan, and a small addition over here, were
5 oriented parallel to the property lines and the
6 setback lines, and we did that for a couple of
7 reasons.

8 First, it helps distinguish the old, or
9 the historic part of this property, from the new
10 when the house is done. And, two, if we had
11 maintained the orientation of the additions with
12 the existing structure it would have been skewed
13 and brought the additions out in front of the
14 existing structure and would have blocked them
15 even more.

16 So we wanted to open it up a little bit
17 so that when you are approaching from the Goldbug
18 side you see more of that existing structure. And
19 you can kind of see that in the sketch up here.

20 The parking for the house is basically
21 in the same location. Again, you enter right
22 here, except that we raised this one section of
23 the floor plan up a few feet so that we could get
24 parking underneath and hide those cars.

25 All other areas of the plan were brought
0046

1 back to the level of the existing cottage. And
2 because we raised these walls a little bit higher,
3 we wanted to treat the roof differently so it
4 wasn't a large mass on Goldbug, so we went with a
5 hip configuration.

6 Actually, I picked out -- the hip
7 configuration is very much in keeping with the

8 existing cottage, but it minimizes the mass from
9 Goldbug.

10 We are under the allowed principal
11 building square footage on the house. That was
12 another comment that the board had and a lot of
13 the neighbors had. We are under the square
14 footage, but because we spread the house out on
15 the lot to respect this cottage, we are asking for
16 relief in the principal building coverage.

17 And I think that is one of the reasons
18 that that ordinance was written, and that the DRB
19 is allowed to grant the increases when people keep
20 their houses low and don't come anywhere near to
21 the height limit. Which if you look down here on
22 this elevation, here is the maximum height limit.
23 We are keeping everything low to the ground. You
24 should be allowed some relief to do so if we keep
25 it one story.

0047

1 We are also asking for some relief on
2 the setbacks. I know you mentioned that just a
3 second ago, Kent. But what we are trying to do is
4 pull the additions away from the existing
5 structure. And, to do that, especially on this
6 side, we went to ten-foot setback on this side.
7 The total required is 40 feet.

8 And with the existing cottage being
9 right here, right here we are at 34 feet, so we
10 are asking for six feet of relief in this section.
11 But once we get past the existing structure and
12 past these trees, we can step back to the 40 foot
13 combined setback as it's written in the ordinance.

14 But, again, we are here because we are
15 trying to move things away from that existing
16 structure. We need a little bit of relief there.

17 And, again, the oak trees are a large
18 prominent feature of this lot, and we configured
19 the plan to move around those oak trees, again,
20 trying to do everything that we could to respect
21 the house and the site.

22 Overall, the design is not only
23 respectful to the existing structure. The
24 composition creates a very neighborhood compatible
25 structure. Their use of traditional forms,

0048

1 materials and massing creates a comfortable and
2 unassuming presence from both -- the marsh.
3 Because you can see here, it's very low
4 to the ground because of that dune, and from the
5 Goldbug side. And, as I said, the house is well
6 below the height limit.

7 But this solution -- and we are asking
8 for a conceptual solution -- does what the board
9 and the neighbors requested based on the previous
10 comments.

11 And while we are requesting relief, the
12 relief that we are requesting is so that the home
13 can meet those concerns of the board and from the
14 neighbors, and so that we can respect the existing
15 structure on the site.

16 MR. ILBERTON: Great. Thank you. I am
17 going to open the public comment section by
18 reading two letters and then open it to the
19 floor.

20 "To the Town of Sullivan's Island, Re:
21 2708 Goldbug. As I am unable to attend the Design
22 Review Board meeting of 19 November 2007, and
23 reside at 2678 Goldbug Avenue, which is two doors
24 down from 2708 Goldbug Avenue, I request this
25 letter be brought to the attention of the board

0049

1 members.

2 "I strongly object to this big house
3 being placed so close to the property line on the
4 south side, 2702 Goldbug Avenue, which is next to
5 me, and not adhering to the 15-foot setback.

6 "It will cut off the northern breeze
7 like a great wall. There is adequate room for
8 this house to be placed on the property without
9 having to encroach upon the 15-foot setback
10 required by the Town of Sullivan's Island. A
11 variance should not be allowed.

12 "The house is still extremely large,
13 approximately 1-1/2 times or more of those on
14 either side of it, and if allowed to encroach into
15 the 15-foot setback will also cause part of it to
16 cut into the sandhill behind it, thereby cutting
17 off the protection from any storm winds for the

18 neighborhood.

19 "I have also concerns should there be a
20 fire due to the very many old and very large oak
21 trees in the neighborhood. At the very minimum,
22 the setback rule should not be relaxed.
23 Sincerely, Elizabeth Richardson, 2678 Goldbug."
24 And another letter for 2708 Goldbug,
25 James Hiers.

0050

1 "Dear Chairman Ilderton: I live at
2 2714 Goldbug, directly next door to 2708 Goldbug,
3 and would like to make the following comments
4 regarding the current application before the DRB,
5 2708 Goldbug Avenue.

6 "After studying the most recent set of
7 submitted plans, a one-story addition, not moving
8 the existing house, I now write this as a letter
9 of support for the design of the structure.

10 "I would ask that the issue of side
11 setbacks be addressed and corrected. I believe
12 that the proposed house would be a good fit for
13 the neighborhood and that the impact on the
14 surrounding properties, as well as the oak canopy
15 and tree line, will be minimal.

16 "I would like to thank the applicants,
17 the Cooks, for addressing the concerns of the
18 neighbors with this new set of plans. I would
19 also like to thank the DRB for its patience and
20 willingness to listen to the neighborhood comments
21 regarding this property. Sincerely, James Hiers."

22 Now I open up the public comment section
23 further to anybody out here that would like to
24 comment.

25 UNIDENTIFIED VOICE: Can we see that

0051

1 picture?

2 MR. HENSHAW: Of course.

3 MS. KENYON: Please state your name.

4 MR. ILDERTON: Right. If you are going
5 to speak -- if you are going to have observations,
6 or anybody that has observations, needs to speak
7 now and identify themselves.

8 Yes, sir?

9 MR. GEER: I am David Geer. I live at

10 2702 Goldbug, which if you face 2708, we are to
11 the left, or the south.

12 We would also like to commend the
13 architects in this case, as well as the homeowner,
14 for designing a functional house, which is
15 commensurate with what is in the neighborhood.

16 We also would like the board to not
17 allow the setbacks. As it is, our house is right
18 at just shy of 15 feet from our property line.
19 This would be 11 feet.

20 We think that the privacy of the two
21 homes would be heightened if those setbacks were
22 not allowed, and we would respectfully ask that
23 this not be the setback -- the side setbacks to 11
24 feet from the property line not be approved.

25 MR. ILDETON: Thank you. Is there any
0052

1 other public comment section? Yes, sir?

2 MR. HIERS: I am Jimmy Hiers. I wrote
3 the letter. I am next door on the east side. And
4 I wanted to just follow up briefly to say that I
5 think that the architects and homeowners have
6 really done a good job of addressing the concerns
7 that the neighbors raised.

8 And it looks to me like you started off
9 with a house that, in my opinion, looked like it
10 would fit on Kiawah, and we sort of ended up with
11 a house that looks to me like it will fit on
12 Sullivan's Island.

13 And the only issue on the setbacks, my
14 neighbors certainly have a concern, the Geers,
15 about that, so I would like to see if you could
16 find a way to accommodate them. It's four feet
17 and -- on my side. It does encroach, but I'm not
18 really going to object on my side.

19 If you can find some relief for the
20 Geers, that would be good. Thanks.

21 MR. ILDETON: Thank you. Is there any
22 other? Anybody else who would like to comment?
23 All right. The public comment section is closed.

24 Kent, any final comments?

25 MR. PRAUSE: Just a couple, Mr.

0053

1 Chairman. They have on their application form

2 that they want to maintain the existing building
3 foundation height, but it's at the existing
4 elevation with respect to the current building.

