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6 MEETING OF THE SULLIVAN'S ISLAND DESIGN REVIEW BOARD

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

DESIGN REVIEW BOARD MEMBERS:

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PAT ILBERTON - Chair
STEPHEN HERLONG - Vice Chair
DUKE WRIGHT - Secretary
FRED REINHARD - Member
BILLY CRAVER - Member
CYNDY EWING - Member

(Ms. Betty Harmon was not in attendance.)

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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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Jamie Khan - Attorney

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1 MR. ILDERTON: This is the December
2 19th, 2007 meeting of the Sullivan's Island Design
3 Review Board. It's now 6:00. Members in
4 attendance are Duke Wright, Pat Ilderton, Stephen
5 Herlong, Fred Reinhard, Cyndy Ewing and Billy
6 Craver. The Freedom of Information Requirements
7 have been met for this meeting.

8 The items on tonight's agenda are --
9 first of all, before we go to that, do I hear any
10 discussion of possible discussion about amending
11 the agenda to put the discussion of the review
12 properties on the end of the agenda as opposed to
13 the beginning of the agenda?

14 MR. WRIGHT: I move that we move Item 2
15 to the end of the agenda because that is going to
16 take a lot of discussion, and a lot of people are
17 not going to want to sit and listen to that. So I
18 think, in the interest of moving the meeting
19 along, that we should move that to the end of the
20 session.

21 MR. ILDERTON: Is there a second?

22 MR. REINHARD: Can we see a show of
23 hands of anybody who might be here --
24 MR. ILDERTON: We will have discussion.
25 MR. CRAVER: Second.

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1 MR. ILDERTON: Second. Okay. Now,
2 discussion is if people expressly would rather --
3 I mean, I was just trying to say -- you are
4 right. There may be people here especially for
5 that.

6 MS. EWING: I think it's a great way to
7 get the word out of what we are doing, too, so
8 people feel like they are informed. Is it going
9 to take us that long?

10 MR. WRIGHT: Who knows. Okay. I will
11 withdraw the motion.

12 MR. ILDERTON: Okay. That's fine.

13 MR. WRIGHT: We will go according to the
14 agenda. Don't blame me.

15 MR. ILDERTON: That's fine. So that is
16 withdrawn.

17 The approval of the November minutes?

18 MR. WRIGHT: I move the November minutes
19 be approved.

20 MR. ILDERTON: Second?

21 MR. HERLONG: Second.

22 MR. ILDERTON: Discussion? Everybody in
23 favor?

24 (All hands raised by the board.)

25 MR. ILDERTON: So the discussion of the

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1 schedule to review properties being considered for
2 historic designation.

3 I have had some limited discussion -- I
4 just want to start this off -- with Duke. And I
5 know Cyndy and Duke have done a lot of work, very
6 appreciated work, but I'm not so sure that we
7 shouldn't -- and this is just my opinion, and we
8 can kick it around, and if anybody else wants to
9 kick it around out there in observation, is that
10 we ought to just assume that all 14 properties are
11 going to be under our designation right off the
12 bat, and when and if the owners want to be
13 removed -- and I do think there are some

14 structures on there that probably could be
15 removed, in my opinion, again, but I am just
16 speaking for my opinion.

17 As they may want to be removed, they
18 would just make application to the board like
19 anybody else would to remove the structure from
20 the historical designation, and then we wouldn't
21 be going through all of this discussion and
22 looking at properties and everything else and
23 doing all of this without -- I mean, it's a matter
24 of work, as well as having the owners properly
25 prepared for their experts and their other folks
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1 that they may want to bring in to discuss whether
2 the house should be on the designation or not,
3 give them plenty of room, as they would have when
4 they apply, to be removed.

5 I know there are some owners that are
6 just fine with it, that is of the houses that were
7 put on there, they would not come before us. But
8 I also know there are some owners that definitely
9 don't want their houses on there.

10 And, if they don't, they can just make
11 application to this board, just like anybody else
12 would, to be removed, and then we would study it.
13 They would study it.

14 I mean, their side would present their
15 case and we would be able to look at it and then
16 make an intelligent decision at the time of that
17 application, and then we don't have to worry about
18 looking at all these 14 properties now and going
19 through all of this. So I just throw that out.

20 MS. EWING: Pat, do you want to give,
21 for the people in the audience that don't know, do
22 you want to give just a little background of what
23 the Schneider -- what we are even --

24 MR. ILDERTON: Well, essentially, the,
25 the --

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1 MS. EWING: Consultant.

2 MR. ILDERTON: No. Well, the Council,
3 the Town Council, asked David Schneider to look at
4 Sullivan's Island one more time to see if there
5 are any more houses that might have slipped

6 through the net, and he found 14 possible houses
7 that were possibly worthy of consideration, or at
8 least looking at.

9 He didn't say they were definitely,
10 because he was not hired, I think, to do a
11 thorough investigation, thorough historical and
12 architectural investigation.

13 And so they left it up to Town Council,
14 and then the Town Council has put it on us to make
15 the final -- help make the final designation for
16 these 14 houses, essentially to include the 14
17 houses to the historical list of houses we have
18 now in our purview. That is the background, if
19 I'm correct.

20 MS. EWING: Uh-huh, uh-huh.

21 MR. WRIGHT: The way you read, or the
22 way anyone reads the letter that the Town -- that
23 Andy Benke sent to the 14 owners, does it say that
24 these houses are designated historic, or does it
25 say that the Design Review Board will determine
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1 that they are historic?

2 There is a little nuance there that I
3 think -- I don't know if Schneider has said that
4 these are historic. He's only identified them as
5 possibly being historic.

6 MR. ILDERTON: I agree.

7 MR. WRIGHT: So the task -- I think we
8 have been tasked by the Town Council to develop
9 and go through a process or procedure to determine
10 whether or not these are historic.

11 I like your idea of can we blanket, put
12 them on the list based on Schneider's survey, and
13 then that puts the onus, as I see it, on the
14 owners. Either they like being on the list, or
15 the ones who don't like being on the list will
16 come or can come to the board. That saves us --

17 MS. EWING: Well, we can also take them
18 off if --

19 MR. CRAVER: I think it's a cop-out on
20 our part.

21 MR. ILDERTON: I think it protects the
22 owner. I mean, if we --

23 MR. CRAVER: It shifts the burden. The

24 burden is on us to make a decision that they are
25 historic. It takes four votes to put one on. If
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1 we put them all on, it would take four votes to
2 get somebody off. That is a huge difference on a
3 board that is divided regularly on four/three
4 votes.

5 I think that the onus is on us to give
6 them the right to make their presentation before
7 we put them on the list, as opposed to just
8 blanket putting them on the list and then having
9 them have the burden to get off.

10 I mean, I don't think that is the way
11 the ordinance works, is it, Kent?

12 MR. PRAUSE: The way it works is that
13 the only way that they can contest it being put on
14 the list at all is if it meets certain
15 requirements, and I will tell you what those are.

16 MR. CRAVER: But don't we have to give
17 them notice and an opportunity to be heard?

18 MR. PRAUSE: Yes.

19 MS. EWING: 30 days notice.

20 MR. CRAVER: So I don't know that we can
21 put them on the list without giving them -- that
22 violates the due process clause in the Bible,
23 Proverbs 18, Verse 13, he who answers before he
24 listens, it is his folly and shame.

25 MR. WRIGHT: Well, the letter that went
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1 to the owners, has everybody read that letter
2 carefully?

3 MR. CRAVER: You know, I did when we got
4 it a hundred years ago, but I --

5 MR. WRIGHT: I think that letter has to
6 be --

7 MR. CRAVER: It's the ordinance that has
8 to be.

9 MR. WRIGHT: Well, but the letter is
10 beyond the ordinance. Enclosed herewith you will
11 find a resolution by Council designating -- or
12 requesting the DRB to consider designating as
13 historic 14 properties not now so designated, but
14 recently identified by Schneider's Historic
15 Preservation as potential historic structures.

16 What does that tell you?

17 MR. ILDERTON: Pretty much what we are
18 after.

19 MR. CRAVER: I think we have to let them
20 come in and plead their case before we decide that
21 they are historic and put them on the list.

22 MR. PRAUSE: Yeah. They have to be
23 notified in writing 30 days prior. Has that
24 occurred?

25 MS. KENYON: What day did that letter go

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1 out?

2 MR. WRIGHT: November 14th, but I think
3 that is a different letter.

4 MS. EWING: It says it won't go out
5 before this meeting. So it uses this date, and
6 that they will be given 30 days notice.

7 MR. PRAUSE: So maybe I can help by
8 clarifying something. I think what is to happen
9 at this meeting is you-all decide if you want to
10 go look at them or not, for one thing, and get
11 that out of the way.

12 Because once they have been notified --
13 they have to be notified in writing by certified
14 letter, 30-day notice, of the hearing date that
15 you will decide whether or not these will be
16 added. And at that time they have a right to
17 appear before you.

18 But the only -- they can voice
19 approval. The only way they can voice opposition
20 to be put on the list is on procedural
21 nonconformities in the designation process or on
22 the misapplication of the criteria for designation
23 as specified in the ordinance. Those are the only
24 two reasons they can object.

25 MR. CRAVER: Those are big.

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1 MR. PRAUSE: Yes, they are. And, of
2 course, you-all know you have to find at least, in
3 some specific finding, at least one of the eight
4 under 2194(d), that it meets one of those
5 requirements in order to be on the list.

6 In other words, you can't just say,
7 well, I think it needs to be on the list and it

8 is. You need to make a finding that it meets at
9 least one of these requirements.

10 So I think while you are here tonight is
11 just decide how you are going to go about getting
12 to that step.

13 MR. WRIGHT: I think that's true. And
14 my question is does the board want to be proactive
15 in evaluating these 14 houses, or does the board
16 want to wait for the owners to, in six months, as
17 you say, Pat, or five years --

18 MS. EWING: No. Town Council wants us
19 to -- they feel it's been discussed in the
20 Planning Commission meeting and the Town Council
21 meeting. Town Council is very interested and
22 concerned that this does not drag out for the
23 homeowners.

24 They feel that it will -- they do not
25 want it to become a burden. And I feel that, you

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1 know -- I think we should let people know. I
2 mean, it's a win-win all the way around.

3 MR. ILDERTON: Well, sure, we have to
4 let people know.

5 MR. CRAVER: So do we schedule separate
6 meetings and schedule like three of them a night
7 or one a month?

8 MR. ILDERTON: I think we ought to send
9 out a letter and ask if you don't -- if you don't
10 agree with this, come before us. Let's have a
11 meeting. Let's talk about it.

12 In the meantime, those people that will
13 come before us, we will go to the houses, look at
14 the houses like we always do. We will meet with
15 them.

16 You know, on the agenda -- the folks
17 that don't mind, like Dr. Selby, I mean, I know he
18 likes being on there. He doesn't want to be taken
19 off. He wants to be considered historic.

20 Which, you know, we would just -- if
21 they don't want to respond, then we say, okay,
22 well, you know, we will -- we will ask them. We
23 will make a designation or we will make a
24 decision.

25 MR. HERLONG: I have a question.

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1 Originally, what is the difference in this group
2 of 14 homes, Kent, compared to the original list?
3 We didn't go visit every home then.

4 MR. PRAUSE: No. I think most of
5 these -- and maybe somebody knows more than I, and
6 please correct me. These are ones that are off of
7 the altered list.

8 When David Schneider originally did his
9 survey of the island he had three different
10 categories, historic island resources, traditional
11 island -- or landmark resources, historic
12 island -- Traditional Island Resources and altered
13 list.

14 When Council adopted the ordinance
15 affording the protection, they only included the
16 first two. They didn't include the altered.

17 And if you were of the first two, either
18 in one of the designated districts drawn on the
19 map or individually listed, independently,
20 separately outside of that district, then you were
21 afforded the protection provided by the ordinance
22 and had to come before the Design Review Board.

23 I think these 14 are ones that were on
24 that altered list that he has taken a look at
25 again, but there may be one or two or more that

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1 weren't on that list that he has since seen and
2 figures, well, these deserve consideration, also.

3 MS. EWING: Yes. That's how -- he
4 missed some. Some of them fell through the
5 cracks, and then some were on altered and he feels
6 worthy of saving.

7 MR. PRAUSE: And, actually, there are
8 more than 14. But Council felt like this was the
9 first batch and the ones that needed to be looked
10 at more quickly or more immediately.

11 But there are how many? Do you recall?

12 MR. ROBINSON: Andy told me, but there
13 are --

14 MR. PRAUSE: A whole lot more.

15 MS. EWING: There are 94 altered and
16 that are -- and he goes through and says whether
17 they can be restored or whether they have been

18 lost, and he describes, briefly, how they have
19 been lost.

20 MR. PRAUSE: So that may be the next
21 step after this, or maybe not.

22 MR. CRAVER: To answer your question
23 about not looking at the list when they were
24 originally put on it.

25 I was on the Planning Commission, and
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1 there was a rush to pass the historic designation,
2 that whole part of the ordinance. And we took the
3 position that it was better to cover everything on
4 that list and get it passed, and then people could
5 come apply to get off, than it was to take the
6 time to go through everything. And while we were
7 going through it, a bunch of houses get torn down.

8 So that is why -- the homework wasn't
9 done at that time. We just took the list at face
10 value. We are not in that situation now.

11 MR. ILBERTON: Yeah. I think it's a
12 little much, quite frankly, for Town Council to
13 ask this board to do the homework that they should
14 hire a professional to do.

15 David Schneider or somebody ought to
16 make the decision as a professional, a hired
17 profession by the Town, as opposed to just say
18 sort of something offhand like, well, maybe these
19 are considered, and then we are supposed to make
20 an educated decision on whether these houses are
21 considered historic or not?

22 MR. CRAVER: But see, ultimately, Pat,
23 that is all an appointed body does. You have
24 experts come in. They give you their opinion, and
25 then the lay people on the appointed body have to

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1 make the decision.

2 The problem we have is that we have more
3 than -- it's more than a one-shot deal here. It's
4 more than just something coming up because it's a
5 50-year-old house being destroyed and we have to
6 look at it. So we have a pile of them to do.

7 And, you know, I think we have to give
8 everybody notice, ask them if they object to being
9 put on the list.

10 MR. ILBERTON: Definitely do that.

11 MR. CRAVER: And, like you said, if they
12 don't object, then put them on the list. They
13 consented to it. If they do object, schedule the
14 hearings on out and let's bring them in.

15 MR. ILBERTON: Which is essentially, you
16 are right, essentially would be doing just like we
17 are doing here today. They would come before us,
18 we would look at it. I mean, basically it would
19 be the same thing.

20 MR. CRAVER: I think so. But I -- so we
21 just schedule them and try not to do them all at
22 one time so that we don't stay until midnight.

23 MS. EWING: Or we could have a
24 special -- we could have a meeting that is a
25 special meeting just for those homes and get it
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1 out of the way. And if there are a few people
2 that couldn't make it, they could come to the next
3 meeting.

4 But in order -- I think Town Council is
5 very keen to get this accomplished in a timely
6 fashion, and it might be worth scheduling a
7 special meeting so that we can just address this
8 issue.

9 MR. HERLONG: What I'm looking at is it
10 seems to me the Town has hired a consultant, a
11 historic consultant to go look and reassess all of
12 the altered structures.

13 And we have a list here, and it might
14 say that something is a Traditional Island
15 Resource. It might say altered, integrity lost.
16 Maybe that one should not be on the list. When it
17 says altered, restorable, that consultant has
18 determined that there is probably historic value
19 in that structure.

20 Why not assume that the consultant has
21 made some basic decision, and unless we see
22 something different, stick with it.

23 MR. REINHARD: Isn't this list of 14 the
24 result of that decision, that study?

25 MS. EWING: Yes.

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1 MR. CRAVER: Yes. But this is

2 essentially the Town saying here it is, but we
3 have to listen to the homeowner before we make a
4 decision.

5 MR. REINHARD: Who listened to the
6 homeowner when these seven pages of existing
7 historic houses were put on the list?

8 MR. CRAVER: Well, I just told you what
9 happened.

10 MR. REINHARD: I understand what you
11 told me. By why is this any different? I like
12 his idea.

13 MR. CRAVER: Well, it's different
14 because we have the time to do it and do it right.

15 MR. ILDERTON: We will do it right.

16 MR. REINHARD: This wasn't done right.

17 MR. CRAVER: Yeah. I am saying I hated
18 the way that was done. But it was --

19 MR. REINHARD: You may not have liked
20 it, but that doesn't mean it wasn't done right.
21 This happens to be something that we could do, and
22 the way you said, Pat, put it on and give them
23 plenty of time to appeal it.

24 You know, most of these people may not
25 appeal it, but we will listen to them. And if
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1 they give good reason why they shouldn't be on the
2 list, we will take them off. That is the more
3 expedient way.

4 MR. ILDERTON: We have taken buildings
5 off. Like the house up on Jasper --

6 MR. REINHARD: I agree with you.

7 MR. ILDERTON: -- we decided, yes, this
8 was not historical, and we took it off and they
9 can demolish it.

10 MR. REINHOLD: And you can put it on
11 there and say we are considering, or we have
12 considered a consultant's list and intend to put
13 you on the historic unless you object and can give
14 us good reason not to.

15 MS. EWING: I am in favor of doing it
16 that way. Duke and I had spoken a little bit
17 about this, and we had thought of doing it in a
18 little bit more involved manner, but this seems to
19 be fair.

20 And I agree with Steve that the
21 consultants come in. He has targeted these and,
22 as a professional, said these are the ones you
23 need to look at right off the bat. And there are
24 others, but Town Council would really like us to
25 get these. I think it's --

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1 MR. WRIGHT: Yeah. That is doable. I
2 think we need to make a clear statement of what we
3 are going to do here for the record --

4 MR. ILDERTON: Does anybody want to make
5 a motion?

6 MR. WRIGHT: -- and execute it.

7 MS. EWING: Well, I think we are going
8 to nominate them, right, to put them -- I am not
9 making a motion right now.

10 We need to say that we will send out a
11 letter notifying people, right? Isn't that the
12 first step? That they will -- the Design Review
13 Board will put them on the list. And then how
14 long are we going to give them to come before us?

15 MR. ILDERTON: I don't think we put a
16 limit on it --

17 MS. KENYON: You have to have 30 days.

18 MR. ILDERTON: -- because nobody else
19 has a limit. Because people that are on the list
20 now can still -- somebody who owns the officers'
21 quarters can come before us and ask to be taken
22 off the list. I mean, they have the right.

23 We don't want to limit their rights by
24 putting a time on it. Any time they can come
25 before us, whether it's six months or five years,

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1 to be taken off. Any individual that owns a
2 property has the right to do that, to ask to be
3 requested to be taken off.

4 MS. KENYON: But you have to give them
5 30 days notice.

6 MR. WRIGHT: Yeah, but that is different
7 than what she was saying, I think. I am talking
8 about after they are notified, how long do they
9 have before they have to come to the board?

10 MS. EWING: Pat is saying it's
11 open-ended.

12 MR. CRAVER: You know, I would like to
13 know, and I don't have the ordinance in front of
14 me, but does the ordinance provide that they get
15 the notice before they are put on the --

16 MR. PRAUSE: Yes.

17 MR. CRAVER: So this isn't a matter of
18 choice here.

19 MR. PRAUSE: No.

20 MR. CRAVER: This is a matter of the
21 ordinance and the procedure. We have to give them
22 30 days notice and have them have the opportunity
23 to come in and lay their case out before we put
24 them on the list.

25 MR. REINHARD: Sure.

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1 MR. ILDERTON: It can be in that form.
2 I am not even suggesting we put them on the list
3 tonight.

4 MR. CRAVER: Well, that is what I
5 thought I was hearing, is that you-all wanted to
6 put all of them on the list.

7 MR. ILDERTON: They just need to be
8 notified that this could be going on.

9 MR. WRIGHT: That's right. But my
10 question is, okay, I'm on the list. I am Number
11 7. I get a letter, and I'm undecided, so how long
12 do I have as a property owner --

13 MR. ILDERTON: Well, that is another
14 point, you are right.

15 MR. WRIGHT: -- to come before the
16 board? I may wait a year, two years, five years.

17 MR. CRAVER: I don't think so. If we
18 gave them all a letter and said to tell us in
19 writing within 30 days of the letter, okay,
20 whether or not they object, whether or not they
21 would like to be on the historic list, and if they
22 don't, tell us they don't want to and we will
23 schedule a hearing for them to be able to present
24 their case.

25 If they do, then I don't know why we

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1 wouldn't put them on. If they want to be on the
2 list, put them on the list. But, if they don't, I
3 think we then have to schedule a hearing.

4 MR. WRIGHT: How many of these people
5 are absent residents? I mean, if somebody lives
6 in St. Louis, are we going to require them to come
7 here within 30 days?

8 MR. ILBERTON: We would probably give
9 them longer than 30 days. Probably give them
10 three months or something, six months.

11 MR. CRAVER: We can ask them to respond
12 within a certain period of time. Give them 60
13 days. But once they have responded, if they want
14 to be on the list, put them on the list. If they
15 don't, then I think we do get to set the number --
16 I mean 30 days notice to have their hearing. And
17 we can do a special meeting or add them to a
18 regular meeting, add a couple a meeting or
19 whatever based on when they respond.

20 MR. REINHARD: It's too complicated.
21 Just put them on the list and give them a lifetime
22 to appeal it.

23 MR. CRAVER: But that violates the
24 ordinance, Fred. It does. You have to give them
25 notice before you put them on the list.