5 But as it goes back, the lot changes,
6 and it's going to be higher. And it also looks
7 like the finished floor is actually moving up. Is
8 that correct, where you are parking the cars?

9 MR. HENSHAW: In that area, if you look
10 at the plan, you are stepping up just in that
11 area.

12 MR. PRAUSE: That probably is going to
13 require a variance from the Board of Zoning
14 Appeals in order to accomplish that, because
15 you-all can only grant a one-foot relief.

16 And that is probably -- it looks from
17 the drawing, it would certainly be more than four
18 feet above BFE. So I just bring that out just
19 because --

20 MR. ILDERTON: Right.

21 MR. PRAUSE: That would be a variance.

22 MR. ILDERTON: Randy, do you have
23 anything?

24 MR. ROBINSON: No.

25 MR. HENSHAW: Can I say one thing?

0054

1 MR. ILDERTON: Sure.

2 MR. HENSHAW: Regarding the setbacks, we
3 tried to balance a lot of things in the design,
4 obviously. We are only asking for the relief
5 right around the existing cottage, because that is
6 the focal point of the design, is separating the
7 structure from the existing cottage.

8 When we get less than halfway back on
9 this facade, we are stepping back to a conforming
10 setback. But we felt that this view of the
11 cottage was important enough to ask for that
12 relief just in this section so that we can get the
13 design the way it needs to be.

14 MR. ILDERTON: Fred, what do you think?

15 MR. REINHARD: I think that your drawing
16 is different from the one that we have.

17 MR. HENSHAW: Which one?

18 MR. REINHOLD: That center drawing.

19 MR. HENSHAW: This one?

20 MR. REINHOLD: The second. Our drawing
21 shows about a three-foot encroachment on the
22 15-foot setback. That shows more.

23 MS. EWING: Yours shows five feet and
24 ours shows just three.

25 MR. REINHARD: You are right on the
0055

1 line. You are right on the ten-foot line there.

2 MR. HENSHAW: On the ten there -- I
3 believe it is set back there, as shown on your
4 drawing.

5 MR. REINHOLD: This is only three feet
6 and this is five.

7 MR. CRAVEN: It would be three here and
8 three over here.

9 MS. EWING: It's -- yeah. It's --

10 MR. CRAVER: It's three on each side.

11 MR. HENSHAW: It would be a total of 13
12 and 23, so a total of -- well, actually, about
13 12-1/2 and whatever adds up to 34.

14 MS. EWING: It's 34.

15 MR. REINHARD: Oh, you are talking about
16 the total setback?

17 MR. HENSHAW: Yes.

18 MR. REINHARD: But you are only three --
19 on this side you are only three feet away from
20 being within 15 feet.

21 MR. HENSHAW: Right, in that one --

22 MR. REINHARD: It looks like it's three
23 feet.

24 MR. HENSHAW: That's right. It's more
25 in the heated square footage.

0056

1 MR. REINHARD: Why can't you just do as
2 requested by your neighbor and put it on the
3 15-foot line and give up that much?

4 MR. HENSHAW: I think we can study that.
5 I think the plan and the functionality of the
6 spaces work a lot better if there is the room to
7 do what we are showing there, but we can certainly
8 look at it.

9 MR. ILDERTON: Cyndy? Or, I'm sorry --

10 MR. HENSHAW: And, again, this is a
11 105-foot lot. I don't know if I stated that.

12 MS. EWING: Yeah. I was looking at the
13 ordinance. What are you over, 44 inches or
14 something like that?

15 MR. HENSHAW: Yeah, it's point five.

16 MS. EWING: So you are -- but I agree
17 with Fred. And I just want to say that this, to
18 me, when I opened this packet, this was just one
19 of the highlights to see where -- it just doesn't
20 happen all that often, so you guys did a great
21 job.

22 Please thank Tim and let him know that
23 we really -- I really appreciate this, and I think
24 the rest of the board does. It really -- the
25 design has changed dramatically, and it's really
0057

1 for the better.

2 I would be more than happy to say yes to
3 conceptual approval, but I would like to see the
4 setbacks. I think -- because I'm looking at the
5 kitchen, and the way you are asking, it's an 18x22
6 foot kitchen, what you are asking for. So if it's
7 a 15x22 foot kitchen, I mean, that is a nice great
8 room that they are going to end up with.

9 They are going to end up with -- and I
10 don't think it's too much of a hardship. And I
11 know you guys have come this far. It's really
12 great. So that is my feeling.

13 MR. ILBERTON: Billy?

14 MR. CRAVEN: I love the design, and if
15 we had the authority to approve it as you-all have
16 laid it out, I would say let's approve it.

17 We don't have the authority to approve
18 that change in the setback. That wasn't by
19 mistake that it says if you are less than 105.

20 The idea there, and I remember when we
21 did that, the Planning Commission, was that as the
22 width got less than 105 feet, you had to be
23 willing to give people a little bit of relief from
24 that in the setbacks. And if you are over the
25 105-foot mark, you don't get that relief.

0058

1 So while I would love to say let's give
2 you all the variance, we don't have the authority
3 to do it. I mean, that is not what the ordinance

4 says. It doesn't give us that authority.
5 So I would approve the conceptual layout
6 and everything and say you-all just need to figure
7 out how to deal with the side setback, unless
8 somebody can demonstrate that we do have that
9 authority, but I don't think we do. If we did, I
10 would approve it, but I don't think we do.

11 MR. ILBERTON: Thanks. Betty?

12 MS. HARMON: I was looking at the
13 standards of neighborhood compatibility, and the
14 setbacks do bother me. And while I think it's a
15 wonderful design, you have really come a long way
16 on this.

17 When you change the front porch, when
18 you are taking out this front part of the old
19 house and making it a porch, to me you have taken
20 away the character of the house.

21 In other words, it doesn't look like the
22 same house when you add on that porch. So I
23 couldn't vote for it for those two reasons, unless
24 you are willing to change the porch and take that
25 porch -- leave the porch off and leave the

0059

1 front --

2 MR. HENSHAW: That's not original?

3 MS. HARMON: -- leave it as it
4 originally is.

5 MR. HENSHAW: I mean the original
6 design. We can look back to the records for the
7 house, but I don't believe that infilled area was
8 original.

9 MS. HARMON: Well, that is not what we
10 are really talking about. What we are talking
11 about is this is the way the house is presented
12 today. And when you put a porch on the front, it
13 takes away from the integrity, the character of
14 the house. It no longer looks like the house that
15 it is now.

16 MR. HENSHAW: That's right. But the
17 idea was to take it back to a period when it
18 looked more like that as opposed to --

19 MS. HARMON: Well, I haven't seen a
20 picture of when it was that.

21 MR. HENSHAW: Right. We need to look

22 back.

23 MR. ILDERTON: So looking at the
24 three-foot encroachment, it affects the kitchen,
25 the laundry and the home office, is that correct?

0060

1 MR. HENSHAW: That's correct.

2 MR. ILDERTON: Because the section to
3 the back is within the 15-foot setback?

4 MR. HENSHAW: That's right.

5 MR. ILDERTON: Well, having been many
6 years ago, and it really didn't seem to hurt the
7 island that much when we had 10-foot setbacks --
8 and that was the only thing we had to worry about,
9 10-foot setbacks, and 20 or 25 on the front and
10 back and that was it. Nice and plain. Those were
11 the days.

12 And it really wasn't a horrible way to
13 look at things. Mt. Pleasant has got similar
14 zoning regulations. Nice and straightforward and
15 simple, but not us.

16 So I don't really see a problem with the
17 setbacks. The tree -- the trees break it up. Be
18 that as it may, we have heard from several folks
19 on the street.

20 And looking at the plan, it doesn't look
21 like it would be that difficult to reduce those
22 three areas by three feet, and you would still
23 have a great -- I mean, those areas would be okay,
24 and you would still have a great house. So it
25 wouldn't be that difficult to go a little bit

0061

1 towards helping the neighborhood out and giving
2 them that three feet, or at least giving them
3 something towards that. So, anyway, that is all I
4 have to say.