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1 MR. REINHOLD: Give them notice and put
2 them on the list.

3 MR. PRAUSE: Then they have an
4 opportunity to come and be heard.

5 MR. CRAVER: You have to give notice and
6 give them an opportunity to come in and --

7 MR. REINHARD: That is just a notice.

8 MR. PRAUSE: If they have extenuating
9 circumstances, then they ask for consideration and
10 you weigh those accordingly.

11 MR. CRAVER: You have to hear them
12 before you make the decision.

13 MR. REINHARD: I don't think you do.

14 MR. CRAVER: Well, read the ordinance.
15 What does the ordinance say? Read the ordinance.
16 Doesn't it say that they have to be given notice
17 and an opportunity to be heard?

18 MR. PRAUSE: Yes, it does.

19 It says, "Owners of property proposed to
20 be designated historic or no longer designated
21 historic shall be notified in writing 30 days

22 prior to consideration by the Design Review Board.

23 "Owners may appear before the Design
24 Review Board to voice approval or opposition to
25 such designation and inclusion. Objections shall
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1 be based upon procedural nonconformities in the
2 designation process, or on the misapplication of
3 the criteria for designation as specified in this
4 ordinance."

5 And we have got someone filling in for
6 Trenholm and Clay. They are not here. But I
7 would submit to you that you have to put them on
8 notice, Billy. They may appear. They don't have
9 to appear.

10 If they have extenuating circumstances
11 and they can't appear, I think it's incumbent upon
12 them to express that to the board, present their
13 case, and for you-all to make a determination in
14 that regard whether or not it deserves other
15 consideration.

16 But I would think -- and this is just
17 from my experience as a planner and so on and so
18 forth. If they are put on notice to attend a
19 meeting, they can attend at their discretion.

20 If they choose not to attend at all,
21 then that could very well have a bearing on
22 whether or not they could then contest it at some
23 future time, because they have been given notice
24 to appear at a hearing. And if they just don't
25 respond, then it could very well be they have lost
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1 their right to object at a later time.

2 MR. ILDERTON: But everybody on this
3 list -- anybody on Sullivan's Island can object at
4 any time to be taken off this list. They can
5 request. We don't want to bypass that right.

6 MR. PRAUSE: Right. But that is a
7 separate issue of being put on it.

8 MR. CRAVER: It truly is. It's the
9 opportunity to be heard, notice and the
10 opportunity to be heard before you are put on the
11 list.

12 MR. PRAUSE: Right. And you have to do
13 that. Whether or not they do it is up to them.

14 If they have extenuating circumstances, even
15 though it doesn't address it in here, I think,
16 there again, you have a responsibility to deal
17 responsibly with that. You know, you listen to
18 their case and decide how you want to handle it.

19 And that was some of the stuff that
20 we -- the Planning Commission just heard whether
21 or not there should be a time limit placed on
22 this. Or the Council invoked the pending
23 ordinance doctrine through a resolution that now
24 gives protection, the full protection afforded by
25 this ordinance with regard to demolition or
0028

1 removal or alteration to properties that people
2 have been given notice that they are even being
3 considered for being put on the list. The
4 protection starts immediately.

5 Their concern was it just wouldn't drag
6 out forever and ever and ever. They were thinking
7 of putting a time limit on it. I don't know what
8 Council's final decision was.

9 But the Planning Commission's thoughts,
10 upon my recommendation, was don't put a time limit
11 on it because you hamstring yourself. And if it's
12 a date certain, and it comes and passes and you
13 haven't made your final determination, then the
14 protection goes away.

15 And because of the issues, because of
16 absentee owners, with at least one application we
17 have had already, with site visits and scheduling
18 and so on and so forth, it could very well take
19 two, three, four months to do that.

20 So I don't know what they are finally
21 going to come up with in the way of a time
22 limitation, but there is a concern that it not
23 just drag on forever.

24 MS. EWING: So if we send notice -- if
25 we came to an agreement tonight that these people
0029

1 would then be given a 30-day notice, then at which
2 meeting -- so that would take us into January.
3 And so it would be the February or March meeting
4 before --

5 MS. KENYON: March.

6 MS. EWING: It would be the March
7 meeting where we would -- the people would be --
8 we would hear that -- okay, whatever, for the
9 people that objected.

10 So we would have a pretty good idea
11 sometime in February. Because then we also need
12 to review those homes. I don't think a lot of
13 people are -- because there are tax incentives
14 now. That is another thing.

15 MR. ILDERTON: Well, do I hear a motion
16 to -- and I don't think we need to compose the
17 letter now.

18 MS. EWING: No.

19 MR. ILDERTON: But for Randy or for us
20 to get a letter composed to send out, to make
21 notice, to give notice to everybody on the list of
22 their -- you know, of their rights and what has
23 happened to the property in the time frame, so
24 forth and so on.

25 I think if we just made a general motion
0030

1 to compose this letter, and then exactly what is
2 said in the letter, exactly how it's couched --

3 MS. KENYON: We have a letter.

4 MR. ILDERTON: Okay. Right. So as to
5 clean it all up and move on. And that way we
6 don't have to discuss the ins and outs of the
7 whole process.

8 MR. CRAVER: How about sending a letter
9 to them and saying anybody who would like to be --
10 any of these who would like to be added to the
11 list, please notify us by, say, January 31st.

12 And then at that point we can add all of
13 those to the list. And then we can give notice,
14 right after January 31st, we can decide this in
15 the January meeting, give notice right after
16 January 31st that we will actually consider the
17 rest of them at the March meeting.

18 And if anybody comes in and asks for a
19 full-blown hearing or whatever -- we can decide if
20 we have five that we are dealing with. If we only
21 have two, we can hear them both that night.

22 MR. ILDERTON: Well, as it is, I don't
23 think we need to compose the letter now in this

24 session.

25 I think we ought to just vote and say we

0031

1 want this letter. Then we can figure it out
2 between us all and everybody else and then we can
3 send the letter.

4 Generally, we are saying we are going to
5 give people notice, plenty of time to respond in
6 the letter, that they are being considered for
7 being put on the list. And as far as exactly
8 whether they are given 60 days or it's in January
9 or whenever else, we will figure that out in the
10 letter. I mean, we just need to, you know, have
11 time.

12 So do I hear a motion to send that
13 letter out for notification?

14 MR. CRAVER: I'm not sure what it is you
15 are -- Pat, we don't have to compose the letter,
16 but we need to decide what the procedure is going
17 to be and let them compose the letter. But we
18 have to tell them what is the process, what do we
19 want the process to be.

20 Is it anybody who wants to be on the
21 list, tell us by a certain date? Everybody else,
22 we will set hearings.

23 MS. EWING: I think they should say they
24 don't want to be on the list. I think we should
25 take a vote if -- I think maybe one way to go at
0032

1 this is, if we vote, who is in agreement that the
2 14 homes that the Consultant Schneider has put
3 forward, we are in agreement that they should be
4 considered for historic, to be put on the historic
5 Sullivan's Island list, and we are giving approval
6 to send out a 30-day notice.

7 I think then, after that, we don't need
8 to decide the process because that is in the
9 ordinance and that is something that -- what do
10 you say all the time, the rest goes to staff?

11 MR. REINHARD: Details to staff.

12 MS. EWING: Details to staff.

13 MR. ILBERTON: Billy, you want to say
14 something?

15 MR. BARR: Having dealt with this since

16 it started in '04 -- and I have the longest
17 running applicant here with me tonight. Cyndy is
18 correct. We agree on something.

19 And you have already done this letter
20 one time. At least I know of one time. That was
21 the couple down next to the lighthouse, Cox.

22 They were given notice. The letter is
23 already composed. It says you have 30 days
24 notice. We will hear any objections you have to
25 being placed on the list at meeting such and

0033

1 such.

2 What I would suggest -- I see a client
3 of mine on this list. But what I would suggest is
4 if you make things easy for people, they will do
5 it.

6 If you send them out a letter, as Cyndy
7 has suggested, and say -- with a self-addressed
8 stamped envelope -- and say if you have no
9 objection, return a copy of this letter in the
10 self-addressed stamped envelope.

11 Then when you get a letter back from
12 them in writing saying we do not object to being
13 placed on the list, like Billy said, then you have
14 their consent to being on the list. Then you have
15 whittled your list down to less than 14. And then
16 you get those people -- just send them out the
17 list like you sent to that couple.

18 MR. ILBERTON: That is a good idea.

19 MS. EWING: Then if we get no response,
20 that is the thing, it drags on forever. And that
21 is why I think it might be better to say respond
22 if you do not want to be on the list.

23 Because, in the end, we are the board
24 that determines whether or not a home is historic
25 based on the metrics that have been placed that we

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1 use in the ordinance, and also the metrics that
2 this consultant -- because we are using the same
3 metrics and measurements. It's the national
4 standards.

5 So, you know, it's not just arbitrary
6 that we are deciding whether or not they are to go
7 on the historic list.

8 MR. ILBERTON: Kent, do you have
9 anything to add to this?

10 MR. PRAUSE: Yes. I mean, whether you
11 get a response from them or not, you have to
12 conduct a hearing. You can't get around it. If
13 it's going to go on the list, you have to make
14 findings according to the ordinance requirements.
15 There is no way around that.

16 MS. EWING: Yeah. I mean, that's fine.

17 MR. PRAUSE: And the only regard in
18 hearing back from them would just be to anticipate
19 whether or not you are going to have any
20 opposition. But it doesn't have any practical
21 effect. The ordinance spells out the process, and
22 there is no way around it. You have to do it.

23 MS. EWING: I just didn't want
24 non-respondents to go to purgatory or limbo.

25 MR. CRAVER: You have the hearing. If
0035

1 they don't respond, you have the hearing. But if
2 you get five back -- if they have signed something
3 saying I want to be on the list --

4 MR. PRAUSE: It makes your hearing a lot
5 easier.

6 MR. CRAVER: -- that is better than just
7 having them be silent and not knowing.

8 MR. PRAUSE: Correct.

9 MR. KHAN: I am Jamie Khan from Pratt,
10 Thomas, Walker. Trenholm and Clay couldn't be
11 here tonight.

12 But I heard a comment earlier about
13 giving 30 days notice and then placing someone on
14 the list. A reading of the statute requires that
15 in determining whether the property be designated,
16 that you considered the factors.

17 So giving someone 30 days notice and
18 then putting them on the list without going
19 through the factors gives them a ground of
20 objection in the statute, and that ground of
21 objection is that objection shall be based on
22 procedural nonconformities in the designation
23 process or on the misapplication of that criteria
24 for designation as specified in this ordinance.

25 And right there, if you never apply the

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1 criteria, then I think they have a fair objection
2 based on misapplication of the criteria because
3 you never applied the criteria.

4 MR. ILDERTON: Right. We have to
5 consider each one under that criteria.

6 MR. KHAN: That's right.

7 MR. CRAVER: For each property.

8 MR. KHAN: Right.

9 MS. EWING: Okay.

10 MR. ILDERTON: Okay.

11 MS. EWING: So we are actually voting --

12 MR. ILDERTON: Let's just make a motion
13 to compose a letter saying that and send it out,
14 giving proper notification to everybody, and then
15 we can move on. The letter will get composed
16 essentially properly, the way Kent thinks it
17 should be, the way maybe you and Duke think it
18 should be, and me, and then it gets sent, and that
19 way we can move on tonight.

20 MS. EWING: Good. I'm ready.

21 MR. ILDERTON: Do I hear a motion?

22 MR. WRIGHT: Make it, Cyndy.

23 MR. REINHARD: I move that we send a
24 letter to the 14 properties identified by the
25 Schneider Historic Preservation Survey of

0037

1 September of 2007 to be considered and details of
2 the letter to staff.

3 MR. ILDERTON: Do I hear a second?

4 MS. EWING: Second.

5 MR. ILDERTON: Discussion?

6 MR. CRAVER: I don't think that does it.

7 I think it has to give them the 30 days notice
8 according to the --

9 MR. REINHARD: That is a detail.

10 MR. CRAVER: Well, okay. Then let's
11 vote on that motion.

12 MR. REINHARD: Who is willing to send
13 the letter?

14 MR. CRAVER: But we need to say what
15 the -- we have to give them the essence of the
16 letter.

17 MR. REINHARD: You said we are not going

18 to write the letter.

19 MR. ILDERTON: No, I don't think we
20 should. We are not really set up to write letters
21 here.

22 MR. CRAVER: I'm not suggesting we write
23 it. I'm suggesting we tell them what the
24 substance of the letter will be.

25 MR. ILDERTON: Well, I think with Kent's
0038

1 expertise, and with Cyndy and me and Duke looking
2 over, you know, we will --

3 MR. PRAUSE: As Bill Barr said, we have
4 already done it. We have a letter. All we need
5 to do is address --

6 MR. CRAVER: It's a letter giving notice
7 and asking people who don't object to consent to
8 being put on the list.

9 MR. ILDERTON: Right.

10 MR. CRAVER: But those are the two
11 things that I think ought to be in the letter, and
12 I don't get that from that motion.

13 MR. PRAUSE: No, you don't.

14 MR. WRIGHT: We are still in the
15 discussion phase here?

16 MR. ILDERTON: Right.

17 MR. WRIGHT: I have a copy of the letter
18 that we are talking about that was sent to a
19 property owner here, and I think, essentially, the
20 letter says what needs to be said. If you want me
21 to read it, I will. If we are going to write the
22 letter here tonight --

23 MR. ILDERTON: Sure. Go ahead.

24 MR. WRIGHT: I warned you people that
25 this was going to take awhile.

0039

1 MR. CRAVER: Duke, I'm not interested in
2 hearing the letter read. I just want to make sure
3 that both points are in it. One is the 30 days
4 notice; and, two, if we give them something that
5 if they consent to being on the list, they can
6 sign and send back, because I think that will cut
7 down our work substantially.

8 MR. WRIGHT: Well, I agree.

9 MR. CRAVER: And I'm happy for Kent to

10 do that.

11 MR. WRIGHT: I think we can use this as
12 a starting point and craft the letter. I am
13 willing to do that with Pat and Cyndy or whomever.
14 I don't want to have to wait a month and bring it
15 back and get the board to review the letter. We
16 need to get moving on this.

17 MR. ILDERTON: Okay.

18 MR. WRIGHT: So I think Fred's motion,
19 as general as it is, starts the action.

20 MR. ILDERTON: And those two points of
21 yours will be in the letter. I mean, I don't mind
22 having a self-addressed stamped envelope coming
23 back.

24 MR. CRAVER: If Fred will consent to add
25 that to his motion --

0040

1 MR. REINHARD: I accept the amendment.

2 MR. ILDERTON: All right. Do we have a
3 second on the acceptance?

4 MR. WRIGHT: I will second.

5 MR. ILDERTON: Discussion? Everybody is
6 happy. Everybody in favor of the amendment?

7 (All hands raised by the board.)

8 MR. ILDERTON: Anyone opposed?

9 (No show of hands.)

10 MR. REINHOLD: Is there a stamp on that
11 envelope?

12 MR. ILDERTON: Yes, there is a stamp.

13 2529 Atlantic, addition, alteration,
14 final approval.

15 MR. CROUCH: Sir?

16 MR. ILDERTON: Yes, sir.

17 MR. CROUCH: My name is John Crouch, and
18 my firm is Oceana Design. I'm an architectural
19 firm.

20 MR. ILDERTON: I'm sorry. I'm sorry.
21 I'm off.

22 MR. CROUCH: I asked.

23 MR. ILDERTON: I'm sorry. Kent, tell us
24 what we have.

25 MR. PRAUSE: Let me take a moment and

0041

1 figure it out. The agenda, apparently, has

2 changed from what was initially issued. I thought
3 this one was --

4 MR. ROBINSON: Accessory structure.

5 MR. PRAUSE: Okay, the pool. This one
6 is just -- they are putting in a pool. That is
7 the only reason why it's here.

8 MR. HERLONG: Accessory structure.

9 MR. ILDERTON: Accessory structure.

10 MR. PRAUSE: Correct.

11 MR. ILDERTON: Okay. Now, where were
12 we?

13 MR. CROUCH: My name is John Crouch.

14 I'm an architect out of Isle of Palms. This is
15 Chris Jones. He is the owner of the house. And
16 we are here concerning 2529 Atlantic.

17 And, as Kent said, they are hopefully
18 going to put a pool in the back. And in
19 conjunction with putting a pool in the back, we
20 are going to tear down an existing sort of
21 decrepit -- I don't want to use such a -- a
22 deteriorated screen porch in the back and rebuild
23 it.

24 The present house was built originally
25 in the early '80s, and in the early '80s it burned
0042

1 down and it was rebuilt in '83 or '84, remodeled
2 in the '90s, and Chris and Jo, the Joneses, have
3 just finished working on the inside.

4 My task is to integrate the addition of
5 the pool with the new porches that are going to
6 clip around the back of the house.

7 If you look over here, this is sort of
8 an abstraction of the drawings you have in front
9 of you. The area in yellow on Sheet AO3 is the
10 existing house. If you can see this dotted line,
11 in yellow is the existing configuration of the
12 screen porch and deck that they are planning to
13 remove with your permission. The green is the new
14 porch that we will put on, and then the gray color
15 is the proposed pool deck.

16 MR. WRIGHT: It's a lot more than a
17 pool.

18 MR. CROUCH: Yes, it is.

19 MR. WRIGHT: This is a major

20 modification.

21 MR. CROUCH: It is.

22 MR. PRAUSE: But the only reason why
23 it's here --

24 MR. CRAVER: But we have no purview on
25 that.

0043

1 MR. WRIGHT: I know, but I just wanted
2 to make that point.

3 MR. ILDERTON: That it's just a pool,
4 yeah.

5 MR. CROUCH: On the second floor there
6 is an existing deck, an existing open deck on the
7 second floor. Our proposal is to cover that
8 over. I will turn back to this and you can look
9 at your plan sheets.

10 You can see the configuration of the
11 pool deck along Atlantic. It's really very little
12 work. On the front of the building, we are just
13 going to fix up the front porch that presently
14 just has a 2x4 railing across it.

15 The principal work really is facing the
16 ocean and on Station 26. The existing house
17 ends, well, on a line with the beginning of our
18 new pyramid-shaped roof for the second floor
19 porch.

20 The pool extends out 38 feet from the
21 existing house. The width is slightly wider than
22 the existing house. It's some six, eight feet
23 wider. I'm sorry, 16 feet wider than the existing
24 house. It meets all the setbacks. It meets all
25 the coverage, as long as Randy and PaverScape

0044

1 deny -- beat up the PaverScape guy to put the
2 front driveway in properly to equal the new
3 pervious detail -- or impervious detail -- or
4 pervious detail. So there is no change requested
5 in the setbacks.

6 One thing we are doing to the
7 foundation, the pool will have a concrete
8 foundation, of course. Presently the building has
9 a pile foundation. And if you look at the
10 photographs provided, you can see that the house
11 sort of sits on these piles rather awkwardly, so

12 we are going to make new piling covers, cover them
13 in stucco to match the finish on the pool base so
14 the house will be brought visually down to the
15 ground in a more suitable manner and match the
16 pool.

17 The infill between the new pier covers
18 and in the pool will be designed in a breakaway
19 fashion according to the regulations that govern
20 it.

21 What we are doing is creating -- it's a
22 vertical two-by -- well, not two-by, 1x4 spaced,
23 and then a window-looking top on it, and that
24 mimics the design of the garage doors. The garage
25 doors, of course, won't have screen, but the whole

0045

1 base then will be unified. And right now I think
2 it's vertical sagging lattice, not screened in,
3 but it's bug essential down there. That got torn
4 up when I was measuring.

5 Facing the ocean, if you look at the
6 configuration of the porch roofs, it's two
7 pyramids that are vented at the top to let air
8 move up across the facade, open porches.

9 This is designed, perhaps, to take
10 screening in the future, but right now there is no
11 intent to screen it in because the breezes are
12 such that you don't need to, or at least we are
13 going to try not to.

14 The porch railing and pool railing are
15 going to be made from Melton Classics.

16 MR. WRIGHT: Is that all that this board
17 is required to approve, is the pool? If you
18 weren't building a pool, you wouldn't have to be
19 here?

20 MR. ILBERTON: Right. That's correct.

21 MR. CROUCH: Do I need to keep talking?

22 Here is the pool connect material, coquina stone.

23 There is the pool railing and also the porch
24 railings, not this shape, but that color makes --

25 and then you will see the roofing is a Galvalume

0046

1 roofing. There is a house just around the corner
2 that uses the same roof.

3 So we are not using the fancy baluster.

4 We are using the square, keeping it simple and
5 unpretentious like the rest of the house.

6 Building height remains the same. The
7 peaks on the porches are three feet below the
8 existing height. I think the massing, because
9 it's broken up, hides the length.

10 MR. ILDERTON: Yeah. I don't think you
11 even need to discuss that, because that is not
12 really under our jurisdiction anyway.

13 MR. CROUCH: There is no change in the
14 driveway, no change -- well, the front and side
15 facade you can see I really pretty much addressed.
16 The use is obviously for quiet activity. It's a
17 house, and Chris and Jo live there year around.
18 They are not in a remote location. So it's their
19 single-family house.

20 MR. ILDERTON: Thank you.

21 MR. CROUCH: Any questions?

22 MR. ILDERTON: Well, we may. I just
23 need -- public comment? Public comment on this
24 application? Yes, sir.

25 MR. WILLIAMS: Roy Williams, 2513 I'on.
0047

1 I noticed when I got this agenda tonight it says
2 final approval, and I'm a little bit curious as to
3 when the initial approval was given.

4 I live in that neighborhood, and I walk
5 around that block every night, and last night was
6 the first time I had noticed that sign about
7 approval. Maybe I missed the previous sign.

8 And I'm a little bit concerned about the
9 size of this because it's across from a historic
10 block, and it seems rather -- the pool seems quite
11 massive. And I will inject my personal opinions,
12 that I don't like above-ground pools, but that is
13 just my personal opinion.

14 Also, the house that burned in 1980 was
15 built probably in the '30s when it belonged to Mr.
16 Steinberg. And then the present house was
17 rebuilt. There has not been another fire since
18 then.

19 But I am a little bit concerned about
20 the impression on the neighborhood because I live
21 in the block across from that property. It just

22 seems to me, and maybe I'm wrong, and I haven't
23 seen the pictures, but I hope the pool is handled
24 well because it seems rather massive to me.

25 MR. JONES: I don't think you really see
0048

1 the pool from the street very much. There is a
2 big clump of trees there that more or less blocks
3 it. You will notice it, but it's not going to
4 be --

5 MR. WILLIAMS: I like trees, and I hope
6 you keep the trees growing.

7 MR. JONES: Oh, yes.

8 MR. ILDERTON: And, Roy, I think the
9 applicant can choose to come for a final right off
10 the bat. They don't have to come for
11 preliminary. They can come for a final. It
12 sometimes can jeopardize a client by doing that.

13 MR. WILLIAMS: I see.

14 MR. ILDERTON: But they don't have to,
15 you know, on certain things.

16 MR. WILLIAMS: Sure.

17 MR. ILDERTON: Any other public
18 comment? Yes?

19 MR. WILSON: My name is William Wilson.
20 We live right across the street from Chris. This
21 is the first I have known about the thing. I am
22 just curious about the total size of the project.

23 MR. ILDERTON: Well, you are more than
24 welcome to come up and take a look at the sketches
25 there and -- I mean, the pool is drawn on there
0049

1 and it's --

2 MR. WILSON: Is that the back or the
3 front of the house?

4 MR. CROUCH: That is the back.

5 MR. WILSON: Oh, the back, not the
6 front?

7 MR. CRAVER: You can see it right here
8 pretty well. This is the Station 26 side and --
9 so this is being added.

10 MR. WILSON: So that's the front of the
11 house.

12 MR. CRAVER: That is the existing house
13 and that is the addition.

14 MR. WILSON: So this is not in the back
15 of the house? It's in the front of the house?

16 MR. CROUCH: No, no, sir. That is
17 towards the ocean. Yeah, that's the front.

18 MR. WILSON: Okay. So it's not in the
19 back of the house?

20 MR. CROUCH: No.

21 MR. WILSON: What is the total size of
22 this right here?

23 MR. CROUCH: It's 38 feet.

24 MR. WILSON: The total size, like the
25 volume.

0050

1 MR. CROUCH: I haven't figured out the
2 volume, but I can tell you --

3 MR. WILSON: Isn't that what your
4 question was, about the volume?

5 MR. WILLIAMS: Yes, the size.

6 MR. JONES: The existing screen porch,
7 it's basically take that same elevation and go --
8 you know, double that.

9 MR. CROUCH: But we are down 14 inches
10 from that floor height -- 21 inches.

11 MR. JONES: It's basically as wide as
12 the house. I think it comes out a little bit.

13 MR. CROUCH: Well, it does step down
14 from the house 21 inches, the pool deck does, and
15 then extends out 38 feet from the --- not from the
16 existing porch, from the existing house. So the
17 new porch and the pool together are 38 feet out.

18 At least I think that's right, isn't
19 it? No, I'm sorry, 54 feet out. It's 38 -- it's
20 16 feet new porch, 30 feet with the pool deck. So
21 the new porch -- the present porch is 12 feet,
22 dropping down 21 inches and then going out 38 feet
23 to the pool deck.

24 MR. JONES: 30.

25 MR. CROUCH: 30.

0051

1 MR. ILDERTON: Is there any other public
2 comment? Public comment section is closed.

3 Kent, do you have anything to add?

4 MR. PRAUSE: Just that, as Randy had
5 pointed out, I mean, it's not just the pool. The

6 decks, patios, things of that nature are also
7 accessory use structures that come under your
8 purview as well, so it's not just the pool itself.
9 It's the pool, the deck.

10 MR. ILDERTON: But they are under the 15
11 percent coverage and all of that kind of stuff?

12 MR. CROUCH: We are, yes.

13 MR. PRAUSE: It will have to be.

14 MR. CROUCH: We meet all the
15 requirements. I'm not asking for a variance on
16 anything.

17 MR. ILDERTON: All right. Thank you.
18 What does the board think? Billy?

19 MR. CRAVER: I mean, they are not asking
20 for any variances or anything. It looks fine to
21 me. I would approve it. It was well done. I
22 know the house well. I think it would be a nice
23 addition to the house.

24 MR. ILDERTON: Cyndy?

25 MS. EWING: I am concerned with a couple
0052

1 of things. So there is pervious -- surfacewise,
2 there is not a problem, Randy?

3 MR. ROBINSON: Not once they take care
4 of the front driveway.

5 MS. EWING: Because this is all
6 PaverScapes. That is pervious now?

7 MR. ROBINSON: That's not, and will have
8 to be removed.

9 MR. CROUCH: It was put in improperly,
10 and we are having to hassle PaverScape right now
11 to get them to redo it. So that is obviously
12 contingent -- that is contingent upon us doing
13 this issue.

14 MS. EWING: And then the house as it
15 exists, this two-story porch addition with the
16 pyramid roof on it, is that sitting on top of the
17 existing porch? Is that what you are doing?

18 MR. CROUCH: No. We are going to have
19 to remove this because I'm suspect of the
20 structure that is there.

21 MS. EWING: So that porch is being
22 removed?

23 MR. CROUCH: And then we are rebuilding

24 on top of it and adding four feet out.

25 MS. EWING: So that is another -- and so

0053

1 that's -- is that included in your 940 square
2 feet?

3 MR. CROUCH: Yes.

4 MS. EWING: That is what the double-deck
5 porch is. Okay. And then the open decks and
6 steps are the --

7 MR. CROUCH: Pool and the access to the
8 pool.

9 MS. EWING: The front access. And then
10 the pool and patio are 2,258 square feet?

11 MR. CROUCH: Yes.

12 MS. EWING: Here is my problem there, a
13 couple of things. First of all, the massing of
14 that is -- I mean, that is bigger than -- if you
15 look to the -- if you are standing on Atlantic and
16 looking at this, looking at the beach, the house
17 to the right of it -- what is his name, the little
18 cinder block?

19 MR. CRAVER: Tom McCutchen's house.

20 MS. EWING: I mean, that is petite. And
21 the house -- your home, as it stands already, is
22 much, much larger. So I'm concerned -- I'm also
23 concerned in terms of how much -- it doesn't -- we
24 don't have any invitation --

25 MR. JONES: There are a lot of houses in
0054

1 that neighborhood that are that large or larger.
2 Just that one house is small.

3 MS. EWING: You know what? Now you
4 can't talk anymore. We get to say what we are
5 saying.

6 MR. JONES: I thought you were looking
7 for a response.

8 MS. EWING: No, no. I am just kind of
9 going through my concerns. I am also concerned
10 about in terms of -- I see this line going
11 through. Is this some kind of a setback in terms
12 of a view corridor or a building line that is
13 here?

14 MR. ROBINSON: That is a FEMA flood
15 elevation line.

16 MS. EWING: Okay. But there is a
17 recommendation in the ordinance under porches and
18 decks, and it's on Page 20, and it says that
19 porches are an integral part of the architecture
20 of Sullivan's Island and should be strongly
21 encouraged. However, decks are not a part of the
22 historical character, island's character.

23 And these are guidelines. At least 40
24 percent of the building's primary front facade --
25 well, anyway, forget that part. We will go to the
0055

1 square footage of the porches and decks should not
2 exceed 40 percent of the principal building's
3 enclosed square footage.

4 And you are significantly over that
5 given the square footage that this house is. And
6 so you are over -- if the pool itself is 22 and
7 change, and then the other covered porch, it's
8 3200 square feet, and 40 percent of the size of
9 your house is 1800.

10 So that is really -- I am just saying
11 the mass and the scale I think is something that
12 concerns me. And it also says decks should be
13 limited to a maximum of 20 feet in any direction,
14 and this deck is -- I think it's 60 feet across
15 the back and then 38 feet in one direction. So I
16 don't think it's really fitting in with the
17 guidelines.

18 MR. ILDERTON: Thank you. Fred?

19 MR. REINHARD: I agree with Cyndy.

20 MR. ILDERTON: All right. Steve?

21 MR. HERLONG: This is a pretty
22 interesting submittal in that it's here because of
23 the accessory structure, which is the pool and
24 deck.

25 The porch additions, as I understand it,
0056

1 Randy and Kent, if you had just done the porch
2 additions you wouldn't need to be here. So I tend
3 to agree as well, Cyndy, that it's a very large,
4 expansive addition out towards the ocean. And,
5 however, it's within the setbacks.

6 I think that the setup of the pool,
7 there is no wall of the deck longer -- well, 20

8 foot 10 inches I see right here.

9 So if you cut that down 10 inches, I
10 think you may meet the letter of that. I do agree
11 that that is a very large pool deck, but it's
12 within the setbacks.

13 And if we requested that the pool and
14 deck not exceed the setbacks that the house has,
15 they could easily extend the porches out bigger to
16 make the deck bigger.

17 It is a large pool and deck, but it's
18 only, I don't know, 12 feet off the ground. That
19 is the good thing going for it. The deck is only
20 an elevated deck and not additional structures up
21 that high, similar to the porch additions.

22 So this just sort of points out some of
23 the awkward conditions in our ordinance, that we
24 are here only to discuss the pool and deck, but
25 not the house.

0057

1 So I'm a little bit torn as to how to
2 rule on this. I am afraid if we put limits on the
3 pool and deck, we go alter the house, then we
4 cannot control -- that could then negate what we
5 wanted to have happen in the first place.

6 MR. ILDERTON: Thank you. I live on
7 that block, and I know Mr. McCutchen's house. I
8 live two houses down from him in the same block,
9 and I would say Mr. McCutchen's house, even though
10 it is a neat little cottage, I do like it, but it
11 is an oddity because of all the other structures
12 on that house (sic). I mean, it is the one that
13 is out of place. I don't want to see it gone, but
14 it is what it is.

15 I mean, because I'm on that end, and
16 then you have everybody else down the road all the
17 way with significantly elevated strong structures
18 on that property. So I do see that as probably
19 not bearing as being a problem, even though I say
20 it is a very small, little house.

21 Again, it's a significant deck around
22 the pool. I think you ought to be able to have a
23 decent size deck around a pool. If it's somewhat
24 lower than the porch -- was it 21 inches you said?

25 MR. CROUCH: Yes.

0058

1 MR. HERLONG: That does give, to the
2 eye, a graduation, because the house is fairly
3 high. It's a rather vertical house, anyway. It's
4 sort of severe on the street side and all, and
5 even on the front side, I think, just in -- I
6 never have considered that particular house an
7 architectural marvel to begin with.

8 MR. JONES: Don't hurt my feelings.

9 MR. ILDERTON: Well, I have never told
10 Grupper (phonetic) that.

11 MS. EWING: Yeah, I wouldn't.

12 MR. ILDERTON: But if something is well
13 done to make that house a little bit easier on the
14 eye, and architecturally well done, then I would
15 be in favor of it. I possibly could see some
16 reduction in the deck. But, other than that, I
17 wouldn't have a problem with it.

18 MR. WRIGHT: Well, I have trouble with
19 the massing of it. And maybe something can be
20 done with this covered pergola that would take
21 away the visual impact of the massing.

22 MR. CROUCH: May I speak?

23 MR. WRIGHT: Yes.

24 MR. CROUCH: We will ditch it if you
25 would like.

0059

1 MR. WRIGHT: That would make me feel a
2 lot -- and I come down that street a lot walking
3 and running. I think if you can do something with
4 that part of it, to me, that would reduce the mass
5 considerably.

6 MR. JONES: The pergola is not --

7 MR. ILDERTON: All right. Do I hear a
8 motion?

9 MR. CRAVER: I move that we approve it
10 without the pergola.

11 MR. ILDERTON: Do I hear a second?

12 MR. WRIGHT: I second that.

13 MR. ILDERTON: All right. Discussion?
14 I don't have a problem with that. Steve?

15 MR. HERLONG: I think, again, this
16 points out one of those odd conditions. And while
17 I do think it's uncomfortably large as a pool and

18 deck, I don't really see how we can -- we have a
19 lot of authority to ask for reductions. I think
20 it meets the ordinance. They are not asking for
21 any extras.

22 MS. EWING: I just feel the neighborhood
23 compatibility is key here. And even if it was
24 less elevated, if there were more steps going
25 down, it just is -- because the house is so

0060

1 vertical and up in the air, and then now there is
2 going to be this other mass, I don't know. I am
3 just -- and it's on the way to the beach, but
4 that's -- that is big. That is as big as houses,
5 2200 square feet, bigger than a lot of the houses
6 in that area. So, anyway.

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

8 MR. REINHARD: It's too big.

9 MR. ILDERTON: Billy?

10 MR. CRAVER: I'm in favor of it.

11 MR. ILDERTON: All right. Everybody in
12 favor of the motion say aye.

13 MR. HERLONG: And the motion is to
14 approve?

15 MR. WRIGHT: Motion to approve.

16 MR. ILDERTON: To approve the motion.
17 Everybody in favor of it?

18 (Hands raised by Mr. Wright, Mr.

19 Ilderton, Mr. Herlong and Mr. Craver.)

20 MR. ILDERTON: Anybody opposed?

21 (Hands raised by Mr. Reinhard and Ms.
22 Ewing.)

23 MR. WRIGHT: And the motion did remove
24 the pergola?

25 MR. CRAVER: Yes.

0061

1 MR. ILDERTON: Yes.

2 MR. CROUCH: Thank you for your time.

3 MR. ILDERTON: 2650 Jasper, historic
4 property, addition of a fence. Kent?

5 MR. PRAUSE: This property is outside of
6 the historic district. However, the particular
7 residence is designated as a Historic Resource.

8 That is why they are here.

9 The proposed new fence is indicated as

10 100 feet on one dimension, 25 feet on another,
11 described as a proposed new living fence of
12 hardware cloth, in parentheses, on 4x4 posts to
13 contain the dog, and it's shown on the site plan.

14 There is no drawing or a description of
15 the grade of the hardware cloth. But it's 4x4
16 posts, and I imagine the applicant can provide a
17 little more detail.

18 MR. ILDERTON: Great.

19 MR. BOEHM: I am here representing the
20 owner.

21 MR. ILDERTON: Yes, sir?

22 MR. BOEHM: Paul Boehm, and I have a
23 sample of the fence for you. It's that. And it's
24 really just intended to be a temporary fence to
25 enclose a dog that is living in the little

0062

1 cottage, the little historic cottage, not anything
2 permanent.

3 I would actually like to, if possible,
4 just do those iron, temporary iron posts, but if
5 you want 4x4s, that is fine, too.

6 And I would rather it just be 12x100, or
7 whatever that other number was, rather than 25.
8 Just as small as we can make it to allow the dog
9 to come out the little screen porch area and run
10 around the yard.

11 MR. ILDERTON: Great. Thank you. Is
12 there anyone in the audience that has an
13 observation, objection? Yes, ma'am?

14 MS. CARTLEDGE: My name is Diane
15 Cartledge. I live next door to the property.

16 Mr. Boehm left a message that the
17 property owners discovered their markers -- their
18 fence was inside their survey boundaries. And the
19 same surveyor who did theirs did mine ten years
20 ago, and it's eight feet off for some reason.

21 And there is an easement on that deed.
22 There is some question about that. And their
23 fence has been up 50 years and never a mention of
24 that property being theirs.

25 And I would like for you to wait until

0063

1 my surveyor and my lawyer checks the title. And

2 my surveyor has talked to your surveyor and told
3 him there was a discrepancy, so I'm a little
4 surprised that they are applying tonight, because
5 I was told that we would be given more time.

6 This all happened -- they moved the
7 fence while I was out of town with just a message
8 on my answering phone, no word in person to me.
9 That all happened -- they tore down the fence and
10 moved a lot of my junk. Most of it was junk, but
11 without my permission, on the 30th.

12 And I couldn't get a surveyor until the
13 6th, and I haven't gotten the results of it yet.
14 So their markers are at least eight feet off.

15 MR. ILDERTON: Thank you. Diane, we are
16 primarily here to decide whether it's
17 aesthetically right. We are not a board or we
18 could not make a determination whether it's legal
19 or illegal, or if it's on your property or not on
20 your property.

21 That would have to be taken up maybe
22 with Randy and/or Kent, and they would have to --
23 it's a civil matter, okay? I mean, you would have
24 to have lawyers and surveyors to decide.

25 MS. CARTLEDGE: Well, I have that.

0064

1 MR. ILDERTON: But it's not -- I mean,
2 we can't consider that. I mean, we are
3 considering the aesthetics of the fence.

4 MS. CARTLEDGE: You don't have to do it
5 tonight, do you? Couldn't you give me a little
6 more time?

7 MR. ILDERTON: Again, it's not up to us
8 to make a decision whether they are on your
9 property or you are on their property. We don't
10 know. We don't know that. Maybe I could ask
11 counsel what -- I mean, certainly we could deny it
12 or postpone it. But, I mean --

13 MR. CRAVER: We could conditionally
14 approve it that it be placed solely on the
15 applicant's property.

16 MS. CARTLEDGE: Until this is settled.

17 MR. ILDERTON: Well, that the fence
18 needs to go on the applicant's property. Which,
19 of course, should be understood, but we would say

20 that. That is all we can say.
21 And if there was any other discussion or
22 disagreement, that wouldn't be for us to be
23 included in. We would be beyond that. We would
24 be out of bounds on that. But I understand what
25 you are saying.

0065

1 Any other comment, public comment on
2 this? Public comment section is closed.

3 Kent, is there anything else?

4 MR. PRAUSE: Nothing else.

5 MR. ILDERTON: Duke?

6 MR. WRIGHT: I'm not sure I understood
7 what you just said. Can we approve this fence
8 contingent on it being on the owner's property?

9 MR. ILDERTON: Well, that would be
10 understood. But, yeah. We can throw that in
11 there.

12 MR. WRIGHT: Okay. That is my thought.

13 MR. ILDERTON: No, that's good. That's
14 good.

15 MR. WRIGHT: Let's make it simple.

16 MR. ILDERTON: Steve?

17 MR. HERLONG: The existing portion of
18 the fence that is around the corner, that is
19 already there, is that correct?

20 MR. BOEHM: Yes.

21 MR. HERLONG: And what type of fence is
22 that?

23 MR. BOEHM: That is chain link.

24 MR. HERLONG: So you are just wanting to
25 basically temporarily enclose the inner two sides,

0066

1 which are clearly many feet inside the existing
2 fence between the properties, so I don't see any
3 problem with that. It's a very rural looking
4 site, and that fence is very appropriate for that
5 style and property.

6 MR. ILDERTON: Fred?

7 MR. REINHARD: It's fine.

8 MR. ILDERTON: Cyndy?

9 MS. EWING: Yes.

10 MR. ILDERTON: Billy.

11 MR. CRAVER: Yes.

12 MR. ILDERTON: I want to take -- at this
13 point I want to just throw out something for us to
14 maybe think about, and we can talk about it maybe
15 at the next meeting or something.

16 That under some level, whether it's a
17 monetary level, or whether we say it's a
18 structural level or whatever else, we shouldn't
19 have this before us.

20 We should let Randy and/or Kent or both
21 of them make decisions on certain things that they
22 can, because this is gumming up the works, this
23 kind of small tough stuff. And I don't know if we
24 want to put a monetary level on it, like \$10,000
25 and below, or whether we say certain things like
0067

1 fences and all they could make a decision on, or
2 whatever else.

3 I think we have the right, as the board,
4 to make those decisions and say we -- and ask and
5 request that Kent handle or Randy make the
6 decisions on this so every little thing does not
7 have to come up before this board.

8 That way the owners are relieved of all
9 of this mess, and we are, too. Because we are
10 getting entirely too detailed, in my opinion, I am
11 just throwing this out, in getting in people's
12 minutia of their business on Sullivan's Island,
13 and that is not what Sullivan's Island is about.

14 But Randy and Kent, knowing that we are
15 very concerned about the aesthetics, fences,
16 whatever, but they can make certain calls in
17 certain conditions, whether it's a monetary,
18 anything under \$10,000 or whatever.

19 But I just thought I would throw that
20 out at this time, because I think we have the
21 power to adjust the things that are coming before
22 us. Anyway, enough said.

23 MR. HERLONG: I agree with that.

24 MR. WRIGHT: I agree.

25 MR. ILDERTON: Do I hear a motion?

0068

1 MR. WRIGHT: I move that we approve the
2 fence contingent upon it being upon the owner's
3 property.

4 MR. ILDERTON: Do I hear a second?

5 MR. HERLONG: Second.

6 MR. ILDERTON: Discussion? Everybody in
7 favor?

8 (Hands raised by all board members.)