5 Duke?

6 MR. WRIGHT: Is that a pool on the marsh
7 side?

8 MR. HENSHAW: On this side.

9 MR. WRIGHT: Yes. That is a deck and a
10 pool?

11 MR. HENSHAW: Yes.

12 MR. WRIGHT: You are going to have to
13 pretty much clear out all the trees that are up

14 there on the north and east side to do that. And
15 there is one nice oak tree up there that I would
16 hope you could preserve, but I don't know where it
17 fits in terms of the master bedroom and addition.

18 I think the perspective you have shown
19 tonight really drives it home now to me. It's a
20 very attractive design.

21 My concern early on was keeping it as
22 low a profile as you could, and I think you have
23 done that. The porch that Betty talks about does
24 kind of bother me in terms of changing the -- the
25 original house is lost in the design, really, when
0062

1 you look at it, particularly with the porch
2 addition there. But maybe that is the way it is
3 and the way it will be. I think you have done a
4 great job of designing this house.

5 And I agree, and I think this -- I don't
6 think we should get hung up on this three-foot
7 setback. I think you can work around that, and I
8 would hope that you would, and I would vote for it
9 given that option.

10 MR. ILDETON: All right. Do I hear a
11 motion?

12 MS. EWING: Can I just ask a couple of
13 more questions?

14 MR. ILDETON: Sure.

15 MS. EWING: What is going to be the
16 height? You show the 38 feet, but it didn't show
17 what the height was going to be on the --

18 MR. HENSHAW: I don't know the exact
19 height, no.

20 MR. WRIGHT: Cyndy, both houses on the
21 right and the left are relatively high elevations.

22 MS. EWING: I know. It's just a
23 question.

24 MR. WRIGHT: But I think that was a
25 point that I was concerned about as well.

0063

1 MS. EWING: Yes. I'm just curious.
2 Conceptually, I would like to know what ballpark
3 we are in. Are we in a 28 feet? I was just
4 trying to figure out because I -- do you have a
5 ballpark?

6 MR. HENSHAW: About that. I mean, I am
7 just looking at the elevations, and 38, and there
8 is a 13 --

9 MS. EWING: Okay. And then, you know,
10 now that Betty has brought this up, the porch is a
11 concern of mine as well. So I think those would
12 be -- it would be something that if you can bring
13 it into consideration with this setback. But,
14 once again, you did a great job on the design. It
15 looks wonderful.

16 MR. ILDERTON: Do I hear a motion that
17 might take into consideration anything that --

18 MR. CRAVER: I will make a motion to
19 give conceptual approval to the design, to give
20 approval to the request for the addition to the
21 lot coverage, but to not give approval to the
22 requested change in the setback.

23 MR. ILDERTON: Do I hear a second?

24 MR. REINHOLD: Second.

25 MR. ILDERTON: Discussion? Everybody in
0064

1 favor?

2 (All hands raised.)

3 MR. ILDERTON: Anyone opposed?

4 (No hands raised.)

5 MR. ILDERTON: All right. Thank you.

6 MR. BARR: Could I make one statement
7 for the record on the previous application?

8 MR. ILDERTON: Mr. Barr would like to
9 make one statement in regards to the application
10 on --

11 MR. BARR: The previous application on
12 2851 Jasper. When I presented, I indicated that
13 the pool was conceptual. When I walked outside
14 Bob Ables said that he had checked the box that it
15 was to be a final approval.

16 The board's motion was to approve the
17 application as submitted, which would be for final
18 approval of the location of the pool and the
19 design.

20 MR. ILDERTON: Right, right.

21 MR. REINHOLD: We don't want to see you
22 again.

23 MR. ILDERTON: That's correct.

24 MR. BARR: Yes, sir. Me either. Thank
25 you.

0065

1 MR. ILDERTON: 1807 Atlantic Avenue,
2 changes to an approved design.

3 MR. HERLONG: I am recusing myself from
4 this discussion.

5 MR. ILDERTON: All right.

6 (Mr. Herlong recused himself.)

7 MR. PRAUSE: I don't have any comments
8 in that regard, Mr. Chairman. I will let the
9 applicant's representative explain.

10 MR. ILDERTON: Yes, ma'am.

11 MS. NELSON: Well, what you have in your
12 packets is the approved design and the design that
13 we are submitting now with some very minor
14 changes.

15 I did not go through and list them one
16 by one for fear that I actually might miss one,
17 and recognizing that the point here was that this
18 house is still compatible with the neighborhood.
19 I thought I would let you guys look at it.

20 I will say that there is no change to
21 the principal building square footage whatsoever,
22 or the configuration of the heated space, no
23 change to the principal building coverage.

24 If you look in your plan here you will
25 see that we did make a change to -- we reduced the
0066

1 deck. We expanded the pool. That net result was
2 an additional 39 square feet of impervious
3 coverage. We are still about 1700 square feet
4 under the impervious coverage allowable for this
5 property.

6 So no changes to the heated square feet.
7 All of this is aesthetic. Some window changes,
8 little areas of lattice. I am not sure how you
9 would prefer. If you want me to begin to start
10 pointing things out, I will be happy to do so. If
11 you guys want to just, after having looked at it,
12 ask me questions. I will let you make that call.

13 MS. HARMON: I would like you to kind of
14 point it out.

15 MR. WRIGHT: Yeah. I would rather you

16 point it out, Layne. They are so insignificant,
17 unless you really study them.

18 MS. NELSON: They are. I mean, if you
19 look at this front, the front is one of the ones
20 where we have, I guess, one of the bigger
21 changes. We have added a dormer here. That
22 dormer is to have a window at the top of the stair
23 to let some natural light up in the stairwell. We
24 reduced the door from a double door to a single
25 door.

0067

1 It's difficult to see here. You can see
2 it on yours. I believe we have added a little
3 secondary rail on the handrail. So it's a little
4 bit of a change in the design there. I think the
5 windows moved a little bit farther apart because
6 there were some trim issues.

7 I think that is about it on that
8 elevation. And that is what pretty much
9 carries -- you will see -- let's see. That is the
10 last one. Let's do this one. What carries
11 through.

12 You will see that in some instances we
13 went ahead and removed some windows because they
14 didn't work in the plan as we had hoped that they
15 would. In some areas we have taken -- like we
16 took these windows out because they didn't work in
17 the bathroom, and we had a lot of additional
18 windows already in the bedroom. We reduced this
19 from two narrower -- I mean three narrower windows
20 to two wider windows. It's the same thing here.

21 In these plans we are showing you the
22 location of the HVAC stands, which originally we
23 hadn't. I don't think it was required back then.

24 On the rear elevation, I guess the
25 handrails. Again, we had two windows here, two

0068

1 narrower windows. We have gone for one wider
2 window to get a little bit more glass, kind of
3 wider windows here, down to two in this location
4 as well. But no other change there.

5 And then on this one elevation we have
6 added some Bahama shutters. And you will see a
7 difference here in the two windows versus one

8 window. And that is a result of -- actually, as
9 we planned it, we had these great windows centered
10 on either side of the fireplace, both on the
11 inside and on the outside. And when we got to
12 dimension, then we realized it doesn't work out
13 that way in plan.

14 To center them in the room on either
15 side of the fireplace, they would be shifted. And
16 so we have gone ahead and doubled them so that we
17 at least have the symmetry on the outside and the
18 symmetry on the inside. And we have added some
19 shutters there.

20 The other issue we had, these windows
21 that we conceptually showed here are actually too
22 low for the rooms that are there, and so we have
23 raised them and, consequently, cut this overhang
24 that was about 3-1/2 feet, I think. We have cut
25 that back to allow the light to get in those

0069

1 windows.

2 Here I think we -- again, for the layout
3 of the bathroom, we have moved the windows from
4 this location out because it worked better with
5 the configuration of the bathroom. I think we
6 added a window in the little link to get some
7 natural light in there.

8 Here we do have a -- instead of lattice
9 on this side of the house, we are proposing to
10 have a screened play area for the kids underneath
11 the house. It's away from everyone. It's just
12 next to the lighthouse. We figured that was a
13 good place for them to play on a rainy day. The
14 railing changes.

15 I think that covers most of it. And,
16 again, just the 39 square feet and that difference
17 of impervious coverage.

18 MR. ILBERTON: Great. Thank you.

19 Any public comment on this application?

20 The public comment section then is closed.

21 Kent, Randy, anything to add?

22 MR. PRAUSE: No comments here.

23 MR. ILBERTON: Great. Duke?

24 MR. WRIGHT: I don't have any trouble
25 with the changes. I'm fine with it as presented.

0070

1 MR. ILDERTON: I also don't have a
2 problem with the application.

3 MS. HARMON: I actually think the
4 changes are an improvement, and I didn't think it
5 could be improved upon, so I don't have any
6 problem.

7 MS. NELSON: Thanks.

8 MR. ILDERTON: Fred, what do you think?

9 MR. REINHARD: On the west elevation
10 where you have eliminated windows -- no, you have
11 the right one.

12 MS. NELSON: This one?

13 MR. REINHARD: Yes. That is a guest
14 bathroom there and a guest suite behind it?

15 MR. HENSHAW: Uh-huh.

16 MR. REINHARD: Why did you take those
17 windows out? I know the bathroom, for privacy.

18 MS. NELSON: That was part of it, for
19 privacy, the fact that we didn't need them, and it
20 seemed like an added expense that wasn't really
21 doing any benefit.

22 MR. REINHARD: That is kind of the back
23 side of the lot, right?

24 MR. HENSHAW: Well, it's the --
25 depending on whether the street or the ocean is

0071

1 the back. It's the street side.

2 MS. EWING: It faces --

3 MS. NELSON: It faces the neighbor's
4 house.

5 MR. REINHARD: I actually like the other
6 presentation better. It's more balanced, but I'm
7 not going to make a big deal out of it.

8 MR. ILDERTON: Cyndy, what do you
9 think?

10 MS. EWING: Well, I didn't approve it
11 the first time around. I just feel the scale and
12 the mass is off for the neighborhood, so --

13 MR. CRAVER: I think you did a great
14 job. I would approve it. I kind of like those
15 windows in there a little bit better, but that is
16 a taste issue, and that isn't what we are about.
17 So I would approve it.

18 MR. ILDERTON: All right. Do I hear a
19 motion?
20 MR. CRAVER: I move we approve it.
21 MR. ILDERTON: Second?
22 MR. WRIGHT: Second.
23 MR. ILDERTON: Discussion? Everybody in
24 favor?
25 (All hands raised except Ms. Ewing.)

0072

1 MR. ILDERTON: Anyone opposed?
2 (Hand raised by Ms. Ewing.)
3 MR. ILDERTON: 1741 Middle Street, move
4 a structure located in the historic district.
5 MR. PRAUSE: That is pretty much it as
6 near as I can tell. The application says
7 demolition, relocation, removal and donation of
8 property listed at 1741 Middle Street. House
9 built in 1960. That's about all you have from the
10 submittal.

11 MR. ILDERTON: Thank you. Yes, sir?

12 MR. HARRELL: Good evening. I'm Tim
13 Harrell. My wife and I own the house at 1741
14 Middle. I brought a printout of the county
15 website that lists the -- I guess it has the size
16 and the date of the house that shows it was built
17 in 1960, and it also shows the location of the
18 house somewhat.

19 I brought a picture. This is the
20 house. You have probably seen it. It's directly
21 across from the Baptist church. It was built in
22 1960. It's basically a crummy ranch, and we would
23 like to donate the house and have it removed and
24 build something that is more in keeping with the
25 local neighborhood.

0073

1 I also have a picture of the back side
2 of the house.

3 MR. ILDERTON: Steve, we will let you
4 start off on this one since you are gone half the
5 time.

6 MR. HERLONG: I'm still here.

7 MR. ILDERTON: Oh, excuse me. I'm
8 sorry. Public comment? The public comment
9 section is closed.

10 MR. HERLONG: The only redeeming
11 characteristic is that it's small. But, other
12 than that, it just looks like it may have been a
13 brick ranch at one time. That's about all you can
14 say for it.

15 So I think you will be able to -- and I
16 am sure you must have some -- I can only imagine
17 the issues dealing with 50 percent rule problems
18 and what can you do with it. It has to be a huge
19 liability on the property. So I would have no
20 trouble at all approving that removal.

21 MR. ILDETON: I don't have a problem
22 with it at all. I will go this way now. Duke?

23 MR. WRIGHT: No problem.

24 MR. ILDETON: Betty?

25 MS. HARMON: I agree with Steve, no

0074

1 problem.

2 MR. REINHARD: No problem here.

3 MR. ILDETON: Cyndy?

4 MS. EWING: Take it out.

5 MR. ILDETON: Billy?

6 MR. CRAVER: If Cyndy says get rid of
7 it, I have to go along with her. I don't see a
8 problem with it.

9 MR. ILDETON: Do I hear a motion?

10 MR. CRAVEN: I move we approve
11 demolition of that structure -- or removal,
12 rather.

13 MR. ILDETON: Do I hear a second?

14 MR. HERLONG: Second.

15 MR. ILDETON: Any discussion? And
16 vote. Everybody in favor?

17 (All hands raised.)

18 MR. HARRELL: Thank you.

19 MR. ILDETON: And 1752 Central Avenue,
20 add roof to existing deck on historic property.

21 Kent, what do we have?

22 MR. PRAUSE: I believe this is an
23 after-the-fact request. They submitted pictures
24 of what it looks like. And this is, as you
25 mentioned, 1752 Central, request for additional

0075

1 alteration. It's designated as a historical

2 resource, Historic Survey Number 249. That is all
3 I have.

4 MR. ILDERTON: Thank you. Yes, sir?

5 MR. YATES: Jonathan Yates on behalf of
6 Dr. Gene Phillips who could not be with us
7 tonight.

8 He has put me in the uninveigled
9 position of asking for forgiveness versus
10 permission, and we apologize from the upfront.

11 What Gene had tried to do -- and I
12 brought a photo. This is not actually -- Gene
13 resides elsewhere on the island. This is a house
14 for his mother that he was working on. It's one
15 of the old bachelor officers' quarters.

16 And he admits he made a mistake. In the
17 process of getting this ready this summer, he went
18 ahead and put in about one hundred and ninety --
19 there was an existing trellis over a rear deck,
20 and he simply put a roof on top of the trellis.
21 In total, it's 196 square feet.

22 Why he made the mistake -- and I took
23 the liberty of bringing from her physician -- If I
24 may pass this.

25 Regina Phillips is moving from Florida.
0076

1 She is just recovering from non-Hodgkin's
2 lymphoma, and has gone through a series of
3 batteries this summer of chemo, which actually
4 kept her in Florida until she could get up here
5 shortly.

6 And one thing that had been brought up
7 by her physicians, she can have absolutely no
8 exposure to UV rays, but they very much wanted her
9 to be able to take some fresh air. It will help
10 with her recovery.

11 Gene admits he made a mistake, but he
12 did it on the advice of her physicians to give his
13 mother a place to go outside. The screens will
14 have the UV protection. She will be out of the
15 sun and be able to take the fresh air.

16 If you will look at where it's
17 positioned -- it's only 196 square feet. It's in
18 the rear of the property, not visible from the
19 front on Central. We do not feel that it attacks

20 the integrity of the original structure.

21 The decking and the trellis were already
22 in there. Gene just basically put in some
23 beadboard, plywood, tar paper and then shingled
24 it. We know it's not a huge request. We know
25 it's after the fact, and we apologize, but a very
0077

1 important request for Ms. Phillips if there is any
2 way forgiveness could be seen on this. It's a
3 very important request for her.