9 MR. ILDERTON: Great. Thank you.

10 MR. BOEHM: What about the iron aspect,
11 the temporary iron?

12 MR. ILDERTON: What was in the
13 application?

14 MR. BOEHM: 4x4s.

15 MR. ILDERTON: Then that is what we
16 approved.

17 MR. BOEHM: That's fine. Thank you.

18 MR. ILDERTON: 405 Station 22, partial
19 demolition. Kent, what do you think?

20 MR. PRAUSE: This matter was before you
21 once before in which a certificate of
22 appropriateness was given to reduce the size of
23 this house, but that certificate of
24 appropriateness has expired under the terms and
25 conditions of the ordinance because no building
0069

1 permit was taken out within a year of its issuance
2 to effect what was approved.

3 So they are back here to ask for another
4 certificate of appropriateness to reduce the size
5 of this building pursuant to the drawings that
6 have been submitted and that were previously
7 approved.

8 There is at least one aspect of it,
9 though, that I need to mention. And Mr. Barr is
10 here representing the applicant, and he can
11 address the issue, too, I'm sure.

12 When it was approved previously, some of
13 you-all may remember, the idea was to reduce the
14 size of the building in order to be able to build
15 another house on the lot.

16 But the day before they came to actually
17 get that approved, Town Council invoked a pending
18 ordinance doctrine that basically said if you
19 reduce the size of a house down to 1200 square
20 feet, you can't build another house on the lot.
21 In other words, it had to be 1200 square feet to

22 start off with. You couldn't reduce it.
23 They amended that ordinance to now allow
24 that to happen, but they put some other
25 requirements in it that the board has to state in
0070

1 writing reasons for doing it, and it has to do
2 with certain additions having a time limitation --
3 or having a time frame of when they were put on
4 the building from Section -- that special
5 circumstances justifying the reduction in square
6 feet are supposed to be based on the criteria
7 listed in Section 21-94(d), 1 through A, and the
8 portions removed from the historic property were
9 added less than 50 years ago and/or obscured an
10 earlier feature of the historic house which
11 contributed substantially to the most important
12 elements of the historic character, definition and
13 integrity.

14 Examples would include removal of an
15 enclosure of a porch when the porch had been
16 characteristic of particular island structure or
17 removal of an addition which is covered and the
18 distinctive feature of the structure is shared by
19 neighboring structures.

20 That is if they want to build another
21 house on the lot, to just allow it to be reduced.
22 Just to reduce it in its own accord, I don't think
23 there are any restrictions in that regard.

24 They do have either a conceptual or
25 preliminary approval in place, certificate of
0071

1 appropriateness in place now to build another
2 structure on the lot, another house on the lot,
3 and that has not yet run its course. It's still
4 valid.

5 So whether or not this applies to that,
6 I don't know. But I just thought I should at
7 least bring it out, get it on the record for
8 you-all's consideration and to have it out there.

9 MR. ILDERTON: Thank you.

10 MR. PRAUSE: You're welcome.

11 MR. ILDERTON: Mr. Barr, I have been
12 asked by certain people --

13 MR. BARR: To limit it to five minutes?

14 MR. ILBERTON: -- on the staff to remind
15 you that you have ten minutes exactly.

16 MR. BARR: One thing, just for the
17 record. It would be Heidi Brown and Seth Fisher's
18 position that the vested right statute would have
19 given their approval a two-year period, but I'm
20 not going to delve into that.

21 As indicated a moment ago, Heidi is my
22 longest-running client before this board. We came
23 before this board well before Cyndy and Bill were
24 here, and Fred, in December of '04, and we have
25 been at it ever since.

0072

1 And from a chronological standpoint, we
2 came before this board on August the 16th of '06
3 for the partial demolition, the date before the
4 statute was amended, so we couldn't go forward
5 with application for the second house on the
6 structure at that time.

7 So basically there was a roughly --
8 let's see, from August until May of '07 is when
9 the new statute was applied, was finally adopted.
10 So from August until May we were just sort of in
11 limbo waiting to see what they were going to do
12 with the statute, so that was the cause of the
13 delay in that aspect.

14 In June of '07 we came before this board
15 and asked for conceptual approval to put the
16 second house on the lot, and we showed you a
17 picture of raising the historical house and
18 renovating it, or putting the second house -- and
19 I believe this board unanimously approved the
20 second house on the lot.

21 I really think that given the timing of
22 that conceptual approval in June of '07, which is
23 subsequent to the passage of the new ordinance,
24 essentially that was tantamount to acknowledging
25 the project, and the project consists of

0073

1 demolition of the house and the new structure on
2 the property was met at that point in time so --
3 in June of '07.

4 We didn't get the certificate of
5 appropriateness out of the June meeting until

6 October the 29th, just about a month ago. Somehow
7 the paperwork got lost in the shuffle in the back
8 there.

9 We did request a permit to demolish, for
10 partial demolition. But in order for them to
11 issue us a permit for partial demolition, they
12 told us we had to move out, disconnect the power,
13 et cetera, et cetera.

14 One of the code sections concerning
15 building permits says that the building permit is
16 good for 180 days. So we could have pulled that
17 permit back in October when we applied for it.
18 That permit would have been good for 180 days. We
19 wouldn't even be here tonight.

20 So trying to keep this simple and trying
21 to shorten it up, we are asking you-all just to
22 approve what you already have approved. And
23 essentially you approved this in June of '07, and
24 a certificate of appropriateness was issued on
25 October 29th of '07. Thank you.

0074

1 MR. ILDERTON: Thank you. Any public
2 comment on this application? Yes, sir?

3 MR. WILLIAMS: Roy Williams, 2513 I'on.
4 This is certainly a convoluted case, and I'm not
5 sure I have everything right.

6 One of my concerns is, unless I'm maybe
7 misunderstanding, I am really not in favor of a
8 second house on the lot. I drive down Middle
9 Street where they have those two monstrosities,
10 where the Devereux mansion was, there is a house
11 behind it, and then next door, the old Truesdale
12 house, there is a monster house behind it.

13 I know so many people on the island
14 comment about what a horrible eyesore that is. I
15 just think you have to be very careful in thinking
16 about approving a second house on that lot.

17 MR. ILDERTON: Thank you.

18 I think the point has been made, Roy,
19 that it has already been approved, that it has
20 already come through us and that is a done deal.

21 MR. BARR: To alleviate his concerns,
22 the new house is like 3,000 square feet. And at
23 the previous meeting it was commented on that this

24 lot is almost two-thirds of an acre.

25 So we have a small house sitting up in

0075

1 the corner, and the new house is going to go in

2 the back corner up there sort of more toward

3 Marshall Stith's house.

4 MR. WILLIAMS: Kind of like a

5 separation?

6 MR. BARR: Yes, sir.

7 MR. ILDERTON: Public comment? Anybody?

8 Public comment section is closed.

9 Kent, any final comments?

10 MR. PRAUSE: Nothing else.

11 MR. ILDERTON: Duke?

12 MR. WRIGHT: No, I'm okay.

13 MR. ILDERTON: Yeah, I'm okay. It's

14 been before us already, and I don't see how we can

15 rescind and change and mess with this client

16 anymore and make her life any more bureaucratic

17 than it's already been.

18 MR. WRIGHT: I enjoy messing with the

19 lawyer.

20 MR. ILDERTON: Steve?

21 MR. HERLONG: I'm okay with it as well.

22 MR. ILDERTON: Fred?

23 MR. REINHARD: I'm all right with it.

24 MR. ILDERTON: Cyndy?

25 MS. EWING: I was not okay with the

0076

1 demolition, so I didn't vote for it the last time.

2 MR. CRAVER: I'm okay with it.

3 MR. ILDERTON: Do I hear a motion?

4 MR. CRAVER: I move we approve it,

5 approve the extension.

6 MR. ILDERTON: Do I hear a second?

7 MR. HERLONG: Second.

8 MR. ILDERTON: Discussion? Everybody in

9 favor?

10 (Hands raised by Mr. Wright, Mr.

11 Ilderton, Mr. Herlong, Mr. Reinhard, Mr. Craver.)

12 MR. ILDERTON: Everybody opposed?

13 (Hand raised by Ms. Ewing.)

14 MR. ILDERTON: 2402 Jasper, changes to

15 an approved plan.

16 MR. PRAUSE: This one, if I'm reading it
17 correctly, is back. It's a submittal. It's
18 within the historic district and it's designated
19 as a Historic Resource. They already have certain
20 things approved to be done to it, but what they
21 are here for tonight is to change the window and
22 door height on previously approved plans.

23 MR. ILBERTON: Great. Thank you.
24 Applicant?

25 MS. ALLEN: Elizabeth Allen, Allen

0077

1 Design, on behalf of the owner.

2 We have approval on the work for the
3 main house, on the additions, and we are
4 requesting to increase the height of the windows
5 and doors in an attempt to increase the interior
6 door height as well, which raises the windows on
7 the exterior facade.

8 All of those windows were planned to be
9 removed and replaced, so that was part of the
10 previous approval, to get new windows in there.
11 We are asking to raise them and, in the same vein,
12 lengthen them as well so the windows will have a
13 little bit longer proportion to them.

14 Also as part of this application we have
15 included an accessory structure of a garage, which
16 now that the changes to the accessory structure
17 ordinance have been settled, we wanted to go ahead
18 and let you-all look at that as well.

19 It sits at the rear of the property
20 within the prescribed setbacks, 30 feet from the
21 pavement at the rear, 10 feet from the side
22 property line. It does not exceed the height
23 restriction. It has no dormers in the roof, so we
24 don't have to worry about our percentage of
25 allowed roof-to-dormer ratio and that type of

0078

1 thing.

2 The footprint of the garage is 30x25,
3 which when you look at the ordinance it says no
4 length of a wall of an accessory structure can be
5 more than 25 feet. However, the DRB has latitude
6 to give us some relief to that.

7 So we are requesting the structure on

8 one side be 30 feet long rather than 25 feet long,
9 in an attempt to give them as much storage as
10 possible on the lot due to the fact that the house
11 is not going to be elevated enough to park
12 underneath or use storage underneath.

13 We are raising the existing house up
14 above base flood elevation, but not raising it
15 high enough to park and store underneath because
16 it is, you know, a structure of particular
17 concern, and we don't want to elevate it any
18 higher than we have to.

19 So that is the reason for the request of
20 a little bit of extra elbow room in the garage so
21 that the owner can leave the existing house intact
22 as much as possible.

23 MR. ILDERTON: Great. Thank you. Is
24 there any public comment on this application?
25 Public comment section is closed.

0079

1 Kent, anything to add?

2 MR. PRAUSE: No.

3 MR. ILDERTON: Randy?

4 MR. ROBINSON: No.

5 MR. ILDERTON: All right. Steve, what
6 do you think?

7 MR. HERLONG: Well, let's see. So it's
8 basically two parts. It's the house and raising
9 the head height of the windows and exterior
10 windows and doors?

11 MS. ALLEN: Correct.

12 MR. HERLONG: And there are no
13 alterations from what we saw before other than
14 just raising the head height of what is already
15 there, is that correct?

16 MS. ALLEN: Correct.

17 MR. HERLONG: Okay. And then it's also,
18 I guess, a final approval on this garage
19 structure, accessory structure?

20 MS. ALLEN: Yes.

21 MR. HERLONG: And so you are asking for
22 a setback for side facade relief?

23 MS. ALLEN: We are, in essence, asking
24 for a footprint enlargement. The ordinance says
25 that there is no length of facade -- any side

0080

1 cannot be longer than 25 feet.

2 We are requesting this garage be 25x30.

3 So, obviously, one of those sides is longer than

4 the ordinance allows, but there is a provision in

5 there that you-all are allowed to give the

6 applicant relief to that particular portion of the

7 ordinance.

8 MR. HERLONG: So it's not in the square

9 footage of the garage? It's the wall can't be

10 longer than 25 feet? Is that --

11 MS. ALLEN: Correct. It puts the square

12 footage of the garage at 750 square feet, which is

13 right at the max of the allowable. When you look

14 at the provisions in the ordinance, it says that

15 the accessory structure can be the greater of two

16 things, either 25 percent of the square footage of

17 the main structure or 750 square feet, whatever is

18 greater.

19 25 percent of this particular building

20 is 647 and change. So the 750 is anticipating

21 that I think there is some square footage above,

22 and it limits the -- there is a limit in the

23 ordinance to the footprint of, I think, either 625

24 or 650. So we are asking for the footprint to be

25 enlarged, but the overall square footage will not

0081

1 break that 750 maximum. Is that clear?

2 MR. HERLONG: I think I get it. And I'm

3 okay with -- this looks like an adequate size

4 garage, 30x25. But I do think the ordinance,

5 which says something about no wall longer than 25

6 or 24 feet, whatever it says, could be met by just

7 a slight offset, which would give you a roof

8 ridge, and then a break in that ridge, and maybe a

9 smaller section of gable, maybe where that door

10 is.

11 And you could achieve the same intent of

12 no walls on that accessory structure longer than

13 25 feet, and you can still get the square footage

14 out of it just by some manipulation of the mass.

15 MS. ALLEN: Of the mass.

16 MR. HERLONG: Because right now the mass

17 of the garage and any one -- the one 30-foot

18 length is longer than any long mass of the house.

19 So I think that would help break the scale of the
20 garage down more similar to the house, which is
21 broken down in scale to additions on the back.

22 MS. ALLEN: Yes. Even if we did that,
23 we would still need relief on the footprint
24 because --

25 MR. HERLONG: I'm fine with that.

0082

1 MS. ALLEN: -- you know, to be at the
2 750 square foot footprint. So there are two
3 things there that are kind of hand-in-hand, but
4 could be separated.

5 MR. ILDEBERTON: Fred?

6 MR. REINHARD: How much of a change are
7 you wanting to do on the head height of the
8 windows?

9 MS. ALLEN: We want to take them up to
10 eight feet from the finished floor. And they are
11 at approximately 6'8" right now, so we want to
12 raise them one foot, four inches.

13 MR. REINHARD: Are you raising the sill
14 as well, or are you just putting bigger windows
15 in?

16 MS. ALLEN: We will be putting in longer
17 windows.

18 MR. REINHOLD: Are the windows that are
19 shown on these drawings to scale, the new windows?

20 MS. ALLEN: Yes, sir.

21 MR. REINHARD: And the old windows were
22 six over six?

23 MS. ALLEN: Yes, sir.

24 MR. REINHARD: And now you want 2 over
25 2?

0083

1 MS. ALLEN: Yes, sir. And the grille
2 pattern is the same as what was in the previous
3 approval. It's the length of the window and the
4 header height that is different.

5 MR. REINHARD: This house is designated
6 as a Historic Resource according to this, right?

7 MS. ALLEN: Correct.

8 MR. WRIGHT: Yes. Right, Number 94.

9 MR. REINHARD: That's all I have.

10 MR. ILDETON: Cyndy?

11 MS. EWING: Yes. We had this discussion
12 about the windows the last time. And because of
13 its historic significance, and especially sitting
14 on the corner, we can't -- I mean, as a board, we,
15 according to our regulations, meeting the National
16 Park Service criteria, we can't have you switch
17 the windows out from six over six to two over two,
18 number one.

19 And we couldn't change the size -- the
20 windows on this existing part of the home must
21 stay the same size.

22 And then I saw that you wanted to switch
23 out a door here, too, and it's on the facade of
24 the house. And, I mean, that is just old
25 Sullivan's Island. They have doors in the

0084

1 bedrooms and stuff to get the breeze.

2 I have another question. Was there a
3 change on the front? Did we approve -- wasn't it
4 a pediment on the front here? Wasn't the last
5 time we gave conceptual approval this addition --

6 MS. ALLEN: It was shown like that, and
7 it was requested that that be removed and that
8 that was the configuration that you wanted.

9 MR. REINHARD: I remember that.

10 MS. ALLEN: And, actually, I think it
11 was Fred's suggestion to remove the gable that
12 faced the front and leave those roof lines where
13 you saw the slope rather than the face.

14 And as far as switching the door to a
15 window and that kind of stuff, that was in the
16 previous approval. All we are asking for -- we
17 have permission -- previous approval to replace
18 the windows.

19 We are just asking for, you know, the
20 change in header height. And if you would rather
21 see a six over six window than a two over two
22 window, then that is not a problem. You know, we
23 would be happy to concede -- Gray, am I right in
24 saying that? Yes?

25 MR. McSWEENEY: Well, I go back to say

0085

1 it was previously approved. And also part of the

2 reason I came up -- is it okay for me to comment?

3 MS. ALLEN: Yes. This is Gray

4 McSweeney. He's the property owner. I want to
5 make sure I don't offer anything that he's
6 unwilling to implement in the house.

7 MR. McSWEENEY: Just down Jasper, just
8 past mine, and I'm sorry I don't know the property
9 address, but maybe a block down is a house similar
10 to mine, but with a hip roof and has the long
11 windows, and I think it's much more attractive.
12 It's approximately the same age house, and I just
13 thought it would be a big improvement.

14 Cyndy, I know you were real concerned
15 about the windows off the back and the small
16 window on the side and the front that you had
17 mentioned before, and so we had intentions of
18 keeping those there the same size.

19 The question I have for you-all is do
20 you want them to remain six over six or two over
21 two, or keep the size the same or -- that was
22 what -- because I know there was concern about
23 that.

24 MS. EWING: Well, historically, if you
25 look at the standards that we are supposed to make
0086

1 our decisions based on, because of the importance
2 of your home to this island architecture, if
3 you -- it's one thing if you add an addition that
4 you have the two over two windows and make them --
5 that is one thing.

6 But when you go and change all the
7 windows out, you are significantly changing the
8 structure; and, therefore, what happens is it
9 becomes not historic because it no longer
10 represents the history of our island.

11 So that is what we are contending with
12 here. That is just plain simple. So, I mean, I
13 think you need to keep the windows the same size,
14 six over six. But on your addition part, you can
15 have them however you want to have them.

16 MR. McSWEENEY: Why would I want to have
17 different windows on one side as opposed to the
18 other? That would really look ridiculous.

19 MS. EWING: We have metrics that we are

20 supposed to be using, and that is what I'm trying
21 to apply here.

22 MR. CRAVER: We have approved the two
23 over two.

24 MR. ILDERTON: Yeah. I think we have
25 approved the two over two.

0087

1 MR. CRAVER: Isn't the only issue --

2 MS. EWING: No, we didn't.

3 MR. ILDERTON: Well, I think they are
4 saying we did. I'm not sure. You are saying we
5 have already approved the two over two windows?

6 MS. ALLEN: Yes. In the May meeting, it
7 came before you for final, and they were drawn as
8 two over two.

9 MR. ILDERTON: Okay. So that was
10 approved. What we are talking about here is
11 whether we want to give them another foot on the
12 window. Now, we may not. I'm not saying we do.
13 But I just want to make that point clear, if
14 that's true. I am not saying we did, but --

15 MS. ALLEN: That is my understanding.

16 MS. EWING: I can tell you, I did not
17 approve this.

18 MR. ILDERTON: Well, if this board
19 approved it.

20 MS. EWING: I voted yes, because Fred
21 voted with me, and we agreed because they agreed
22 they would keep the windows the same size, and it
23 was an agreement.

24 MR. McSWEENEY: That was only concerning
25 the bathroom windows.

0088

1 MR. ILDERTON: Well, we may have to pull
2 up some minutes to clarify this, or whatever else,
3 or the drawings. And if we don't have the
4 original drawings -- unless you-all cite off the
5 top of your head.

6 Is it correct that we approved the two
7 over two windows, or do you know?

8 MR. ROBINSON: We can pull the drawings
9 or the minutes.

10 MS. EWING: Yeah. I mean, I think it's
11 worth -- of course.

12 MS. KENYON: Was it May?

13 MS. ALLEN: Yes. I believe it was the
14 May. I know it was the May meeting, because I was
15 not present because I had a personal conflict, and
16 the owner was here, so I know it was the May
17 meeting.

18 MR. ILDERTON: Well, let's go on and
19 discuss at least the raising of it. We did not
20 approve the raising of it, right? So does anybody
21 want to --

22 MS. ALLEN: Of the house?

23 MR. ILDERTON: I am asking. I don't
24 know. Did we?

25 MS. ALLEN: Yes. That was in the
0089

1 original application as well.

2 MR. ILDERTON: Okay. So that has
3 already been approved.

4 MS. ALLEN: We are bringing it out of
5 the flood plain.

6 MR. ILDERTON: So, really, the only
7 thing we are looking at are the longer windows and
8 the garage?

9 MS. ALLEN: Correct.

10 MR. ILDERTON: Does anybody want to
11 address or discuss the garage?

12 MR. CRAVER: I mean, I would like to
13 address both of them. On the garage, I don't have
14 a problem with adding the additional five feet. I
15 think it looks fine. We don't have a huge
16 structure on this property. It's not out of line.
17 The house is still low to the ground.

18 I think by having that mass down -- it
19 is a historic structure. But by having it down, I
20 think that is the exact situation where we ought
21 to give some relief on the garage. And giving
22 you-all an extra five feet, to me, is perfectly in
23 line with what our intent was, the Planning
24 Commission's intent when we put that -- had that
25 set up like that.

0090

1 If the only issue on the windows -- and
2 it's my recollection -- I thought we had approved
3 the two over two. If the only issue is adding the

4 height, I don't have a problem with that either.
5 I don't think it detracts from the
6 historic nature of the windows or the house. And
7 I don't think there is magic in Sullivan's Island
8 architecture to windows that are exactly that
9 size.