4 MR. ILDERTON: Thank you, sir. Any
5 public comment on this? Public comment section is
6 closed.

7 Billy, what do you think?

8 MR. CRAVER: Given that the trellis --
9 if this were a request to add the porch and the
10 trellis, I probably would say no because it's one
11 of the enlisted man's quarters. But given that
12 the porch and the trellis were already there, I
13 probably don't have a problem with it.

14 MR. ILDERTON: And, I'm sorry, because I
15 jumped the gun. I need to ask Kent and/or Randy
16 if they have anything.

17 MR. PRAUSE: I don't have any further
18 comment. Randy?

19 MR. ROBINSON: Yes. I just wanted to
20 let you-all know that I stopped work on this job.

21 MR. ILDERTON: Right. I figured that's
22 what happened.

23 MR. ROBINSON: I had some correspondence
24 with the owner, Dr. Phillips. He wrote me a
25 letter, but I really can hardly read it because
0078

1 it's in doctor's writing.

2 But basically he stated it originally
3 had a trellis on it, and he screened it, and he
4 apologized for doing that. And I have written him
5 tickets since then, three tickets for building
6 without a permit, building prior to a certificate
7 of appropriateness, and also building without a
8 certificate of zoning compliance.

9 MR. ILDERTON: Great. I'm sorry.

10 MR. CRAVER: I think I said everything I
11 needed to say.

12 MR. ILDERTON: Cyndy?

13 MS. EWING: So there was no -- there is
14 no permit pulled for this?

15 MR. ROBINSON: No, ma'am.

16 MS. KENYON: One would not have been
17 issued.

18 MS. EWING: Two things. I think this is
19 a very, very serious situation. And while I can
20 appreciate the reasons for wanting to do this, A,
21 I don't think as a board we really should consider
22 the health of somebody. And I really think to go
23 ahead and do this amount of work without getting a
24 permit is a serious problem.

25 And I would -- I am going to recommend
0079

1 that they take the work off because it is such an
2 important house, in a group of very important
3 houses. And, I mean -- anyway, because we would
4 not -- I would not have approved this. And I
5 really think we need to be very, very firm about
6 this. So that is my feeling.

7 MR. ILDERTON: Fred?

8 MR. REINHARD: I find it odd that a
9 trellis would have slope to it. It didn't. That
10 is all I have to say.

11 MR. ILDERTON: Betty?

12 MS. HARMON: This was just a deck
13 with -- there wasn't really a trellis over it.
14 And it had no pickets, had no enclosure at all.

15 So what they have essentially done is
16 made an enclosed screened-in porch, put on a
17 screen door, and added steps adding to the back
18 courtyard, and we did not approve of this. And in
19 the minutes it was not -- we only approved the
20 fence and the brick backyard -- I mean the brick
21 driveway.

22 And so I think we would be making a real
23 mistake if we approve this, and I would not vote
24 for it.

25 MR. ILDERTON: Steve?

0080

1 MR. HERLONG: Well, Fred, that is an
2 interesting point. And I am confused. I am
3 looking, actually, at very recent photographs. Is

4 this the house that was recently landscaped?

5 MS. HARMON: Yes, with a fence.

6 MR. HERLONG: Near the -- across the
7 street from the church?

8 MR. YATES: Yes. He's been working on
9 it all summer to get ready for his mother. And,
10 quite simply, he admits he made a mistake. It's
11 been a traumatic summer with her condition. When
12 he got the word that she needed a cover, he made a
13 huge mistake.

14 I know this is an aesthetic board, an
15 architectural board, but what I'm asking for is
16 maybe perhaps compassion, because people have to
17 actually live in the houses that you approve, and
18 this is an extraordinary and exceptional case.

19 It could make someone's life here on the
20 island a lot better for 196 square feet of covered
21 space. She plans to remain here for the rest of
22 her life, and we hope that is a long time, because
23 she has been through a heck of a situation. This
24 is where she wants to come to live to be close to
25 her son.

0081

1 We are asking for simply a cover over
2 196 square feet behind the house, that I don't
3 think will destroy the historic fabric.

4 MR. HERLONG: Another way to look at
5 this is that had this conceptual plan to do this
6 come before the board, what would I think of it,
7 how would I consider it? I remember -- this might
8 have been an property that came before the
9 board --

10 MS. KENYON: Mark Gregg (phonetic)
11 brought it for an addition and you went out there
12 to look at it, that's correct.

13 MR. HERLONG: This board has been
14 there. And I remember commenting that adding
15 something that would connect the house to the
16 backyard and make it more of a pedestrian friendly
17 north facade would seem to be a good thing.

18 So if this came before me -- it looks
19 like it's removable, so that you are not affecting
20 or destroying the original historic character.
21 So, for those two reasons, I probably wouldn't

22 have been -- probably would not have objected to
23 this had it come before the board.

24 MR. ILBERTON: All right. I guess I
25 don't have a problem with it. I do have a problem
0082

1 with this being done. But it is on the rear of
2 the house.

3 It does, like Steve says, give access
4 and livability to the rear, which you really want.
5 That's a wonderful backyard, deep, big backyard.
6 And I see how anybody, whether they are infirm or
7 not, would want to enjoy that backyard.

8 There should be porches. There should
9 be covered porches. In my opinion, covered
10 porches look better than decks. Decks generally
11 don't look very good, but covered porches look, I
12 mean, so much better, and they are much, much more
13 attractive and human looking.

14 And I wouldn't have a problem voting for
15 it had it come before us properly. It's
16 unfortunate that it has to come before us this
17 way. I don't see us being a punitive board
18 because somebody made a mistake, whether it was
19 intentional or not.

20 And this house was starkly a difficult
21 house. It was not attractive in many ways, on the
22 exterior and interior when you walked through it.
23 And this definitely -- I think a porch does
24 humanize and make the house probably look more
25 attractive.

0083

1 So, anyway, Duke?

2 MR. WRIGHT: I'm concerned about,
3 obviously, the after-the-fact request, and I don't
4 know whether this was a flagrant violation or
5 whether it was unintentional or what.

6 But the precedent of this on those
7 houses concerns me. And I think, if we can go
8 along with this, given extenuating circumstances
9 as a one-time approval of an addition to these
10 quarters, period.

11 I am even thinking so far as to when
12 this particular person leaves this house that this
13 be taken off. Is that a viable option?

14 MR. ILDERTON: I think it is.

15 MS. HARMON: I don't think it's under
16 our purview. This addition was added without a
17 permit.

18 MR. WRIGHT: Oh, I understand that. I
19 understand that.

20 MS. HARMON: And we can't really get
21 into extenuating circumstances. And I think we
22 are setting a bad -- an extremely bad precedent if
23 we allow this.

24 MS. EWING: We are a board that is here
25 to protect the historic homes. That is what our
0084

1 business is. And, you know, the time we saw this
2 house before was Fred's first meeting.

3 And, you know, to allow something to be
4 built on the back, we need to be very careful.
5 This is an extremely important group of historic
6 homes.

7 And, I mean, A, there is a porch on the
8 front if somebody wants to shield, you know --

9 MS. HARMON: Sit in the shade.

10 MS. EWING: Yeah. If somebody wants to
11 sit in the shade there -- anyway, I just think we
12 really need to think. We are here to defend the
13 historic homes and uphold the laws.

14 And, clearly, this wasn't just building
15 a walkway or something simple. This is an
16 attachment to a historic home. And the next
17 owner, or in a year, somebody may enclose it and
18 then say -- come before us and say, well, you are
19 not going to -- it's give them an inch and they
20 will take a mile.

21 I am not being punitive at all. I am
22 just kind of saying the way things are. And I
23 just think it is really the wrong message.

24 MR. YATES: If I could just add a
25 comment here?

0085

1 MR. ILDERTON: Sure.

2 MR. YATES: This was a mistake. And I
3 have to put in -- I know your mission. This was a
4 mistake, and it was made in the context of trying
5 to get this house ready, going back and forth to

6 Florida to take care of this lady. It's important
7 to her. It is only 196 square feet. It will not
8 destroy the integrity of the historic fabric. He
9 doesn't want that. She doesn't want that. But
10 this little -- this is an exceptional case where
11 boards sometimes have to make tougher decisions.

12 This exceptional case, this one and only
13 case, could really mean a lot to somebody. And I
14 do not think the surrounding residents or the
15 island itself will suffer from 196 square feet of
16 shingles behind the house, I really don't.

17 And this, honest to God, this was not
18 flagrant. It was in the context of what he was
19 going through this summer. It just happened. It
20 just happened. Going through all the details to
21 get her up here, this happened.

22 I would really like -- can an exception
23 be made? We are not talking about closing it in,
24 but just an exception.

25 MS. HARMON: Well, she does have a
0086

1 husband, so it's not like she was down there by
2 herself, because I have met her. And she has been
3 out in the sun because she had a yard sale.

4 And Randy allowed them to change -- he
5 gave them permission to change a solid door in the
6 back to a French door and then another single door
7 into a double French door. So he gave them
8 permission to do that.

9 And then they took the liberty of
10 enclosing this porch, put a railing on it, and
11 screening it, and putting a new roof on it and
12 didn't come before this board.

13 They should have -- if they had
14 anticipated it, they would have presented it at
15 the first meeting. They didn't. They just
16 changed their minds. And rather than come back
17 before the board and ask permission to do this,
18 they just decided they would come back and ask for
19 forgiveness. And I don't think that is what this
20 board is about on these landmark houses.

21 MR. YATES: That was not the intent.
22 That was not the intent, I promise you.

23 MR. WRIGHT: What is the consequence of

24 disapproval?

25 MS. KENYON: Take it out.

0087

1 MR. WRIGHT: I didn't ask you.

2 MR. ROBINSON: Yes, remove it.

3 MR. CRAVEN: Randy, let me ask you
4 another question. You said you have written three
5 tickets?

6 MR. ROBINSON: Yes, I have.

7 MR. CRAVER: What is the disposition of
8 those tickets?

9 MR. ROBINSON: They will come before the
10 judge in January. They don't have court in
11 December.

12 MR. CRAVER: So there is a fine for not
13 getting -- I mean, if the judge says you didn't
14 comply, there could be a fine for each ticket?

15 MR. ROBINSON: Oh, yes. It's \$500 per
16 ticket.

17 MR. CRAVEN: And so if this board
18 approves allowing them to keep the porch, that
19 doesn't dispose of those tickets at all?

20 MR. ROBINSON: No.

21 MR. CRAVER: They have still violated
22 those ordinances?

23 MR. ROBINSON: That's correct.

24 MS. HARMON: But is it influencing the
25 judge if we allow them to keep it?

0088

1 MR. ROBINSON: I can't say that.

2 MR. CRAVER: Well, certainly Jonathan is
3 going to stand up in front of the judge and say --

4 MS. HARMON: Right.

5 MR. CRAVER: -- the Design Review Board
6 allowed us to keep it. I would, if I were him.

7 I have mixed feelings about the --

8 Jonathan, and I understand your job, but I don't
9 buy that this doctor didn't know that he needed to

10 go get permits, okay? I just don't buy that. I

11 mean, and I understand your job.

12 And I have real mixed feelings about it
13 because you have a builder -- any builder knows

14 you have to get a permit. The doctor ain't dumb.

15 He knew he had to get a permit.

16 And so there is a, in my view, a pretty
17 clear decision to go ask for forgiveness instead
18 of asking for permission.
19 My inclination is that -- in the spirit
20 of Billy Budd, they hanged him because the letter
21 of the law had to win. I don't want to hang this
22 lady on the one hand. But, on the other hand,
23 there is an element of open season if you don't
24 want to go get a permit, go ask for forgiveness
25 instead of permission.

0089

1 My wrestle with it is what Steve says.
2 I probably -- and I wasn't at Fred's first meeting
3 when whoever came before this board and asked
4 whether they could do something to this house.
5 Had you come in here and asked to be
6 able to put a hat on a deck, I agree with Pat. I
7 think a porch looks much better than a deck. And
8 I agree with Steve, and I probably would have put
9 a condition on it the same as Duke wants to do.
10 So I sit here and wrestle with do we say
11 no because of the integrity of this board, or do
12 we look through it to the substance of it and say,
13 okay, we will let it stay and somehow condition it
14 on removal of the porch when the people leave it,
15 I mean, when they dispose of the house. And I
16 don't know that we have the authority to do that.

17 MS. HARMON: We don't.

18 MR. REINHARD: This is an ethical
19 dilemma, isn't it?

20 MR. CRAVEN: Yeah, sort of, but not
21 really.

22 MR. ILDERTON: The individual has been
23 penalized in several ways. He has had to
24 associate with this gentleman here.

25 MR. YATES: I'm not pleasant to deal

0090

1 with, either.
2 MR. ILDERTON: Well, he has three
3 tickets pending, the stop work. He has a bad
4 name. Not a bad name, but a name that is going to
5 come up as possibly somebody that the town needs
6 to watch out for. So he has been penalized. It's
7 not like he's getting off scot-free for doing

8 this.

9 I mean, I don't have any involvement in
10 it at all, but I do look at the fact that it
11 probably does add -- to add something to the
12 house, I probably would have approved it
13 originally.

14 I can't presume to know what he knew or
15 didn't know. I am not going to pass judgment on
16 what I think he knew what he was doing was wrong
17 or not. I don't know. I mean, I think we can
18 speculate. You may be right, Billy, but I don't
19 know.

20 MS. HARMON: Well, his attorney already
21 had said that --

22 MR. ILBERTON: I don't know what
23 happened, you know, whether really he knew that he
24 was -- to hell with the law, I am going to do it
25 anyway.

0091

1 MS. HARMON: That is what the attorney
2 said.

3 MR. CRAVER: I would like to make a
4 motion and I will see if it flies.

5 MR. WRIGHT: Let me make one -- let me
6 ask a question.

7 MR. HERLONG: Yeah, I have a question,
8 too. But go ahead.

9 MR. WRIGHT: Randy, when you issued the
10 stop work order, did they continue work anyway?

11 MR. ROBINSON: No, they didn't.

12 MS. HARMON: Well, it was already
13 finished, wasn't it?

14 MR. ROBINSON: Yeah, it was finished.
15 It's amazing that it got finished. Because I was
16 kind of keeping an eye on this house, and I think
17 I went on vacation and came back and got something
18 from Betty, you know, and she warned me that
19 something was going on. I went down there and it
20 was done. I was like, wow. You know, it was
21 done.

22 MR. CRAVEN: It was quick.

23 MR. ROBINSON: I mean, I think there was
24 a piece of screen molding left not put up.

25 MR. HERLONG: I mean, I agree that we

0092

1 have got to be very careful about this. And if
2 this were to not get approved, and it was torn
3 down, and a request to do something like this came
4 back before us --

5 MR. CRAVER: Yeah. I would approve it.

6 MS. HARMON: I can't do that.

7 MR. HERLONG: Some version of this, I
8 probably would vote approval.

9 MR. CRAVER: That is why I --

10 MS. EWING: But that is not what we are
11 are deciding. That is not my issue.

12 MR. CRAVER: Well, why don't I make my
13 motion and see if it flies? If it doesn't, then
14 we will see.

15 I move that we approve it, but I'm going
16 to add to my motion -- just hang on a second,
17 Kent.

18 Part of my motion is I would like for
19 this motion to be presented to the judge that this
20 is not an indication that we want to condone his
21 violation of any of the ordinances, and do not use
22 this as any kind of signal from this board that we
23 are asking him to give them relief on the tickets
24 that were written.

25 MS. HARMON: I don't think that motion

0093

1 can be made -- I don't think we can make that
2 request.

3 MR. CRAVER: Sure we can. No. I just
4 ask that it be read to the judge, just asking for
5 it to be read to him.

6 MS. EWING: We are getting away -- we
7 are here to discuss historic homes and not what
8 somebody -- whether he's being held accountable,
9 and whether he's going to be fined, and whether
10 somebody is sick and they need to sit on a porch.
11 There is an existing porch that somebody could sit
12 on.