10 MS. ALLEN: It would be easier if there
11 was.

12 MR. CRAVER: Well, it would be. But I
13 just don't think -- I think that is an appropriate
14 request and I don't have a problem with it.

15 MR. ILDERTON: Great. Thank you. Does
16 anyone else want to comment on the garage?

17 MS. EWING: The garage is good.

18 MR. ILDERTON: I think the garage is
19 fine.

20 Let's talk about the windows. We will
21 find out what happened back then, what we
22 approved. They are two over two on the drawing.

23 MS. EWING: I was looking at the
24 picture. Did Betty specify -- she usually
25 specifies.

0091

1 MR. CRAVER: The long windows look
2 better.

3 MR. REINHARD: They do look better.

4 MR. ILDERTON: The longer ones?

5 MR. REINHARD: Yeah. They look better.

6 MR. ILDERTON: I think they do, too.

7 MS. EWING: My contention is not whether
8 or not they look better or not. It's the historic
9 record, and that is what we are here for.

10 MR. ILDERTON: I think we are here
11 especially for the aesthetics. And I think these
12 houses -- some of them are so historic that, you
13 are right, we wouldn't want to change the windows
14 in the officers' quarters, but some of these
15 houses are not of significance.

16 They are great little structures. They
17 are neat little bungalows and cottages, but they
18 are not so historically exact and strong that they
19 can't be adjusted a little bit. But that is
20 just --

21 MS. EWING: Well, that is what David

22 Schneider came back and said, that we have lost
23 the integrity of the homes, and that is all I'm
24 saying. And this house is a number -- it is
25 considered a Traditional Island Resource, which is
0092

1 very, very important.

2 But, you know what? If we approved it.

3 MR. ILDERTON: We approved the two over
4 two. We did not approve the longer windows. So I
5 guess I don't have a problem with the longer
6 windows. But, Cyndy, you don't like them. And,
7 Fred, you don't like them?

8 MR. REINHARD: I don't like them.

9 MR. ILDERTON: Duke?

10 MR. WRIGHT: I don't have any trouble
11 with the longer windows.

12 MR. HERLONG: I tend to agree that we
13 look at this on a case-by-case basis, and I don't
14 think changing the windows is significantly
15 altering the historic character of the house.

16 However, I don't think those windows all
17 need to be 8-foot head height windows. You can
18 alter the head height. I think the existing
19 windows could stay smaller and windows in the
20 additions could be taller. I don't think -- we
21 don't live by these absolute rules. You can
22 change them. You can alter them.

23 MR. ILDERTON: That is true.

24 MR. CRAVER: Do you want a motion?

25 MR. ILDERTON: Sure.

0093

1 MR. CRAVER: I move that we approve the
2 request to increase the height of the windows and
3 that we approve the request with respect to the
4 garage.

5 MR. ILDERTON: Do I hear a second?

6 MR. WRIGHT: Let me finish reading. I'm
7 reading about the windows.

8 MR. HERLONG: Are you looking for the
9 record on what was discussed?

10 MR. WRIGHT: Yes, regarding the lights,
11 whether six over six or --

12 MR. ILDERTON: Well, let's just do this
13 right then. That motion does not pass. We are

14 back in the discussion stage. To do it again, we
15 will have to make the motion again, whatever it
16 is.

17 MR. WRIGHT: I don't see anything --

18 MR. HERLONG: Just to clarify, I am not
19 going to second that motion because, as I said
20 earlier, I think there are ways to have the garage
21 scaled down to look smaller, giving you the same
22 square footage and keeping the walls no longer
23 than 24 feet in any one long dimension.

24 You can still have a 30x25 garage, but
25 with none of the walls longer than 30 feet. I
0094

1 think that would, additionally, bring the scale
2 down.

3 MR. WRIGHT: It's clear in here that
4 Fred objected to the windows, but I don't see any
5 discussion regarding the six over six or four over
6 four, two over two.

7 MS. EWING: See, I can tell you, I would
8 not have approved two over two, a window change.
9 And, I mean, the preservation standards are very,
10 very clear that --

11 MR. ILDETON: Well, what we have
12 approved, we approved. The board did approve it.
13 Whether --

14 MS. EWING: We don't know that.

15 MR. ILDETON: Well, yeah, I think we do
16 know that.

17 MS. EWING: Is it in the motion?

18 MR. PRAUSE: Just read the motion.

19 MR. WRIGHT: Motion made by Craver,
20 seconded by Reinhard to approve moving the house
21 to six feet to line up with the historic structure
22 on adjacent property. The motion to approve was
23 unanimous.

24 MR. ILDETON: To approve the
25 application, I guess.

0095

1 MR. WRIGHT: Well, discussion regarding
2 the windows is unclear here.

3 MR. CRAVER: But if the application was
4 pursuant to the plans --

5 MR. PRAUSE: I don't think it said

6 anything about that.

7 MS. EWING: Fred and I looked at the
8 photograph of the building, and we were looking at
9 the six over six windows saying that they should
10 not change the -- we would not have said --
11 because that is another change.

12 MR. CRAVER: What was the vote on the
13 motion?

14 MR. ILBERTON: Well, the motion may not
15 have included the actual design of the structure,
16 but --

17 MR. CRAVER: What was the vote on the
18 motion?

19 MR. WRIGHT: It doesn't tell us.
20 Everybody in favor, hands raised. I'm sure Fred
21 and Cyndy objected.

22 MR. ILBERTON: Well, Fred seconded the
23 motion, though, according to this.

24 MR. CRAVER: Everybody in favor, hands
25 raised, and then --

0096

1 MR. WRIGHT: Everybody voted.

2 MR. PRAUSE: But the motion was to move
3 the house. It didn't have anything to do with --

4 MR. WRIGHT: Yeah. There was a lot of
5 discussion about the windows, but it was not in
6 the motion.

7 MS. EWING: Right. And I know I would
8 not have said the two over two. And it's just
9 historically it doesn't meet any -- there is no
10 place that it says let's change the windows out.

11 MR. WRIGHT: Did we approve it or not?
12 I think we approved it.

13 MR. CRAVER: Do we have a transcript of
14 that meeting?

15 MR. WRIGHT: This is a verbatim
16 transcript.

17 MR. ILBERTON: The motion -- I guess
18 what we may have approved is the application of
19 what the applicant asked for at the time, although
20 the motion doesn't say that. But a lot of
21 things -- we didn't deny their application either,
22 you know, and it wasn't postponed or anything.

23 MR. PRAUSE: But you didn't approve it.

24 It's not approved, though. Obviously, you didn't
25 deny it. But, still, if it didn't get an
0097

1 affirmative approval, it's not approved.

2 MR. ILDERTON: Well, I think it had
3 tacit approval -- I mean, I don't know this. I
4 can only guess what happened. I don't know what
5 happened. But the motion does not explicitly say,
6 according to this --

7 MS. KENYON: The motion explicitly says
8 it's only raising the house, and you-all approved
9 that.

10 MR. ILDERTON: But the application was,
11 I guess, more than that. The application had to
12 do with architecture. We talked about moving the
13 roof line that you asked to be moved and --

14 MS. ALLEN: Yes. The application was
15 for the additions, and the raising, and for the
16 total of what they were getting ready to
17 undertake, or proposing to undertake on the
18 house. It was for the application.

19 MR. ILDERTON: So the application is
20 more than just to move the house.

21 MR. PRAUSE: But that is all you voted
22 on.

23 MR. ROBINSON: That is not the only
24 application that came before the board, so there
25 is another application, also.

0098

1 MS. ALLEN: That was the meeting that we
2 would have -- the main meeting is when we came for
3 final.

4 MR. ILDERTON: It said raise the house
5 out of the flood plain, add 943 square feet. And,
6 of course, that had accompanying plans. Construct
7 new rear porch, replace existing windows, add new
8 shutters, replace two sets of existing windows,
9 replace roofing with a 50-year shingle, construct
10 new 600 square foot garage. That is what it says
11 here.

12 Now, what the actual -- this was in the
13 application. We approved something. If we didn't
14 approve the application, I guess we approved just
15 part of it. Which, if that is the case, it was

16 sloppily done, but we obviously discussed the
17 architecture. We discussed the windows.

18 Because as I say, if nothing else, the
19 roof line was adjusted as of Fred's request and
20 observation.

21 MS. ALLEN: Yes. That was made between
22 the -- prior to the May meeting. We came once
23 with the pediment and gable. We made the changes
24 requested, and then came back at the May meeting
25 for final. And that is -- this application or

0099

1 file that you-all are looking at now is when we
2 came for final. So this is actually our third
3 trip to you-all for this house.

4 MR. CRAVER: Was a building permit
5 pulled on it?

6 MS. ALLEN: There is a building permit
7 under review right now for the first step, which
8 is raising the house, which they have to do before
9 we can do anything else. So the building permit
10 has to be accomplished in a couple of steps just
11 because of what is going on.

12 MR. WRIGHT: You talked a lot about
13 windows and talked about the side, the facade.

14 MS. EWING: But we were looking at the
15 photograph and not -- I mean, I notice that they
16 had changed the size, but I just --

17 MR. ILBERTON: But the plans were
18 submitted. The plans were before us with
19 two-over-two windows. We had them looking at them
20 at that meeting, supposedly, according to all the
21 materials here.

22 So we had these plans, the exterior of
23 the face. So we had it and we approved -- well,
24 we tacitly approved. But it sounds like, to me,
25 the way the motion was exactly worded, it doesn't

0100

1 say that -- I mean, it doesn't say that the
2 application was approved or the entire application
3 was approved.

4 MS. EWING: Well, we didn't discuss the
5 materials. And it's typical, when we go through
6 it, we discuss -- and especially when changing six
7 over six and two over two.

8 MR. ILDERTON: According to the
9 transcript, we discussed the windows. I mean,
10 they are discussed in the transcript.

11 MS. EWING: We said that we would change
12 them?

13 MR. WRIGHT: A motion by Mr. Reinhard
14 reads, by the reporter, I would move to -- I would
15 move for approval with the exception of the
16 window. The proposed window changes on Station 24
17 should not be made. And I don't recall what that
18 really --

19 MS. EWING: They wanted to make the
20 windows larger.

21 MR. WRIGHT: But, see, that only talks
22 to the size.

23 MR. ILDERTON: Bathrooms. So that was
24 the motion made, or was it --

25 MR. WRIGHT: Yeah. That was Fred's

0101

1 motion.

2 MR. ILDERTON: Then that was a motion to
3 approve the application, all of the application.
4 It was a motion to approve it. Now, was it voted
5 on positively or was it voted --

6 MR. WRIGHT: Chairman Ilderton said
7 everybody in favor, hands raised. I would assume
8 from that that it was unanimous.

9 MR. ILDERTON: So it was approved. So
10 what I'm hearing is this plan has been approved.
11 What has not been approved are the longer windows.

12 It has been approved that they are two
13 over two. It has already been approved at this
14 meeting. And the house was approved to be raised
15 and moved.

16 So we are here to say can these windows
17 be longer and can this garage be the size that
18 they propose now, or does it need to be modified
19 architecturally or whatever. And that is another
20 thing altogether. So that is where we are now.

21 I understand that Fred and Cyndy do not
22 like the longer windows, don't like the two over
23 two, either, but that has already been approved.

24 Now, there may be some give or take
25 here. I mean, I don't know. You know, like

0102

1 Elizabeth suggested, how about six over six but
2 longer windows. Now, I know you don't want to do
3 that. You have said you don't want to do that,
4 but there may be some give or take.

5 There also may be some give or take on
6 the garage itself, architecturally adjusting some
7 offset. That may have to slip back before us.
8 But we could also put a proviso on it that, you
9 know, I don't know --

10 MR. McSWEENEY: Can I offer a
11 compromise?

12 MR. ILBERTSON: Sure.

13 MR. McSWEENEY: When I left the last
14 meeting -- in fact, I came and turned in my
15 engineered drawings and everything to submit for a
16 building permit. I didn't even realize -- I
17 walked out thinking it was final approval, and
18 that was my mistake.

19 And so the way I understood it when I
20 left the last meeting was Cyndy was very clear
21 about the smaller windows that are in the existing
22 bathroom right now, that those need to stay the
23 same size, which made it -- has made it a little
24 more difficult to do the floor plan inside, which
25 I have said, but we have done that and figured out

0103

1 how to make that work. And I agree -- it's fine
2 with me for those to stay smaller, especially
3 since that is a bathroom up there.

4 And so if we took the other windows --
5 because you said it gives it good contrast, which
6 I agree with. If we took the windows down that
7 side of the house, and left the two in the
8 bathroom the same size, and leave them six over
9 six or two over two, whatever you prefer, and on
10 the rest of the windows down that side of the
11 house, if you-all would like to leave them the
12 same size, I can leave them the same size.

13 I have just thought, from looking at the
14 other house, it looked better. And historically I
15 think -- personally, I believe six over six and
16 two over two is half a dozen or six.

17 I mean, I strictly was coming back with

18 what I thought was a small adjustment that would
19 improve the elevations of the house.

20 As far as the garages goes, Steve, I
21 didn't understand exactly what you said, but I'm
22 happy to work on that, whatever makes sense.

23 MR. HERLONG: It's not a big deal.

24 MS. ALLEN: And I'm clear on what Steve
25 is saying. So, you know, so we can --

0104

1 MR. ILDERTON: So do we know where we
2 are with the windows, with the proposal of a
3 possibility of what we can live with?

4 Elizabeth, do you know what compromise
5 might be proper here?

6 MS. ALLEN: You know, I know that
7 originally the windows that Cyndy had the most
8 concern about were the ones that are doubles that
9 are up close to the corner of Jasper and Station
10 24. So, you know, we could leave those as they
11 are.

12 MR. WRIGHT: On the west facade you are
13 talking about, not on the front?

14 MS. ALLEN: Correct. They are on the
15 west facade. We can leave those as they are,
16 because I know those were the windows of
17 particular concern to Cyndy.

18 And then, you know, adjust the rest of
19 the windows, which will help us on the interior
20 with light and egress and a couple of other
21 issues.

22 And I think, too, to help lengthen the
23 facade vertically, because that facade is very
24 long, and I think the change in those windows to a
25 more vertical proportion actually helps bring your

0105

1 eye up and take away from some of that length that
2 is existing there.

3 So, you know, I think, in hearing what
4 Gray is saying, we would be willing to leave those
5 windows on the corner that were the ones of
6 particular concern as is and adjust the rest of
7 the windows.

8 I really don't think what we are asking
9 for in raising those header heights and

10 lengthening those windows is in any way taking
11 away from the historic value of the structure.

12 MR. ILBERTON: Thank you. Do I hear a
13 motion that may include the architectural
14 adjustment of the garage, as well as the
15 acceptance that the windows are going to be of
16 different size?

17 Which I agree with Steve. You know, you
18 can do that all day long in these historic
19 structures especially and change them up a little
20 bit, and it probably retains more of its
21 historical character.

22 MR. WRIGHT: One question, Pat. Then
23 will the windows on the front elevation, the old
24 portion and the new portion, will all be similar
25 in terms of number of lights, whether they be six
0106

1 or two or --

2 MS. ALLEN: Correct. As you are driving
3 down Jasper, all of those windows, new and old,
4 will have the same proportion and have the same
5 number of lights, correct.

6 MS. EWING: I just have to say, this is
7 a very tough thing, and I think this is the reason
8 why we need to be very clear when we make motions
9 in going forward with the materials.

10 But, again, when David Schneider came
11 and reviewed the buildings on the island, one of
12 our key buildings is considered lost because one
13 of the things that was allowed was the windows to
14 be changed, and that is the Devereux gatehouse.
15 So it is no longer a historic structure.

16 There are a couple of reasons -- I mean,
17 first of all, that is what this board is about, to
18 preserve and protect the historic character of
19 this island. And we have to use the specific
20 measurements given to us by the Secretary -- this
21 is not an arbitrary that we like a certain style
22 of window. It's what came with the house.

23 And it says, "The historic property will
24 be retained and preserved. The replacement of
25 intact or repairable historic materials or

0107

1 alterations of features, spaces and spatial

2 relationships that characterize a property will be
3 avoided." And there are about four or five
4 different listings where this goes on.

5 I mean, if the board goes ahead to vote
6 to have this change, I just want to say that it
7 may -- you could very possibly be eligible to have
8 tax incentives and get breaks because the home is
9 historic. And it's a number -- it's considered a
10 Number 2, I believe, a Traditional Island
11 Resource. But if the windows are changed out, the
12 state archives will --

13 MR. McSWEENEY: I'm sorry. There is not
14 enough tax considerations to be an issue.

15 MS. EWING: Well, I mean, it's also the
16 island needs to consider whether we want to --

17 MR. McSWEENEY: I was just talking to
18 the tax considerations. I talked to my accountant
19 about it.

20 MR. ILDETON: I think possibly a
21 compromise could be reached here. So do I hear a
22 motion on it at all from anybody about this
23 matter, considering --

24 MR. HERLONG: Well, why don't we
25 consider the windows, and then next we consider
0108

1 the garage so we separate the two.

2 MR. CRAVER: Did I understand, from the
3 discussion about the garage, that you don't really
4 need anything now?

5 MS. ALLEN: What?

6 MR. CRAVER: If you are able -- are you
7 able to do it within the 25x24?

8 MS. ALLEN: Yes. If we alter the mass
9 of the garage, we can do what Steve is saying. We
10 would still all need to agree that the footprint
11 of the garage, whether it's in, you know, a
12 rectangular form or whether it has some extrusions
13 to the longer wall, could still be 750 square
14 feet.

15 But, you know, if we knew that the size
16 was okay, then I can deal with the 25-foot length
17 and what Steve is saying. I know architecturally
18 what he's talking about doing. It raises the cost
19 a little bit for Mr. McSweeney in that we are, you

20 know, bumping out walls and we will be changing
21 the roof form a little bit in that. But I think,
22 for him, the concern is the size. Because the
23 house is, again, not elevated enough to use
24 anything underneath it for parking and storage.

25 MR. CRAVER: I will deal with the
0109

1 windows first then.

2 MS. ALLEN: Yes. And I think we can
3 separate them and deal with them separately --

4 MS. EWING: Let's get the garage out of
5 the way.

6 MS. ALLEN: -- if that makes the motion
7 less complicated.

8 MR. ILDERTON: Fine.

9 MR. CRAVER: My motion is, with the
10 windows -- I am going to be real simple because I
11 couldn't follow everything that was discussed --
12 is given our prior decision, I believe the issue
13 is whether or not to allow the additional size to
14 the windows.

15 Having looked at the two sets of plans,
16 the longer windows look better to me, and I don't
17 think they hurt the historical character.

18 So I would make a motion to allow them
19 to make the windows longer as requested.

20 MR. ILDERTON: But that is not part of
21 what they have offered to do, though.

22 MR. CRAVER: It's what is in their
23 request.

24 MR. ILDERTON: I know. But they said
25 they will leave the older windows on the side, on
0110

1 Station 19 --

2 MS. ALLEN: In the bathroom area.

3 MR. ILDERTON: In the bathroom area
4 original. I mean, they are willing to compromise
5 on that.

6 MS. ALLEN: And let me ask one question,
7 if I can, Pat, too, with that. If we leave those
8 windows the same size and shape, are we still
9 allowed to replace them with a window that meets
10 our current design pressure codes and has some
11 some thermal efficiency to it?

12 We are still allowed to replace the
13 windows. You just do not want us to change the
14 look and the size of the windows? I just want to
15 make sure that when we leave everybody is real
16 clear about what is getting ready to happen with
17 this house.

18 MR. HERLONG: My feeling is that you
19 should be allowed to put in a modern,
20 high-performance window that resembles, in its
21 style and characteristic, the existing windows,
22 existing style. That is my opinion.

23 MS. ALLEN: And that would be what we
24 would want.

25 MR. ILDERTON: Would that need to be in
0111

1 the motion?

2 MS. ALLEN: Yes. I just want to be sure
3 that is clear so that we don't get snagged on a
4 technicality.

5 MR. HERLONG: We have, in the past,
6 discussed window materials. And my opinion, as
7 well, is that the landmark structures should
8 probably retain the wood windows because they are
9 much more important structures.

10 But this being a Traditional Island
11 Resource, I feel like putting in a modern,
12 high-performance window, with all of the physical
13 characteristics aesthetically of the original
14 windows.

15 MR. REINHARD: Does that mean true
16 divided light?

17 MR. ILDERTON: They are not true, no.

18 MS. ALLEN: I actually have a window
19 sample outside to show you what we are talking
20 about in case you-all want to see it. Shall I
21 bring it in, or will that further complicate the
22 discussion?

23 MS. EWING: It's just the fake --

24 MS. ALLEN: Well, whatever they are
25 called, simulated divided lights. And, you know,

0112

1 they are applied to the exterior, permanently to
2 the exterior and the interior. There is a spacer
3 bar between the glass.

4 So that it is not an insert inside the
5 glass. It is actually -- it's a 7/8 inch wide
6 simulated divided light, and it is designed to
7 look like a putty glazed wood window.

8 MR. ILDERTON: It's a high quality
9 window as far as -- in aesthetics as well as
10 performance.

11 MR. CRAVER: Let's see if I can try
12 again.

13 MR. ILDERTON: Yeah, give it a try.

14 MS. ALLEN: You wrote it down this time,
15 so we are good to go.

16 MR. CRAVER: And if this doesn't work,
17 we will go back to the well.

18 That the bathroom windows retain their
19 size, but be allowed to be replaced with modern,
20 high-performance windows; that the other windows
21 be allowed to be replaced with modern,
22 high-performance windows with the requested
23 additional height. That is my motion.

24 MR. ILDERTON: That is still not quite
25 the compromise that has been offered, Billy. They
0113

1 talked about basically leaving the whole side as
2 it is, that is the size they are, including the
3 bathroom.

4 MR. CRAVER: So which side is that?

5 MR. ILDERTON: Station 19.

6 MS. ALLEN: It's 24.

7 MR. CRAVER: So instead of just the
8 bathroom windows, it's the Station 24 side windows
9 retain their size, but be allowed to be replaced
10 with modern, high-performance windows? Is that --

11 MR. ILDERTON: Right.

12 MR. CRAVER: I just want to make sure --
13 I am just trying to get it right.

14 And that the other windows, that they be
15 allowed to replace them with modern,
16 high-performance windows with the additional
17 height?

18 MR. WRIGHT: Right, on the front
19 elevation.

20 MS. ALLEN: Right. And that would be --

21 MR. CRAVER: Is it just the front

22 elevation?

23 MR. WRIGHT: Yes.

24 MS. ALLEN: No. At that point, what you
25 are talking about leaving is the side elevation on
0114

1 Station 24. Your motion is talking about leaving
2 those alone, leaving them the way they are.
3 Upgrading them to a modern window, but leaving
4 them like they are.

5 The other three facades, front, interior
6 side and a rear, any windows that fall within
7 those elevations would be -- we would increase the
8 header height and use a longer window.

9 MR. McSWEENEY: On 24, though, are we
10 talking about the bathroom windows are six over
11 six still, same size, and the other windows are
12 all two over two, but the same size?

13 MS. ALLEN: His motion doesn't address
14 the grille pattern. It doesn't say anything -- it
15 just says size. It does not say anything about
16 grille pattern.

17 MR. CRAVER: Then I think it was the
18 grille pattern that was approved previously, all
19 two over two.

20 MS. ALLEN: Yes.

21 MR. ILBERTON: Yes. Do I hear a second
22 to that motion?

23 MR. WRIGHT: Let's redo the motion.

24 MR. CRAVER: Let me redo it just to make
25 sure I'm getting it right so that it's all in one
0115

1 spot in this transcript.

2 That the windows on the Station 24 side
3 retain their size but be allowed to be replaced
4 with modern, high-performance windows; that the
5 other windows on all three facades can be replaced
6 with modern, high-performance windows with the
7 requested additional height; and that all windows
8 would have a grille pattern of two over two, which
9 was previously approved.

10 MR. ILBERTON: Okay. Do I hear a second
11 to that?

12 MR. WRIGHT: Second.

13 MR. ILBERTON: Discussion?

14 MS. EWING: That would really look bad.

15 I mean, that's a true jackalope of a house. I

16 understand the need to compromise.

17 I think, to be very honest, that -- I

18 mean, I don't think the board is going to agree,

19 and I have said what I have said.

20 And I am adamant that the windows -- to

21 maintain, to be historic, to be considered

22 historic, they have to -- the six over six windows

23 would have to be in the whole existing structure.

24 And I believe that is what we approve. But I'm

25 going to step out of it and you-all go do what you

0116

1 need to do.

2 MR. WRIGHT: I hear you, Cyndy, but that

3 is not what we approved. It's on the drawing.

4 Let's get on past this one.

5 And I have something else that I would

6 like to talk about later regarding deviations from

7 the criteria; and, by doing so, do we void the

8 authenticity of the historic value of that house.

9 I don't know. That is a whole 'nother world of

10 discussion. Let's not go there.

11 MS. EWING: This is our measurement.

12 MR. WRIGHT: I think we have a motion.

13 MR. ILDERTON: Do we have a second?

14 MR. WRIGHT: Yes.

15 MR. CRAVER: We have a second.

16 MR. ILDERTON: Then we were in

17 discussion. I think we have discussed it.

18 Everybody in favor?

19 (Hands raised by Mr. Wright, Mr.

20 Ilderton, Mr. Herlong, Mr. Craver.)

21 MR. ILDERTON: Everybody opposed?

22 (Hands raised by Mr. Reinhard and Ms.

23 Ewing.)

24 MR. ILDERTON: All right. The windows

25 pass.

0117

1 Let's talk about the garage. Do I hear

2 a motion on the garage, how it should be -- or,

3 really, should you just resubmit it? I mean --

4 MR. HERLONG: You-all don't have to

5 agree with me.

6 MR. CRAVER: I would make a motion to
7 approve the garage as they have asked for it. I
8 mean, I just don't --

9 MS. EWING: I mean, I just don't see the
10 big deal about a 30x25 garage.

11 MR. ILDERTON: All right. Do I hear a
12 second?

13 MR. WRIGHT: I second it.

14 MR. ILDERTON: Discussion? Everybody in
15 favor?

16 (Hands raised by all board members.)

17 MS. ALLEN: Thank you very much.

18 MR. WRIGHT: We need the drawing back
19 that was passed out. That needs to go back in
20 Kat's file.

21 MR. ILDERTON: 901 Middle, driveway
22 fence and landscaping. What do you think, Kent?

23 MR. PRAUSE: This one, although not
24 indicated on their form, I believe it is within
25 the historic district, and I believe it is

0118
1 designated as a Historic Resource. They don't
2 list the survey number, either, but I'm sure it
3 has one.

4 But it's for -- it has stated
5 landscaping, driveway and a fence. I guess the
6 only concern that I have in regard to it is what
7 is labeled as the brick seep wall on the ocean
8 side of the house. It's an obstruction in the B
9 zone, so it will have to be engineered. We have
10 it here on a landscape plan.

11 There are some dimensions shown on it.
12 But Randy and I have discussed it, and the concern
13 we have is that it's got a footing to it. It's
14 shown as approximately 12 inches above grade, 6
15 inches below. But the minimum scour depth, there
16 is going to be at least two to three feet.

17 It will have to be engineered to
18 withstand wave ramping and scouring effects and
19 not be detrimental to adjoining structures from
20 wave deflection and ramping and so on and the same
21 thing.

22 The concern we have is that if indeed it
23 experiences erosion there, we will wind up with a

24 three- or four-foot tall or maybe higher wall as
25 an erosional control device, so that won't be
0119

1 allowed.

2 And as far as the setbacks from the RC-1
3 district, it defines a structure and it lists a
4 number of things, but it doesn't include a wall as
5 an exception. So it would need to be at least 30
6 feet back anyway. And if it can be construed as
7 an erosion control device, it would not even be
8 allowed there.

9 So we have talked over that aspect of
10 it, and has given the concerns that we have about
11 other folks trying to put in these types of
12 erosion control structures. And it basically
13 defines anything that keeps erosion away through
14 wind or wave or water as a definition, although it
15 appears to be, as drawn, clearly just a landscape
16 treatment.

17 MR. ILDERTON: It's an aesthetic thing?

18 MR. PRAUSE: Right. But given the other
19 concerns, we wouldn't --

20 MR. ILDERTON: I guess all we can look
21 at is, I think, is aesthetics. We can't speak to
22 its erosion control or non-erosion control or
23 whatever else.

24 MR. PRAUSE: Correct. I just wanted to
25 make that known on the record.

0120

1 MR. ILDERTON: Great. Should I recuse
2 myself?

3 MR. PRAUSE: It's up to you.

4 MR. ILDERTON: I am not building this
5 wall, but I'm building the house.

6 MS. KENYON: Yes.

7 MR. ILDERTON: Okay.

8 (Mr. Ilderton recused himself.)

9 MR. HERLONG: So, Kent, you have --

10 MR. PRAUSE: That is all I have.

11 MR. HERLONG: So is the applicant
12 present?

13 MR. FREEMAN: Yes. Paul Freeman, and
14 I'm representing the O'Shaughnessys, the owners.

15 We learned this afternoon about 2:00

16 their final recommendation about the wall and we
17 are okay to not do it.

18 MR. HERLONG: Okay. Is there any --

19 MR. WRIGHT: That solves that problem.

20 MR. HERLONG: Is there any public
21 comment? Public comment section is closed.

22 Kent, any other comments?

23 MR. PRAUSE: No.

24 MR. HERLONG: Billy?

25 MR. CRAVER: So what else? I lost all

0121

1 my brains on the last one. I didn't have much
2 left anyway. So what else are we looking for
3 here, the impervious --

4 MR. PRAUSE: The gravel paving and the
5 other treatments. I don't know if you --

6 MR. WRIGHT: There are four things,
7 aren't there, on the list, on the application?

8 MR. REINHARD: Wood fence.

9 MR. PRAUSE: I only see three, Duke. It
10 says landscaping, driveway, fence on the one dated
11 November 27, '07.

12 MR. REINHARD: Well, there is a fountain
13 and a pool as well.

14 MR. PRAUSE: That's correct.

15 MS. EWING: Does that come under
16 accessory or --

17 MR. REINHARD: Accessory structure.

18 MR. CRAVER: But there is a fence.

19 MR. WRIGHT: Are these variances --
20 excuse me, Billy -- that are on this list already
21 approved possibly?

22 MR. FREEMAN: We are not asking for any
23 variances.

24 MR. CRAVER: What else are you looking
25 for besides that wall that you don't want

0122

1 anymore?

2 MR. FREEMAN: Just approval for the
3 fence.

4 MR. WRIGHT: Yeah. I don't understand
5 why this was part of the package.

6 MR. CRAVER: I'm glad I'm not the only
7 one that is confused.

8 MR. PRAUSE: Yeah. I think that was
9 submitted, the variances to ordinance requested on
10 this fax Page 2 of 2 --

11 MR. WRIGHT: Four items.

12 MR. PRAUSE: That was to approve the
13 house.

14 MR. WRIGHT: Okay. That is done
15 business.

16 MR. PRAUSE: That is done business.

17 MR. CRAVER: So it's just the fence
18 then?

19 MR. FREEMAN: The fence, landscaping and
20 the drive.

21 MR. PRAUSE: And, as Fred pointed out,
22 the fountain and so on.

23 MS. EWING: Well, I have a couple of
24 questions. On the harbor front, the steps, are
25 they going to be brick all the way up?

0123

1 MR. FREEMAN: We are not going to do
2 those. That is part of that little 12-inch wall.

3 MS. EWING: So it's going to be wood
4 steps?

5 MR. FREEMAN: It's going to be nothing,
6 just grass.

7 MR. CRAVER: He's talking about the
8 steps off the house.

9 MR. FREEMAN: That is architecture.

10 MR. REINHARD: That is not really before
11 us.

12 MR. HERLONG: That has already been
13 approved.

14 MS. EWING: These steps here?

15 MR. FREEMAN: We are just doing the
16 landscaping.

17 MR. REINHARD: And you are eliminating
18 this, right?

19 MS. EWING: It just says on your plans
20 brick steps.

21 MR. REINHARD: You are eliminating this,
22 right?

23 MR. FREEMAN: We are eliminating the
24 wall.

25 MR. REINHARD: What about this path?

0124

1 MR. FREEMAN: We could have that
2 discussion. I think --

3 MR. REINHARD: I am not asking you that.
4 I am not asking you to eliminate it. I am just
5 saying are you intending to eliminate that, or
6 just the brick wall?

7 MR. FREEMAN: No, just the brick wall.

8 MR. REINHARD: Fine.

9 MR. WRIGHT: Then go to Page 6 of 8.

10 Isn't that all we are interested in at this point,
11 which is the landscaping plan with the fence?

12 MR. CRAVER: And then on the page before
13 that, the detail of the fence.

14 MR. WRIGHT: Yes.

15 MS. EWING: What about the fountain?

16 MR. HERLONG: So again, Billy, do you
17 have any questions, any concerns?

18 MR. CRAVER: None that I see, Steve.

19 MR. HERLONG: Cyndy?

20 MS. EWING: I am still curious --

21 MR. HERLONG: You are still looking.

22 MS. EWING: -- because -- okay. But we
23 are supposed to approve a fountain. And then I
24 still am just curious. Are those steps -- I know
25 you are going to -- are they brick?

0125

1 MR. FREEMAN: Yes.

2 MR. EWING: All the way up?

3 MR. FREEMAN: I don't know. That is
4 architecture. It's not part of our scope. That
5 is the house. We are just doing the landscaping.

6 MS. EWING: But you do have brick -- you
7 have built brick, a couple of steps, because you
8 have the design in here, and I'm just curious --

9 MR. FREEMAN: This part is wood and that
10 part is the base.

11 MS. EWING: Yeah, that is what I wanted
12 to know. That is exactly. This is -- the house
13 next door is such a -- it's just important to keep
14 it with the wood. That was my concern.

15 MR. FREEMAN: But this was part of the
16 architect's drawings.

17 MS. EWING: I just didn't know if you

18 had planned -- that you were switching over to
19 brick. That was my question.
20 MR. FREEMAN: No, just because -- the
21 mason is coming to do all this work. He was going
22 to do those two steps.
23 MS. EWING: I got it.
24 MR. HERLONG: So it's like the bottom
25 two steps when it becomes landscaping going into
0126

1 the brick, which is the paver --
2 MS. EWING: Right. That is all I wanted
3 to know, just double-check.
4 MR. HERLONG: -- moving up the wood. I
5 think that's what I'm seeing.
6 MR. PRAUSE: The detail shows three
7 steps if you look on 4 of 8.
8 MR. REINHARD: I like the wood fence, I
9 mean a real wood fence.
10 MS. EWING: This is real? Excellent,
11 with channels. Pretty gate. Looks good.
12 MR. HERLONG: Duke, do you have any
13 issues?
14 MR. WRIGHT: No. I'm fine with the
15 application.
16 MR. HERLONG: I'm fine with the
17 application.
18 MR. WRIGHT: I move it be approved and
19 submitted.
20 MR. REINHARD: Second.
21 MR. HERLONG: Any discussion?
22 MR. CRAVER: Without the wall.
23 MR. WRIGHT: Without the wall.
24 MR. REINHARD: Without the seep wall.
25 MR. HERLONG: All in favor?

0127

1 (Hands raised by all members of the
2 board.)
3 MR. HERLONG: Any opposed?
4 (No show of hands.)
5 MR. ILDERTON: All right. I'm back.
6 1902 Middle Street, changes to approved plan.
7 MR. HERLONG: I will recuse myself.
8 MR. CRAVER: Does the court reporter
9 need to take a little break?

10 COURT REPORTER: No, but thank you very
11 much.

12 MR. PRAUSE: 1902 Middle is within the
13 historic district, but it's not designated as a
14 Historic Resource. The house is presently under
15 construction. They want to change four first
16 floor windows to four 4-foot wide French doors on
17 the south side, on the street side.

18 MR. ILDERTON: Great. Yes, sir?

19 MR. HEINLEN: Rodd Heinlen and I'm with
20 Steve Herlong's office. We are here to represent
21 Steve and Susan Zuckas (phonetic) on this
22 property.

23 We are under construction now. We have
24 been under construction about two or three months.
25 We got approval back in May.

0128

1 The owners and us are simply asking to
2 replace four of the windows on the first floor,
3 two flanked on each side of the main entry and
4 replace them with approximately 4-foot wide by
5 8-foot tall pairs of French doors.

6 They would be mahogany. They would be
7 solid panel on the bottom third, glass on the top
8 two-thirds. We feel it's in character with the
9 neighborhood and the island.

10 MR. ILDERTON: Thank you. Is there any
11 public discussion? Yes, sir?

12 MR. HOLBROOK: Tim Holbrook, 1902 I'on.
13 Was this house at one particular point in time a
14 historic structure, but through the convoluted bad
15 practices of building and such it has, therefore,
16 not become one anymore?

17 MR. ILDERTON: It was never on the
18 historical list, I don't think.

19 MS. EWING: It was altered.

20 MR. ILDERTON: Well, there is nothing
21 left of it. It was never on the list to begin
22 with.

23 MR. HOLBROOK: I was just watching it
24 for the last few years wondering what the heck was
25 going on, and just curious if it ever had been.

0129

1 Obviously, it felt like a historic structure when

2 Lisa had it.
3 MS. EWING: It is, it was, was,
4 depending on who you talk to.
5 MR. WRIGHT: It was never on the list.
6 MR. ILDERTON: No. It was never on the
7 list.
8 MR. REINHARD: So let's do a 30-day
9 notice.
10 (Laughter.)
11 MR. ILDERTON: Is there any other public
12 discussion? Public section is closed.
13 Kent, any other comments?
14 MR. PRAUSE: No.
15 MR. ILDERTON: Great.
16 MR. WRIGHT: I don't have a problem with
17 it.
18 MR. ILDERTON: I don't have a problem
19 with it either.
20 MS. EWING: I don't have a problem.
21 MR. REINHARD: I like it.
22 MS. EWING: Looks good.
23 MR. CRAVER: Do I hear a motion?
24 MR. WRIGHT: I move it be approved and
25 submitted.
0130
1 MR. ILDERTON: Second?
2 MR. REINHARD: Second.
3 MR. ILDERTON: Everybody in favor?
4 (Hands raised by all members of the
5 board.)
6 MR. ILDERTON: Great.
7 (Stephen Herlong recused himself.)
8 MR. ILDERTON: 1908 l'on. Kent?
9 MR. PRAUSE: This is within the historic
10 district. It's designated as a Historic Resource,
11 Historic Survey Number 190.
12 Proposal is for addition and
13 alteration. Requesting conceptual approval for
14 the renovations and alterations and additions as
15 indicated in your tax submittal.
16 Because it's a one-story residence, we
17 are requesting principal building coverage relief
18 as shown in the attached document, which include
19 listing principal building coverage area and

20 also -- well, that appears to be it. That is
21 all.

22 MR. ILBERTON: Great.

23 MS. NELSON: Layne Nelson with Stephen
24 Herlong & Associates. I'm here representing the
25 owners for 1908 l'on.

0131

1 I would like to first give you a little
2 bit of history about the house. It's in the
3 district. It's considered a Traditional Island
4 Resource.

5 We have gone out and done some
6 investigation of it, gotten some information from
7 the town. And, from what we can gather, there was
8 an original house here that was built about 1920.
9 Since that time it's been through at least three
10 renovations slash additions that we can tell.

11 From what we see, this area in light
12 gray here, a little over 500 square feet, was
13 probably the original home. It may or may not
14 have had a wraparound porch across the front. It
15 appears that the first set of additions to it were
16 heated square feet here, here, and the addition of
17 this heated bay.

18 We do believe that those additions are
19 at least 50 years old, have been there for quite
20 awhile.

21 We think the next round of additions was
22 this heated space here, which we think enclosed an
23 original porch, which is why we think this porch
24 wrapped around. There is some door framing in the
25 walls here that has been covered over that we

0132

1 think originally went out to a porch there. We
2 don't know when that happened.

3 We do have some great records from the
4 Town from 1997 where there were a series of
5 renovations post Hugo, new owner, where they took
6 this area here and enclosed it. It may have
7 started out as a porch. It ended up as a carport
8 for a portion of time. But, at any rate, in 1997
9 it was enclosed to be heated space.

10 The deck back here was added in 1997,
11 and we also believe that this new front porch,

12 masonry foundation porch was added at that time as
13 well.

14 After having done that investigation and
15 looking at it, we sat down with the owners and
16 tried to figure out what we could do with this.
17 With it being a Traditional Island Resource, we
18 wanted to make sure that we were very careful with
19 what we did.

20 The first thing that we discussed was
21 the fact that these later additions came in 1997,
22 we thought that we could get the approval from the
23 board to maybe convert this heated space back to
24 the original porch; and, in doing so, qualify to
25 have a second structure on the property.

0133

1 We decided not to pursue that option for
2 a couple of reasons. One, the owners of it really
3 wanted it to function as one house, not a house
4 and a guest house.

5 Two, there is always controversy about
6 having a second structure on the property.

7 And, three, we looked at the property
8 right next door, which does have three structures
9 on it. And while that may have helped us with the
10 board in terms of neighborhood compatibility, we
11 felt like five structures on these two lots would
12 probably not be real compatible with the
13 neighborhood.

14 So the next thing we looked at was how
15 are we going to add on to this structure. We
16 realized that it is currently -- its elevation is
17 below flood, but it is in a B zone.

18 So to add on to it, any amount that
19 would make it a liveable, nice house on a
20 half-acre lot for a family, we would have to
21 elevate the house.

22 Again, there has been controversy about
23 elevating a historic structure. Is that the best
24 way to treat it, do you lose its historic
25 character.

0134

1 So we kind of stepped back from it for a
2 few minutes and thought about it and got back with
3 the owners and, interestingly enough, the owners

4 and we came to the table with the same idea, to
5 try and create some sort of a hybrid of it, to
6 find a way to have the house be functionally and
7 aesthetically attached, but structurally detached
8 so we could meet the FEMA requirements of it.

9 So we went down and talked with Randy
10 for a little while and looked at some of the FEMA
11 requirements, and it appears that we could do that
12 by doing a series of things.

13 First, renovating the existing historic
14 structure, keeping it within the 50 percent rule,
15 allowing it to remain at its current elevation.
16 Once that work was completed, we could then begin
17 construction -- get a permit and begin
18 construction on an addition to that that would
19 then link back to the existing structure on its
20 own foundation, completely separate structurally
21 where it only breaks into the existing house
22 through a doorway.