13 What we are here to decide is somebody
14 took a historic structure and, without any
15 permission, built a major structure on it.

16 MR. CRAVER: I have made a motion. Is
17 there a second to the motion? If there isn't,

18 then I guess it would fail.

19 MR. ILDERTON: Who would present such a
20 thing? Would Randy present such a thing?

21 MR. CRAVEN: Be given in writing to the
22 judge.

23 MR. ILDERTON: But, I mean, whose duty
24 is that going to be? Is that going to be Randy's
25 duty or --

0094

1 MR. CRAVER: It would be Randy's duty.
2 He has to go prosecute the ticket. And he will be
3 able to take a copy of the motion to judge and
4 say, Judge, so you know, this is not an indication
5 that the board is condoning his not complying with
6 the ordinances.

7 MS. HARMON: Well, I think this is an
8 ethical question.

9 And I think that in order for us to be
10 under our purview, it is our responsibility to
11 take these situations and say we cannot continue
12 to have -- do something and come ask for
13 permission. And we have had enough of those, and
14 especially on a landmark house. You cannot do
15 this without permission.

16 MS. EWING: Well, it's not legal and
17 it's not ethical.

18 MS. HARMON: Right. It's an illegal
19 addition.

20 MS. EWING: I would like to make a
21 motion. I am going to throw out --

22 MR. CRAVER: Well, I guess -- my motion
23 is on the floor. Is there a --

24 MR. ILDERTON: Is there a second?

25 MR. CRAVER: Is anybody going to second

0095

1 my motion?

2 MR. ILDERTON: Billy's motion?

3 (No response.)

4 MR. ILDERTON: Okay. That motion is
5 dead. Do you want to make a motion, Cyndy?

6 MR. WRIGHT: Before you make a motion, I
7 have a question. If we do disapprove this and
8 it's torn down, can the owner come back with a
9 request in six months or a year for some kind of

10 an addition, a porch similar or --

11 MS. HARMON: Well, yeah.

12 MR. REINHARD: Sure. So can all the
13 neighbors as soon as they see it.

14 MR. WRIGHT: No. I am just asking one
15 question. The answer is yes?

16 MR. PRAUSE: I would say so. I mean,
17 let me understand though. You-all would say no
18 just because it was built without a permit, and
19 pretend that, say, if it wasn't there and he came
20 then you would approve it?

21 I mean, that was kind of the advice I
22 was going to offer. I thought it was headed
23 somewhere where it might be conditional and have
24 to take it off or whatever. But, in my mind, that
25 would be inappropriate.

0096

1 It's either an appropriate addition or
2 it's not. And I understand the problem with the
3 after the fact and seeking -- not getting
4 permission and looking for acceptance afterwards.

5 But if it's an appropriate addition, it
6 seems like making them take it off would be
7 punitive. And like you say -- I mean, I would
8 just view it in the context of pretend it's not
9 there. If you would approve it, then approve it.

10 If it's not appropriate, then
11 certainly -- while the case is compelling for the
12 personal circumstances, that is not what you-all
13 are about. And you certainly don't want to get in
14 a situation where you start approving additions to
15 houses for those reasons, because there is no way
16 out of that.

17 MR. ILBERTON: Right.

18 MS. HARMON: Well, the attorney has said
19 he knew he shouldn't have done it, but he did it
20 anyway. And so that tells me all I need to know,
21 was that he knew he needed to get a permit for it
22 and did not and did it anyway.

23 MR. YATES: He told me he made a
24 mistake, and he admits that. He was moving too
25 quickly, and too much going on, and he has come

0097

1 seeking forgiveness.

2 MR. HERLONG: I have a question. Is
3 there any basic alteration to the existing
4 structure that was done in order to create that,
5 or is this an attached screened porch that is
6 removable? Did it affect the original integrity
7 or structural integrity?

8 MR. ILDERTON: It just abuts up against
9 the siding, correct, the rafters running up to the
10 siding?

11 MS. HARMON: It doesn't run up to the
12 siding. Where it attaches to the house there,
13 it's separated because the two air-conditioning
14 units are there. Now, this --

15 MR. HERLONG: Is that what I'm seeing
16 right back down in here? I see the roof stopping,
17 almost as if it's linked, or it is separate from
18 the structure from that side.

19 MS. HARMON: But right here it looks
20 like it's been added on. But this is the side.
21 But -- and it's linked to the house side in here.
22 But when you look at this --

23 MR. HERLONG: It's below that even.

24 MS. HARMON: Right, right.

25 MR. HERLONG: To me it looks like -- had
0098

1 it been approved I would have -- had it been
2 brought to the board, I probably would have voted
3 to approve that.

4 MS. HARMON: Well, also, what he's done
5 here is that past this baluster here there is
6 probably maybe three feet, isn't that right, that
7 is outside of the railing, Duke, where they
8 appended that?

9 MR. WRIGHT: The deck. The deck, yeah.

10 MS. HARMON: Yeah.

11 MR. ILDERTON: Well, given what Kent has
12 told us and advised us, do I hear a motion now?

13 MR. CRAVER: I mean, I would move that
14 we approve it as an appropriate addition without
15 my other stuff on it.

16 MR. ILDERTON: Do I hear a second? We
17 still have discussion.

18 MR. WRIGHT: I have trouble with that.

19 MR. HERLONG: I almost would prefer your

20 previous motion, that it goes -- that a copy, as
21 you described, would go to Randy to take to the
22 judge saying that we don't approve of the
23 condition under which --

24 MR. REINHARD: Well, there is another
25 way to look at it. We could defer it and let the
0099

1 judge make his judgment. And if the judge fines
2 him, then we don't approve it.

3 MR. CRAVER: Well, no, because that's --
4 I mean, I would fine him because he violated the
5 ordinance.

6 MR. ILDERTON: Yeah, but the judge is
7 not us.

8 MR. CRAVER: Right.

9 MR. ILDERTON: We can't let the judge --

10 MR. CRAVER: This is whether it's an
11 appropriate addition. That is the issue. And so
12 I would have approved it if it came before us, and
13 that is why I'm making the --

14 MS. HARMON: But I don't think that's --
15 that is not what we are here to decide.

16 MR. CRAVEN: Well, it is, I mean,
17 because it's punitive to say tear it down. And
18 that's my problem.

19 MR. ROBINSON: I will say -- can I say
20 one thing about this when it goes to court? When
21 it goes to court and the judge rules that this was
22 built illegally, then I'm going to start writing
23 this gentleman tickets every day that that
24 structure is still there, because the judge will
25 say take that structure down, it was not built
0100

1 legally. So then I will -- he will be fined \$500
2 per day until it's removed.

3 MR. CRAVER: Unless we say it's okay to
4 be there? Or, now, is that -- you tell me.

5 MR. ROBINSON: I just wanted to throw
6 that in, that that's procedure. Once that judge
7 rules on it and he is guilty, I will start writing
8 him tickets every day.

9 MS. EWING: But the judge may make a
10 compromise and say it's fine and not fine him.
11 And I'm sure Mr. Yates is --

12 MR. YATES: I'm not a criminal lawyer.

13 MS. EWING: I'm sure you would do a
14 very, very good job for your client.

15 Again, I just feel -- we are getting
16 into a slippery slope here. It is not an
17 appropriate design. The pickets are not
18 appropriate. Nothing about this is appropriate to
19 these important historic homes. It was illegal.
20 It is unethical.

21 And I believe that, as a board, we need
22 to stand up and say we are going to protect these
23 historic homes. And I think we need to have this
24 come down. And if they decide that someday they
25 want to do something -- we are not denying

0101

1 somebody the access to the outdoors and a
2 wonderful porch. There is an existing porch on
3 the front of the house.