23 And, according to FEMA, you are allowed
24 to do that. And have this be elevated, meet FEMA
25 requirements and not have to deal with the 50

0135

1 percent rule on the existing structure.

2 I am sure that we will have more
3 discussion about that, but that seemed to be the
4 perfect solution to what we wanted to do here, and
5 so we have pursued it and we are bringing it to
6 you.

7 As we looked at it we thought, okay, we
8 are going to add on to this, we know we are going
9 to link back to it, how are we going to do that
10 and respect the existing structure.

11 We decided that because it was going to
12 be elevated, the addition, we would decide if we
13 want to keep it all one story, so we did.

14 We placed a one-story addition towards
15 the center of this half-acre lot and have linked
16 it back to the existing house in its existing
17 location. We feel that by doing so, what we have
18 created is a house that does function as one
19 house.

20 It's a little over 3600 square feet.
21 It's four bedrooms. Two are in the existing

22 house. Two are in the new addition. It's very
23 open to this central private courtyard, which
24 allows all the spaces to relate to each other and
25 just becomes very compatible, we think, with the
0136

1 neighborhood.

2 If you see the houses on either side, it
3 does not look at all out of scale. We have also
4 brought some 3D models of it. If you look at the
5 Middle Street elevation, you will see we have kept
6 it very small components. You look at this and
7 think it's something that could have been on
8 Middle Street 50 years ago.

9 If you look at l'on where the existing
10 house is now, you see that it's relatively
11 unchanged. You see that the ability to move the
12 addition towards the center of the lot and keep it
13 one story means that it's very unintrusive in the
14 background from that street view. You don't get
15 that big overwhelming sense of a big two-story
16 addition behind it.

17 You can see from this side that it just
18 wraps around this nice private courtyard. And
19 then this other side, which you really aren't
20 going to be able to see very much, we thought it
21 was important to show you to see how we took the
22 height of the elevated structure, broke down these
23 pieces into smaller elements, and then began to
24 bring the linked pieces broken down into smaller
25 pieces towards the front lower elevation, to
0137

1 connect that without overwhelming.

2 And so this is what we are bringing to
3 you for conceptual approval. And we are asking
4 for the relief, as Kent said, in just the
5 principal building coverage, and that is because
6 of the one-story nature of it. I will be happy to
7 answer any questions.

8 MR. ILDERTON: Do we have any public
9 comment on this application? Public comment
10 section is closed. Any other comments? Kent?

11 MR. PRAUSE: No.

12 MR. GUY: Living next door to that, I
13 was brought attention to this blueprint about four

14 or five days ago, and casually speaking with some
15 of my neighbors as they have come to me and had
16 also looked at it.

17 There is a tremendous amount of concern
18 about neighborhood compatibility, size and scale,
19 in that the majority of the houses that are within
20 a block of that are 1500 feet or less.

21 Now, as you pointed out, too, the three
22 houses adjacent to that occupy two of those three
23 houses. None of them are over 850 square feet.

24 So to have a 4,000 square foot house
25 sitting next to two 850 square foot houses, and
0138

1 pretty much the rest of the neighborhood in that
2 same size and scale, is a drastic departure from
3 what we are accustomed to in that two-block area.

4 MR. ILDERTON: Thank you. Any other
5 public comment? Yes, sir?

6 MR. ROBERTSON: I live across the
7 street, basically, and --

8 MR. ILDERTON: State your name, please.

9 MR. ROBERTSON: Edward Robertson, 1901
10 I'on. I am basically across the street from it,
11 and we are under 2,000 square feet. And I think
12 you are talking close to 6,000 or a little bit
13 more, right?

14 MS. NELSON: No. Total heated space is
15 3,651 square feet. That is including the existing
16 and new. And it's really broken down, as you can
17 better see here, into kind of two elements with a
18 link. Neither one of these is more than 2,000
19 square feet.

20 So what you are seeing, the way we have
21 broken it down, this is probably over 2,000, maybe
22 2,500 square feet, but I'm not sure exactly what
23 the links are here. But the entire thing is 3,651
24 square feet.

25 So we are not talking a 4,000 square
0139

1 foot, two-story big chunk of a house. It's scaled
2 down. I know you haven't had an opportunity to
3 see these, but I would be happy for you to look at
4 them just to see how broken down it is.

5 And you can see the elevation from your

6 vantage point, from your house across the street
7 on I'on.

8 MR. HOLBROOK: It's like a hotel. It
9 looks like a hotel. I'm sorry.

10 MS. NELSON: It's a 3600 square foot
11 home on a half-acre lot.

12 MR. ILBERTON: Is there any other public
13 comment? Public comment section is closed.
14 Discussion?

15 MR. CRAVER: All of these are half-acre
16 lots right here, and they would qualify to have a
17 4,000 square foot -- 4100 square foot houses on
18 them.

19 The issue here is instead of building a
20 big 4100 square foot house, even if they had to
21 elevate the existing historic part to do that, and
22 ending up with the mass of an elevated 4,000
23 square foot house, they have tried to keep it one
24 story and spread it out some.

25 I actually think they have been pretty
0140

1 creative in finding a way to minimize the mass to
2 go on this lot.

3 Now, I recognize you might have a 2,000
4 square foot house, but somebody could buy your
5 house, or you could eventually sell it or
6 whatever, or you could add onto it and end up with
7 a 4,000 square foot house.

8 So, I mean, it's within the square
9 footage of what is allowed on those lots. I would
10 give it conceptual approval. I think they have
11 done a good job of it.

12 MR. ILBERTON: Cyndy?

13 MS. EWING: I have strong concerns about
14 the mass and scaling of it in that it would -- and
15 these are the Zuckases that have the 1908?

16 MS. NELSON: Yes.

17 MS. EWING: So they have the Truesdale
18 house and 1902?

19 MS. NELSON: Yes.

20 MS. EWING: And so I'm very concerned,
21 because on Middle Street, with the Devereux
22 gatehouse and the little Truesdale cottage, there
23 seems to be a lot of people that do not like the

24 massing and the way that that looked, and did not
25 want to see that happen again.

0141

1 And I'm concerned -- I like the design
2 and I like the concept. It is one story, but it's
3 a really tall one story. So I have certain
4 concerns.

5 And, again, not to beat the window thing
6 up, but if this is -- so you are going to end up
7 tearing off part of the porch and you are turning
8 it to --

9 MS. NELSON: Possibly. And, again, this
10 is conceptual. We haven't looked at windows. We
11 haven't looked at the specifics. Yes, we would
12 put back the wraparound porch that we believe was
13 original. I think that helps that I'on facade
14 relate to the street, even though that one is
15 closer to the street.

16 If you look at Middle Street, we are
17 probably, I think, 60 to 80 feet away from the
18 center of the road with this one-story fairly
19 simple facade. They are very small scale.

20 I mean, I understand that you may look
21 at this and say, okay, this is a block. It's very
22 small. Flood elevation is 15 feet, so we can't
23 really do a whole lot about the height of it.

24 But even in relation to the existing
25 house, it's not an overwhelming change because we
0142

1 have so much room in which to make that adjustment
2 along the side there linking it.

3 MS. EWING: I am just looking here at
4 the elevation. It is -- when you are standing in
5 the street level it is --

6 MS. NELSON: This is actually street
7 level. That is what you can do with 3D, is put a
8 six-foot person actually the distance away from
9 the house that you would be at the street and
10 sidewalk, and that is how you get that angle.

11 What you are seeing there is a flat
12 two-dimensional as if it were laid on top of each
13 other, which is why we moved it back towards the
14 center and away from the existing house, was to
15 diminish that view of it.

16 MS. EWING: That is considerably better
17 than the --

18 MS. NELSON: Definitely better. It's
19 better than anything you would see 2D, which you
20 would never actually usually see it that way. You
21 would see it this way. This is from the street at
22 Middle Street as well.

23 MR. ILBERTON: Is this house on the
24 historical list?

25 MS. NELSON: It's a Traditional Island

0143

1 Resource.

2 MR. ILBERTON: It is a Traditional
3 Island Resource. Okay.

4 MS. EWING: And was this on the Sanborn?
5 Did you find it on Sanborn?

6 MS. NELSON: I can't get on the Sanborn
7 maps. They asked me for a password and an ID.
8 The historic survey does say that the original
9 house was not on a plat from 1917, but it's on the
10 Sanborn map from 1924, and so they have --

11 MS. EWING: I have it.

12 MS. NELSON: You do? I would love to
13 see, because I think it would help us exactly --
14 it also says on the historic survey that it has
15 asbestos siding over historic wood siding.

16 And so when that would come off, we
17 would be able to see. I mean, every intention is
18 to repair and replace what we can and treat -- I
19 think we have worked really hard, actually, to
20 treat this existing structure as, you know, kindly
21 as possible.

22 And we are conceptual looking to move
23 forward, but that is the plan. That will tell us
24 more when we get some of that siding off what was
25 original and what wasn't.

0144

1 MR. ILBERTON: Fred?

2 MR. REINHARD: Question. What are we
3 allowed in terms of principal building coverage?

4 MS. NELSON: Principal building coverage
5 on this particular --

6 MR. REINHARD: Yeah, on this particular
7 lot. What are we allowed?

8 MR. ILBERTON: Half acre.

9 MS. NELSON: No. The allowable
10 principal building coverage is 3,317 square feet,
11 and we are requesting 3,726.

12 What it is saying here is that it is a
13 42 percent exemption from the historic exemption.
14 That is based on a number here -- I just noticed
15 it as I was looking through it today -- of 972
16 square feet for the existing house, historic
17 house.

18 I think what we did there is we took
19 away what we didn't feel was historic, like this
20 addition here, and just went to what we thought
21 was original house and only asked for 50 percent
22 of what we thought was most historic.

23 So if we actually counted the whole
24 existing house, it's closer to 1300 or 1400 square
25 feet, and that percentage would drop accordingly
0145

1 to about 25, I think, 30 percent exemption for the
2 historic structure.

3 MR. REINHARD: If you look at the
4 survey, the existing house appears to sit on about
5 25 percent of what is considered buildable when
6 you take into consideration the various setbacks.

7 And then when you superimpose the new
8 scheme on that same survey, it would take up -- it
9 would go from consuming 25 percent of what you
10 could build on to 75 percent. So, literally, this
11 new addition will be taking up half of what is
12 considered the buildable lot.

13 It's a big footprint, a really big
14 footprint. And I wonder why, with such a big
15 footprint, we couldn't get this down to be within
16 the requirements of the zoning ordinance and not
17 even ask for that 900 square feet -- 400 square
18 feet.

19 MS. NELSON: Would you prefer that we
20 went two stories to get that down?

21 MR. CRAVER: That's the issue.

22 MR. REINHARD: That is not what I'm
23 saying.

24 MS. NELSON: You want to reduce --
25 because we are over 400 square feet less than

0146

1 allowed.

2 MR. REINHARD: The reason it looks big
3 is because it consumes three-quarters of the
4 buildable lot, three-quarters.

5 MR. CRAVER: How many square feet --
6 what is the principal building coverage?

7 MS. NELSON: Principal building coverage
8 that we are requesting is 3,726 square feet. The
9 allowable principal building coverage is 3,317.
10 So we are asking for an additional 409 square feet
11 of building coverage for one story, and we are
12 four hundred sixty some odd square feet, heated
13 square feet less than allowable by keeping it one
14 story. So --

15 MR. CRAVER: Right. So 3300 square feet
16 of principal building coverage on a half-acre lot,
17 a half-acre lot is 20,000 square feet. So, I
18 mean, it's not 75 percent of the --

19 MR. REINHARD: Of the lot, but what is
20 buildable on the lot. You have got side yard,
21 front and rear setbacks that brings that half-acre
22 down to a buildable area.

23 MR. CRAVER: Right.

24 MR. REINHARD: And of that buildable
25 area, this now consumes three-quarters of it.

0147

1 MR. CRAVER: Right. But I guess as a
2 matter of preference, we have to decide if they
3 came in and made it two stories, and were within
4 the 4100 square feet, and didn't ask for any
5 changes, we then reduce the principal building
6 coverage, but we have significantly greater mass,
7 but it's a mass that is within the allowable
8 square footage.

9 And I would rather see that extra 400
10 square feet be covered than have another story on
11 the house. That is personal preference. I think
12 they are trying to keep the mass down by having
13 the single-story addition as opposed to having a
14 two-story addition.

15 MS. NELSON: We could lose square
16 footage in the link.

17 MR. ILBERTON: I looked at this house

18 fairly closely with another client before this
19 client bought it, and it's not a particularly
20 strong architectural -- its presence is not
21 particularly strong in itself, although it is on
22 the list.

23 I think it could be, not that I'm
24 advocating it, but I sort of like the smallness of
25 it. But it could even be before us in another way
0148

1 to be asked to be demolished, which would mean you
2 could build a 4500 square foot house on a
3 half-acre lot. But that is not what is before us.

4 Also, further, it could be reduced to
5 1200 square feet because there was a significant
6 amount of it that was -- if you really looked at
7 it, you could make the case that it was not
8 historic at all, that it was enclosed and just not
9 well done to the house. It could have been
10 reduced to the 1200 square foot level.

11 And from what I understand, the addition
12 you are doing is going to have to be above flood,
13 right?

14 MS. NELSON: Right.

15 MR. ILBERTON: So I don't know that --
16 you have a half-acre lot. To say you can't add
17 onto this house because it's historical, you know,
18 which means if you can't add on, I mean you can't
19 add on that level, the level the house is now
20 because if you add on more than 50 percent it has
21 to be elevated.

22 You know, somebody is going to be
23 allowed to do something because of this FEMA law.
24 And the original structure is being kept. That
25 is, it's going to be low to the ground.

0149

1 Primarily you see that house -- because
2 it's fairly close to I'on. You see that as a
3 presence on I'on. And the height of it, the
4 smallness of it, that is your primary view. This
5 other stuff is going to be behind that, and it is
6 one story.

7 I think it's going to be less obvious
8 from the I'on view. You don't really hardly even
9 notice this house from Middle Street, but it has a

10 strong l'on presence.

11 And the structures next to it are
12 multiple -- there is like three or four structures
13 on that lot to the left. I mean, you talk about a
14 lot that is covered up with structure and
15 neighborhood compatibility. You know, if you want
16 to even throw that in there.

17 There are multiple structures on the lot
18 to the left, which I sort of think is cool. I
19 mean, I sort of think that is Sullivan's Island.
20 But they are even right on the lot line, which is
21 even -- which is even attractive, in my opinion.

22 So I don't know. I don't -- I think,
23 conceptually, I think maybe it could be brought
24 down a little bit. Maybe we could ask them to
25 bring it down a little bit in the eye or maybe the
0150

1 roof line or something. But I think for
2 conceptual approval, I wouldn't have a problem
3 with it.

4 Duke?

5 MR. WRIGHT: Well, I have to go back and
6 look at this. I looked around there some today.
7 But this changes the character of this little
8 neighborhood significantly, in my judgment. But
9 maybe that is not all bad either.

10 So I think maybe I need to go look at it
11 again before I can really do any sensible judgment
12 here. And I might even suggest that we may want
13 to go look at this as a board.

14 Because that whole little neighborhood
15 is kind of interesting. And this would be the
16 first of probably, over the years, a major change
17 in what is there now in terms of compatibility.

18 Having said that, conceptually I don't
19 know what that means right now. At one point I
20 was going to ask if you considered asking for
21 demolition and starting from scratch.

22 MS. NELSON: Every option was
23 considered.

24 MR. WRIGHT: I am serious about that,
25 because it's an interesting little cottage, but

0151

1 it's not an architectural gem, in my view.

2 MR. ILBERTON: But I think demolishing
3 it would create a real problem for neighborhood
4 compatibility.

5 MR. CRAVER: How many square feet is the
6 addition?

7 MS. NELSON: I didn't separate them
8 out.

9 MR. CRAVER: How many square feet is --

10 MS. NELSON: The existing is about 1300
11 square feet, maybe less than that. It's actually
12 just under 1200 square feet if this were to come
13 off and this face were to come off. And then you
14 have the link, the link down the side, so 11 and
15 37 -- 2700 square feet for this and this.

16 MR. CRAVER: So if you took the existing
17 house down to 1200 square feet you could build
18 another, roughly, 3,000 square foot house,
19 separate house on --

20 MR. WRIGHT: Pass that down, Billy.

21 MR. ILBERTON: The footprint, possibly,
22 could be approved. But if we deem that the roof
23 line is too high, meaning too strong a presence
24 from l'on, it looks like, to me, there is enough
25 room in that middle section of the new section
0152

1 that possibly could be, you know, maybe knocked
2 down a couple of -- you know, a foot or two to be
3 not as strong.

4 I mean, what is it now, maybe a 10/12?
5 It could drop to 8/12 or something like that of
6 the main section of the new house, but still look
7 good as the way Herlong & Associates would make it
8 look.

9 MR. CRAVER: Can you-all do one of these
10 things that shows what other house -- that shows
11 other houses next to it so you get a sense of --

12 MS. NELSON: I would have to have the
13 floor plans of the other house.

14 MR. HOLBROOK: I will be glad to get
15 them for you.

16 MS. NELSON: The floor plans?

17 MR. HOLBROOK: Sure.

18 MR. CRAVER: Because I think that is one
19 of the things that sort of throws you off, is this

20 is --

21 MS. NELSON: It has no reference.

22 MR. CRAVER: There is no reference. But

23 I sit there thinking about other one-story houses

24 on the island, and if you were to put this

25 structure next to a lot of other structures on the

0153

1 island, this would look tiny in comparison.

2 MR. HOLBROOK: It's four times the size

3 of the house next door to it.

4 MR. CRAVER: Right. But in comparison

5 to elevated 4,000 square foot houses is the issue,

6 and elevated 4,000 square foot houses are what you

7 can build in this neighborhood.

8 MR. ILDERTON: This discussion is for

9 the board. I mean, what do we want to do? Do we

10 want to postpone it until we visit the site? Do

11 we want to give them conceptual approval on the

12 footprint, at least, and then they can work on the

13 plans and we can still have a site visit?

14 I mean, it's just conceptual approval on

15 what is going on. Or do we want to just ask to

16 postpone it until we visit the site and look at it

17 or --

18 MS. EWING: Well, I mean, I think that

19 that is a reasonable thing to do, and also find

20 out from -- you know, get more neighborhood input.

21 I have some concerns about this

22 footprint and what they are asking because we have

23 got -- before anybody gets on me -- we have four

24 bedrooms, a master suite, a downstairs den, an

25 upstairs den, a downstairs kitchen, an upstairs

0154

1 kitchen, a living room and a dining room and then

2 a bunch of other stuff. I can't believe that

3 there is not --

4 MS. NELSON: It's just four bedrooms

5 total. The master is one of four.

6 MS. EWING: It shows three bedrooms --

7 MS. NELSON: And a master.

8 MS. EWING: A daughter, a daughter, a

9 son and a master and a guest.

10 MS. NELSON: You have the daughter's

11 bedroom and bath, son's bedroom and bath, and then

12 a guest and a master here.

13 And the kitchenette downstairs actually
14 has to go in to do the FEMA requirements. In
15 order to renovate it under the 50 percent rule, it
16 has to technically function as a house and have a
17 kitchen. So we couldn't do that renovation
18 without some semblance of a kitchen in it. More
19 than likely that will end up a mud room, that sink
20 there.

21 MS. EWING: I just think that there is
22 some room to -- I think there is a way to make --
23 stay within the ordinance as it stands, keep the
24 house, the historic character of the house and the
25 neighborhood, and also keep the neighbors happy,
0155

1 because they are going to live there.

2 And we are not sure who is -- I mean,
3 these are the people who really are living here,
4 and I think it's important to listen.

5 So I would be of the mind to say
6 let's -- and I think it would be important for
7 Betty to see this, too, before we go any further,
8 and take a look at the Sanborn.

9 MS. NELSON: If you have it, yeah.

10 MS. EWING: I will get those. And I say
11 let's go visit.

12 MR. WRIGHT: Good idea. I agree.

13 MR. REINHARD: Can I just show you kind
14 of an interesting phenomenon? If you take the
15 front elevation of the new addition, and you
16 literally have it full scale behind the old house,
17 and if that elevation were right on the street
18 level right in the same place as the old house, it
19 just looms behind it.

20 But when you take a perspective, and I
21 don't know how accurate that perspective is --
22 which is supposedly a six-foot person?

23 MS. NELSON: A six-foot man. And I
24 can't remember --

25 MR. REINHARD: Standing, what, in the
0156

1 middle of the street maybe?

2 MS. NELSON: In the middle of the street
3 there, and I can't remember what that dimension

4 was.

5 MR. REINHARD: See the difference here?

6 This looks like it's twice as big as that. Here

7 it's just a peak. You see what I'm saying?

8 MR. ILDERTON: Yeah.

9 MR. REINHARD: So are we being mislead

10 by this elevation as to what it's really going to

11 look like?

12 Duke, do you see that?

13 MR. ILDERTON: Yeah, because it's

14 straight on. The elevation is straight on.

15 MR. WRIGHT: Well, I don't know if we

16 are being intentionally misled.

17 MR. CRAVER: I don't think we are being

18 misled.

19 MR. REINHARD: Oh, no, no, no, I'm not

20 saying we are being --

21 MR. WRIGHT: There is a license there

22 maybe.

23 MR. REINHARD: Orthographic projection,

24 counselor.

25 MR. WRIGHT: I think we need to visit

0157

1 this site and look at this whole thing in context.

2 That is my --

3 MR. ILDERTON: So defer it, maybe?

4 MS. NELSON: Can I just ask a question?

5 If we do this, do you have any guidance or

6 feedback for us other than we just put this all on

7 hold for another month and then submit another

8 month after that?

9 Is there any guidance, other ideas and

10 thoughts that you have that were maybe more

11 compatible than what we have tried to do here?

12 MR. WRIGHT: I don't personally have --

13 I have to really study this some.

14 MS. EWING: I love the one story. I

15 think it's moving in the right direction. If

16 there was a way to even get it a little bit lower.

17 Does the addition need to be as far off the

18 ground? It has to be that?

19 MS. NELSON: I'm not 100 percent sure

20 exactly where we have that floor placed. I know

21 that flood is 15 feet. I can double-check.

22 MS. EWING: I like the one story. I
23 like trying to save the historic existing
24 structure, but I think the size of the addition
25 could --

0158

1 MR. ILDERTON: So is there any way this
2 board can give them conceptual approval without
3 approving the architecture per se, at least the
4 footprint, so they can move on? And I'm just
5 asking.

6 MR. REINHARD: I would be okay with
7 that. I think there are enough good things about
8 this that I would be able to recommend conceptual
9 approval with the understanding that I sure wish
10 that 400 square feet would go away so we are not
11 talking about exceptions to the existing --

12 MR. ILDERTON: And we have a site visit.
13 Do you want to make that motion?

14 MR. REINHARD: I move for conceptual
15 approval.

16 MR. WRIGHT: And a site visit.

17 MR. REINHARD: And a site visit.

18 MS. KENYON: January 16th is the next
19 meeting.

20 MR. ILDERTON: Do I hear a second?

21 MS. EWING: I second.

22 MR. ILDERTON: Discussion? Everybody in
23 favor?

24 (Hands raised by all board members.)

25 MR. ILDERTON: Great. 2708 Goldbug.

0159

1 (Mr. Herlong recused himself.)

2 MR. ILDERTON: What do we have here,
3 Kent?

4 MR. PRAUSE: This one is outside the
5 historic district; however, it is designated as a
6 Historic Resource. The Survey Number is 50.

7 You are pretty aware of this one. It's
8 been here a number of times already, and I think
9 the last time was just some direction to alter it
10 so that it met setbacks, and they further reduced
11 it and modified it to a certain extent.

12 And they are here seeking -- it's not
13 checked, but I assume it's final approval.

14 MR. HENSHAW: Final.

15 MR. ILBERTON: Great. Yes, sir?

16 MR. HENSHAW: At the last meeting we got
17 conceptual approval and were asked to study the
18 side setback, primarily the west setback to bring
19 the house within the 15-foot side setback on the
20 west. That is on this side here.

21 And also to study the garage, because we
22 have a floor level up above this garage that DRB
23 was not able to grant relief to because it's
24 already in nonconformity because the existing
25 floor level is already above the three feet that
0160

1 the DRB could agree on.

2 But, first, to address the side setback
3 issue on the west, as we adjusted the plan we
4 wanted to make sure that we didn't crowd the
5 structure in here. And so we came out a little
6 bit towards Goldbug.

7 But, as you can see in this elevation,
8 and probably better in this perspective sketch, we
9 articulated the elevations with the use of
10 materials. We have got horizontal lap siding
11 here. And on the links -- it's hard to see in the
12 perspective, but we have vertical siding here.

13 And one other adjustment that we made to
14 the elevations was we lowered this perimeter band,
15 this first floor perimeter band closer to the
16 flood level. It was up around the existing floor
17 level of the existing structure.

18 The house is still well below the height
19 limit. I think at this point here and this point
20 here it's about nine feet below the 38-foot
21 maximum level, but it slopes down quickly.

22 It's primarily one story. In this
23 section, which is closest to Goldbug, we lowered
24 the floor level down so that we could get a small
25 home office above that floor, but maintain the
0161

1 roof line of the entire structure along here. So
2 we had the additional square footage to work with,
3 so we made that change and added a little bit of
4 square footage there.

5 One thing that we did on the master

6 bedroom, which is in this area on the west
7 elevation -- or, excuse me, the east elevation, is
8 extending about 21 feet from the east property
9 line.

10 If you add up the west setback and the
11 east setback, it totals 36 instead of 40. Now, we
12 had that discussion last time about whether a
13 105-foot lot was eligible for that relief from the
14 DRB.

15 We think it's appropriate with the
16 design of the house and the concessions that the
17 owners made to really make the house neighborhood
18 compatible.

19 If that is not something you can grant,
20 then we would like your opinion on what we have
21 done here so that we -- we will be going before
22 the Zoning Appeals for one other issue. And if
23 you like that, then we probably would address that
24 with them as well.

25 One design concern that we addressed the
0162

1 last time, and I think Betty brought it up, and,
2 Duke, you might have mentioned it, too, is on the
3 existing house we were adding a porch, or
4 recreating a porch here.

5 I wanted to address that a little bit.
6 If you go in the house you can see that it once
7 was a porch. You step down. There is a foot
8 drop, and the house steps down to an awkward
9 little master bedroom in there.

10 And we thought that with the
11 configuration of the house and how you are coming
12 into this central courtyard, this would be better
13 brought back to that original porch. It would be
14 a more welcoming feel.

15 And if we didn't do that, it would
16 create a very awkward situation because the eaves
17 is very low there, and functionally, it wouldn't
18 work that well.

19 And, finally, the garage. And I don't
20 know if everybody remembers the issue with the
21 garage, but the grade elevation here prevents us
22 from parking underneath and keeping that floor
23 level above it in an area that the DRB can grant

24 relief to.

25 So we had to slightly bump the floor

0163

1 level up, the living level above this garage up
2 above the typical area. Which I think it's bumped
3 up two foot six from the typical first floor
4 level, but it's slightly out of your
5 authorization. So we are going to have to go to
6 the Board of Zoning Appeals to get that approved.

7 But, in doing that, we looked at a
8 number of different options, and I would like to
9 go through those real quick just so you know where
10 we have been.

11 The first was to put a separate garage
12 structure out here. We would be allowed to do
13 that through the zoning ordinance. We didn't
14 really like that idea. The other was to put a
15 separate structure right here. But, again, that
16 blocks the view of the existing structure, and we
17 didn't want to add to the footprint.

18 So we decided to go ahead and keep it
19 where we had it last time and go to the Board of
20 Zoning Appeals because it reduces the footprint.
21 It does not significantly impact the height of the
22 house. And we just thought it was the best
23 option.

24 So we want your opinion on whether you
25 also think it was the best option so when we go
0164

1 there they know that it was a design
2 consideration, that it's probably the best
3 solution for this house and for the neighborhood.

4 MR. REINHARD: And what was the issue
5 with them?

6 MR. HENSHAW: With the garage?

7 MR. REINHOLD: With the Board of Zoning
8 Appeals.

9 MR. HENSHAW: We have to go to them
10 because you can only grant a certain amount of
11 relief above the base flood elevation.

12 MR. REINHARD: Okay. I got it.

13 MR. HENSHAW: So I think we have
14 addressed everything that the board mentioned last
15 time.

16 MR. ILDERTON: Great. Thank you. Is
17 there any public comment on this proposal? Public
18 comment section is closed.

19 Kent, any final --

20 MR. PRAUSE: Just the fact of the side
21 yard setback. It is 40 feet and it's not less
22 than 105 feet, so they will need to apply for a
23 variance for that side yard setback as well.

24 MR. HENSHAW: And, again, I would like
25 your feedback on that, because it's this one

0165

1 section of the house that we feel would make a
2 much more functional master configuration down
3 there. It's not across the whole setback. It's
4 just that one piece.

5 MR. ILDERTON: Well, hopefully one of
6 the hardships would be coming before this board.

7 MR. PRAUSE: So many times.

8 MR. ILDERTON: Really. Use that in your
9 argument.

10 Duke, do you have anything?

11 MR. WRIGHT: No. I have no problem with
12 it.

13 MR. ILDERTON: I don't have any problem.

14 MR. WRIGHT: I'm fine.

15 MR. REINHARD: I like the garage
16 solution a lot, and I love the way the house works
17 with the existing driveway and the trees. It's a
18 masterful setting situation.

19 MS. EWING: Again, it's just so nice
20 that you came up with such a great solution. Did
21 you get the feedback, how happy --

22 MR. HENSHAW: I did, yes.

23 MS. EWING: I just want to be -- it's
24 250 square feet that is being added to that home
25 office?

0166

1 MR. HENSHAW: It's right around that. I
2 think it's just under 250.

3 MS. EWING: So it's not -- I couldn't
4 tell. In the 3D you can see it better, but I
5 wasn't sure if it was more like a two-story deal.

6 Okay, okay. Thank you.

7 MR. ILDERTON: Billy?

8 MR. CRAVER: I like it.
9 MR. ILDERTON: Do I hear a motion?
10 MR. REINHARD: Move for approval.
11 MR. ILDERTON: Second?
12 MR. CRAVER: Second.
13 MR. ILDERTON: Discussion? Everybody in
14 favor?
15 MS. EWING: I just have a question. We
16 cannot approve -- we can't do anything about the
17 setback?
18 MR. ILDERTON: Right, based on -- I
19 mean, basically we are approving it based on them
20 getting approval.
21 MS. EWING: Okay.
22 MR. PRAUSE: It's a conditional
23 approval.
24 MR. ILDERTON: Everybody in favor?
25 (Hands raised by all board members.)
0167
1 MR. ILDERTON: 1808 Central, new
2 construction.
3 (Mr. Herlong recused himself.)
4 MR. ILDERTON: Kent?
5 MR. PRAUSE: This one is within the
6 historic district, not designated as a Historic
7 Resource, new construction, final approval.
8 Final certificate of appropriateness for
9 new home located in the historic district.
10 Request for relief is indicated in submittal
11 documents, drawings and literature, which is
12 detailed on the Zoning Standards Compliance
13 Worksheet Form C.
14 They are asking for relief for
15 impervious coverage and principal building square
16 footage. That's all.
17 MR. ILDERTON: Yes, ma'am?
18 MS. COCHRAN: Sabrina Cochran with
19 Herlong & Associates. I am here representing
20 Rhett and Ruth Baldwin and their property, 1808
21 Central Avenue.
22 Like Kent said, about 11 months ago it
23 was before you for conceptual approval and
24 received unanimous approval by the board.
25 Since then we have continued to study

0168

1 and refine the details, the elevations and plans
2 of the project, and now we are here for final
3 review.

4 As you recall, the Baldwins have lived
5 on the island for over ten years, and they now own
6 this vacant lot in the historic district.

7 Originally they came expressing their
8 interest in designing a home that really
9 encapsulated the architecture of the island. They
10 wanted to have a house that was as low as
11 possible, as low as they could possibly get it and
12 use a lot of the traditional island architectural
13 details.

14 So what I would first like to do is
15 review any architectural changes since the
16 conceptual review submittal that you all saw.
17 There are very few programmatic changes. And the
18 street side elevation -- which I have that you can
19 pass if you can't see it all the way down there --
20 is virtually the same.

21 They did add this wraparound porch
22 around the side. We had to squeeze in the house a
23 little bit, take out a little bit of square
24 footage so they could get this porch, because they
25 thought that wraparound porch was an essential

0169

1 element to the house.

2 We also added a dormer on to not only
3 get light into the living area, but to balance
4 that facade a little better.

5 Probably the biggest architectural
6 difference was the relocation of this guest suite.
7 Before we had it over here. It never really
8 worked that well, so we studied that for a real
9 long time, and we decided to locate it over here
10 and link it to the master area of the house. This
11 seems to work a lot better. And you can see it on
12 the plans and also on the elevations. It's linked
13 over here and here on that back side.

14 The other things we did is we lowered
15 the roof and plate heights of this two-story
16 addition even further. The owners just want to
17 keep it as low as possible, so we lowered the

18 plate on the first floor, lowered the plate on the
19 second floor, and brought that roof down even
20 further. I think we are almost five feet under
21 the allowable 38 feet in height.

22 You can see on these elevations those
23 changes. And also you can see on this west
24 elevation that new wraparound porch that we talked
25 about.

0170

1 The east elevation, this elevation is
2 also virtually the same, the plate height, like I
3 said, and we did add this small link, which I will
4 talk about in further detail in a little bit.

5 In an attempt to keep this house as low
6 as possible, like I said, and not stack the floors
7 as much as we possibly could, it really causes you
8 to spread out the footprint, to stretch the house
9 around the lot. And you can see we just really
10 tried to keep that front facade that everyone
11 really seems to love the same, and keep it as low
12 as possible.

13 You have this elevated pool, and it's
14 surrounding a courtyard area. And we really tried
15 to bring the pool up to the living area of the
16 house. If we had it as an inground pool, it would
17 almost be like in a hole, so we tried to really
18 create this to make this be all one outdoor living
19 area.

20 Once this happened, we went and talked
21 to Randy and Kent about the lot coverage issues,
22 and then came up with what we think is a really
23 unique and creative and also environmentally as
24 possible solution.

25 When Rhett and Ruth first came to us

0171

1 they said we want a grass system surrounding our
2 pool. We don't know how to make it work, but we
3 want to have grass around it. We really want to
4 soften that environment where our family is going
5 to spend a lot of time.

6 Once they said that, we studied that for
7 a long time and did a lot of research on this
8 elevated pool and this grass paver system.

9 In doing that research, I think in your

10 materials you have a very -- what we think is a
11 very green solution. It's called the invisible
12 solution, and it's similar to the concept of the
13 living roof where there is a grass surface here,
14 and then there is almost a grid-like structure
15 that is the subsurface of this grass, but above
16 grade. So the water filters through the grass,
17 filters through this grid system and goes back
18 into the groundwater slowly. We think their grass
19 deck is an environmentally responsible solution.

20 However, it does put us over the
21 impervious coverage by just under nine percent.
22 It's on the worksheet. However, the ordinance
23 does allow you-all to grant relief from the
24 impervious coverage if -- and I quote this because
25 it doesn't read all that well -- if the increased

0172

1 coverage consists solely of materials such as
2 grass pavers that are employed that allow
3 vegetative materials, such as grass, to permeate
4 the surface giving the appearance of grassed
5 areas. That is what the ordinance says.

6 So that is exactly what we researched
7 and what we did, and we feel as though it's a very
8 green solution, and were sensitive to the
9 environment by trying to employ these methods.

10 The last thing I want to talk about is
11 that link that I referenced earlier, which is this
12 part in the plan. The more we studied this over
13 the last year, the Baldwins realized they really
14 needed another bedroom for another child or for a
15 guest.

16 They have two very small bedrooms for
17 their two children, who are young. They might
18 have another child, and they didn't have enough
19 room. We studied this for a long time to try to
20 figure out how to make it work and not change the
21 elevation, and were able to sneak in a bedroom and
22 bathroom above the kitchen area, which is right up
23 here.

24 As you can see, we didn't change this
25 elevation whatsoever. We were able to keep it

0173

1 within the dormers, within the roof, not raise any

2 plate heights, not raise any roofs or anything,
3 and still we were able to get them a bedroom.
4 However, when you do add this bedroom
5 and stretch this house out to keep it low, you end
6 up getting a lot of hallway space just to make it
7 function. So when that happens, we went over the
8 principal building square footage.

9 The principal building square footage we
10 are over is just under seven percent. It's 287
11 square feet. So we need that relief in order to
12 get them that bedroom.

13 We did review the standards of
14 neighborhood compatibility in the conceptual
15 submittal. I can answer questions on that again,
16 but didn't want to take up too much time since we
17 had reviewed it once.

18 So we are requesting final approval with
19 the impervious coverage and the principal building
20 square footage relief.

21 MR. ILDERTON: Great. Thank you.

22 Since there is no public left except
23 interested parties, who shouldn't be able to speak
24 to this, we won't ask for public comment.

25 Kent, anything you want to add?

0174

1 MR. PRAUSE: Nothing.

2 MR. ILDERTON: Board, what do you
3 think?

4 MS. EWING: I think that it looks,
5 especially in the 3D, it looks good, nice
6 solution. Wait a second. So I was confused. The
7 grass is considered pervious?

8 MS. COCHRAN: Well, if it was considered
9 pervious we wouldn't have to ask for any relief.

10 MR. ILDERTON: Because it's elevated,
11 right? The problem is it's high, right? The
12 grass is there, but it's high?

13 MS. COCHRAN: Yes.

14 MR. ILDERTON: But underneath it,
15 farther down, it's soil all the way down?

16 MS. COCHRAN: Yes.

17 MR. ILDERTON: So, in fact, it is
18 pervious, but it's --

19 MS. COCHRAN: It is pervious.

20 MR. ILDERTON: -- but it's elevated, so
21 it's considered an elevated deck, like an elevated
22 deck.

23 MR. CRAVER: Do you know how many square
24 feet the grass is?

25 MS. COCHRAN: Yes. It's --

0175

1 MS. EWING: So it's like a filtration
2 system. You pour your beer and --

3 MS. COCHRAN: The grass is 797 square
4 feet.

5 MR. CRAVER: The grass is 797 square
6 feet, and the relief they are asking is 577 square
7 feet. So if you were to count that as pervious
8 surface, because it does filter the water through
9 it, they would still be below the requirement, so
10 I don't see a problem with that. I think it's a
11 great way to deal with it.

12 And from a massing standpoint the house
13 is -- I mean, I think they have done a great job
14 of just breaking it up. So if you look at the
15 guidelines that would allow them to get additional
16 square footage, I think they have dealt with the
17 massing issues and the house is broken up. I
18 mean, it's not a box, and that is the issue.

19 So I would approve both of those
20 increases in footage. I don't think they offend
21 mass and scale at all.

22 MR. ILDERTON: Fred, do you have any
23 comments?

24 MS. EWING: I wasn't finished, actually.

25 MR. CRAVER: I'm sorry, Cyndy. I didn't

0176

1 mean to --

2 MS. EWING: So back where the little spa
3 is, the outdoor spa --

4 MS. COCHRAN: This here?

5 MS. EWING: Yes. What is the treatment
6 on that? How are you going to --

7 MS. COCHRAN: Honestly, we are not
8 positive on that. But the owners actually, the
9 last time we met, said could we make that the
10 grass system, too? We might be able to make that
11 the pervious system.

12 MS. EWING: I'm actually looking at the
13 elevation, though, because it's kind of an odd --
14 to me, when you are looking at the north elevation
15 here --

16 MS. COCHRAN: Well, in that elevation we
17 had intended it to just almost be like an outdoor
18 shower, basically, a wood deck with wood slats.

19 MS. EWING: But it's going to be those
20 slats that -- I mean, I just think -- okay.

21 MS. COCHRAN: We are open to suggestion.
22 That is definitely not something that is --

23 MS. EWING: I don't know. I just think
24 those wood slats are very unattractive in these
25 elevations. So that is one thing.

0177

1 And then we have on the north
2 elevation -- wait a second. Which one is -- this
3 is the one -- okay. We ended up with --

4 MS. COCHRAN: They are both north
5 elevations, but we just took off this guest suite
6 so you could see what the interior would look like
7 if that wasn't there.

8 MS. EWING: Got it. Okay. And are we
9 okay with no windows there? Sometimes --

10 MS. COCHRAN: As you are looking at
11 that, keep in mind this is a lot that is
12 surrounded by three lots. And this is the back of
13 the lot, and it's really -- it's heavily wooded
14 back there.

15 MS. EWING: But it might not be some
16 day. It's just a design issue. Is there a way to
17 kind of put an architectural feature in there that
18 could --

19 MS. COCHRAN: I mean, obviously this is
20 a bedroom, and there could easily be windows put
21 in that wall.

22 MS. EWING: Or fake, you know? And,
23 again, here on the east elevation, the same
24 thing. It just seems when we have got these large
25 surfaces, I don't know, that have blank walls.

0178

1 Otherwise, I think it looks really good.

2 MR. ILDERTON: All right. Comments?
3 I'm okay with it. Everybody in favor? No, a

4 motion?

5 MR. REINHARD: Move for approval.

6 MR. ILDERTON: Second?

7 MR. CRAVER: Second.

8 MR. ILDERTON: Discussion? Everybody in
9 favor, aye?

10 (Hands raised by all board members.)

11 MR. CRAVER: Well done.

12 MR. ILDERTON: The meeting is adjourned.

13 (The meeting was concluded at 9:30

14 p.m.)

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0179

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 witness in the foregoing deposition was by me duly
sworn to testify to the truth, the whole truth and
7 nothing but the truth in the within-entitled
cause; that said deposition was taken at the time
8 and location therein stated; that the testimony of
the witness and all objections made at the time of
9 the examination were recorded stenographically by
me and were thereafter transcribed by
10 computer-aided transcription; that the foregoing
is a full, complete and true record of the
11 testimony of the witness and of all objections
made at the time of the examination; and that the
12 witness was given an opportunity to read and
correct said deposition and to subscribe the same.

13

Should the signature of the witness not be
14 affixed to the deposition, the witness shall not
have availed himself of the opportunity to sign or
15 the signature has been waived.

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

18 Witness my hand, I have hereunto affixed my
official seal this 29th day of December, 2007, at
19 Charleston, Charleston County, South Carolina.

20

21

22

23

Nancy Ennis Tierney
24 CSR (IL)
My Commission expires
25 April 6, 2014