4 MR. WRIGHT: This is a tough decision,
5 Cyndy, I know.

6 MS. EWING: There is nothing tough about
7 it.

8 MS. HARMON: There is nothing tough
9 about it.

10 MS. EWING: There is nothing tough about
11 it at all.

12 MR. WRIGHT: Yes, there is. I mean,
13 those of us that feel some compassion, it's a
14 tough decision. Now --

15 MS. HARMON: It's not that I don't feel
16 compassion.

17 MR. WRIGHT: Wait a minute now. What
18 if -- Cyndy, let me finish please. What if this
19 is deferred -- now I am just thinking out loud --
20 if this is deferred by this board until after the
21 court action? Are we muddying the water by taking
22 an action pro or con on a pending court action?

23 MR. CRAVER: I don't think we are
24 muddying the water. I assume his remedy is, if I
25 were him, I would run in and apply for a building

0102

1 permit.

2 MR. PRAUSE: It wouldn't be approved,
3 though, not without you-all's permission.

4 MR. CRAVER: So am I missing something?

5 Is that the procedural step before you get in
6 front of us? I mean, should he -- once he got the
7 ticket, should he have run in and applied for a
8 building permit and say I want a cure?

9 I mean, what is the cure? Is the cure
10 to make this application, or is this the step --
11 is this the first step to getting a building
12 permit, I guess?

13 So if we approve this -- I want to
14 understand procedurally. If we approve this and
15 say, yes, it would be an appropriate addition,
16 does he then come in and pay the money and apply
17 for and get the building permit so that he cures
18 what caused him to get the ticket? Because I see
19 what you are saying, Randy.

20 MR. PRAUSE: Well, he can still be fined
21 for not having the ticket (sic) to begin with,
22 Billy. But each day a violation is a separate
23 offense, and he didn't have a permit when he built
24 it.

25 But the other aspect of it is the judge
0103

1 could enter -- his judgment is going to be final
2 and it's not coming back to you after that. If he
3 says it's okay and it stays, then it stays.

4 MR. CRAVER: Right. But if we approve
5 this -- if we say, yes, it's okay, and it would be
6 an appropriate addition, he still has to then pay
7 the money for the building permit and cure that
8 issue. And I am asking -- I am making it as a
9 statement, but I'm asking a question at the same
10 time.

11 MR. PRAUSE: Yes.

12 MR. CRAVEN: It seems to me like he has
13 to comply with all the requirements in order to
14 solve his problem.

15 MR. ILBERTON: If this were to come
16 before us -- had it come before us before, we
17 would have had more complete details, sets of
18 plans, than we have today.

19 I think what we ought to do is defer it
20 based on at least more knowledge of what is there,
21 and the detail, and expect those drawings and

22 anything else.

23 Like anybody else, they would have to
24 put it before this board. And we don't have any
25 drawings or details of rails, the connections,
0104

1 exactly what is going on to this house. That
2 would be part of the package. We don't have that
3 today.

4 I think probably we ought to defer this
5 until we get more complete sets of plans. Because
6 we are seeing things on here that maybe we
7 wouldn't have, the detail we wouldn't have
8 approved. Is that correct?

9 MR. HERLONG: I tend to agree with --
10 Cyndy said something earlier that made me look a
11 little more at the detail.

12 Conceptually, I may have approved this.
13 The railing details and the other details,
14 possibly some of the screening details, are
15 absolutely not compatible with a landmark
16 structure, so that is a big issue.

17 MR. CRAVER: So what I could say at this
18 point -- and I agree with what you have said,
19 Steve, and Pat -- is that I would go at it with an
20 open mind.

21 If they want to come back with complete
22 drawings and everything and say, here is part of
23 it that I would be willing to approve and here is
24 the part I wouldn't be willing to approve, if at
25 all. Make them go through the same process
0105

1 anybody starting from scratch would do.

2 MR. ILDERTON: Yes. I think maybe it
3 ought to be deferred.

4 MR. CRAVER: I move to defer it.

5 MR. ILDERTON: Do I hear a second?

6 MR. WRIGHT: I will second that.

7 MR. ILDERTON: Any discussion?

8 MS. EWING: What is the deferral? It's
9 illegal, unethical. It is not in the best
10 interest of the historic structure. It is not a
11 compatible addition.

12 It does not meet any of the Design
13 Review Board standards for an addition of this

14 type. And it really makes the Design Review
15 Board -- it puts us in a very bad position going
16 forward.

17 MS. HARMON: I mean, this was just a
18 deck. This was just a deck, and they have made it
19 an enclosed screened-in porch with the pickets and
20 the baluster --

21 MR. ILDERTON: I mean, be that as it
22 may, some of us on the board may not think that is
23 a bad thing, to take a deck and make it a screen
24 porch. That is for another time when we know more
25 detail of what it should be.

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1 MS. EWING: It already is.

2 MS. HARMON: I mean, you are already
3 seeing it.

4 MR. ILDERTON: No. I don't really have
5 a clear picture of the detail of what is going on
6 there, because I don't have proper sets of plans
7 in front of me to show the details of the
8 railings, exactly how the roof ties into the
9 house, as other folks would have there. I really
10 don't know what I'm approving there or
11 disapproving.

12 MS. HARMON: Did you visit that site
13 today?

14 MS. EWING: Yes. That is what we were
15 supposed to go visit.

16 MR. ILDERTON: Yeah, yeah, yeah. I
17 mean, I went by it. But, still, we don't have
18 documentation, you know.

19 MS. HARMON: Well, I mean, I think when
20 you go look at it --

21 MR. ILDERTON: Like you say, it's a
22 historic structure. We need to have documentation
23 on what the rails look like, what the spacing of
24 the screen of the porch is, and how the pickets
25 are or not, I mean various, various things that we

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1 don't have.

2 MR. CRAVEN: I guess before I vote to
3 something that could be punitive, I want to give
4 the applicant the ability to go through the paces
5 that a new applicant asking to make an addition

6 would go through.

7 And I would suggest that they need an
8 architect, and they need to take into
9 consideration the comments that have been made.

10 MR. ILDERTON: Yeah, exactly.

11 MR. CRAVER: So it may be that there are
12 some significant changes that have to be made.

13 MR. ILDERTON: There may be some
14 adjustments to that structure.

15 MR. CRAVER: Exactly, in order to make
16 it work.

17 MR. ILDERTON: And the architect may
18 want to consider those adjustments when they come
19 in.

20 MR. YATES: We won't make those changes
21 now.

22 MR. ILDERTON: We can't make them. We
23 don't do that. So they may need to consider
24 hiring a professional to see about that.

25 Anyway, do we have a second on the --
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1 all right. We had a second. We have had
2 discussion. Everybody in favor of deferral?

3 (Hands raised by Mr. Wright, Mr.
4 Ilderton, Mr. Herlong and Mr. Craver.)

5 MR. ILDERTON: Everybody opposed?

6 (Hands raised by Ms. Harmon, Mr.
7 Reinhard and Ms. Ewing.)

8 MR. ILDERTON: All right. Thank you.

9 MR. YATES: Thank you. And it's
10 deferred to when?

11 MR. ILDERTON: To the next meeting. I
12 mean, if they can't get it together by the next
13 meeting, then --

14 MR. YATES: Whenever?

15 MR. ILDERTON: Whenever, yeah.

16 This meeting is adjourned.

17 (The meeting was concluded at 8:00
18 p.m.)

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1 STATE OF SOUTH CAROLINA)
2)
3 COUNTY OF CHARLESTON)
4

I, Nancy Ennis Tierney, Certified Shorthand
5 Reporter and Notary Public for the State of South
Carolina at Large, do hereby certify that the
6 foregoing hearing was taken at the time and
location therein stated; that the hearing was
7 recorded stenographically by me and were
thereafter transcribed by computer-aided
8 transcription; and that the foregoing is a full,
complete and true record of the hearing.

9
I certify that I am neither related to nor
10 counsel for any party to the cause pending or
interested in the events thereof.

11
Witness my hand, I have hereunto affixed my
12 official seal this 3rd day of December, 2007, at
Charleston, Charleston County, South Carolina.

13
14
15
16

17 _____
Nancy Ennis Tierney
CSR (IL)
18 My Commission expires
April 6, 2014

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