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MEETING OF THE SULLIVAN'S ISLAND DESIGN REVIEW BOARD

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DATE: August 20, 2008

TIME: 6:00 p.m.

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LOCATION: SULLIVAN'S ISLAND TOWN HALL  
1610 Middle Street  
Sullivan's Island, SC 29482

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REPORTED BY: NANCY ENNIS TIERNEY, CSR (IL)  
CLARK & ASSOCIATES  
P.O. Box 73129  
North Charleston, SC 29415  
(843) 762-6294

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A P P E A R A N C E S

DESIGN REVIEW BOARD MEMBERS:

PAT ILBERTON - Chair  
STEPHEN HERLONG - Vice Chair  
DUKE WRIGHT - Secretary  
BETTY HARMON - Member  
BILLY CRAVER - Member

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ALSO PRESENT: Kat Kenyon - Administrative  
Kent Prause - Zoning Administrator  
Randy Robinson - Building Official

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1 MR. ILDERTON: It is 6:00, and this is the  
2 August 20th, 2008 meeting of the Sullivan's Island  
3 Design Review Board. It is now 6:00, and the members in  
4 attendance are Duke Wright, Pat Ilderton, Steve Herlong,  
5 Betty Harmon and Billy Craver. The Freedom of  
6 Information requirements have been met for this meeting.  
7 The items on tonight's agenda are  
8 approval of the minutes. Does everybody like the  
9 minutes?

10 MS. HARMON: I have one correction to be  
11 made. On Page 6, Line 6, "in the second meeting of  
12 this", that is incorrect.

13 It was the second -- I said the second  
14 meeting of the DRB, which was dated November 17th, 2004  
15 under the Walsh's application.

16 MS. KENYON: What page, Betty?

17 MS. HARMON: On Page 6.

18 MR. CRAVER: Are we on the July 16th  
19 minutes?

20 MS. HARMON: Oh, excuse me, Page 20.

21 MR. CRAVER: Oh, thank you.

22 MS. HARMON: I'm so sorry. On Line 6,  
23 "well, in the second meeting of this." Last time was  
24 our second meeting, so I wouldn't have been referring to  
25 our second meeting. I was referring to the second

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1 meeting that we had in November of 2004.

2 MS. KENYON: Betty, that is not on Page 20,  
3 Number 6.

4 MR. CRAVER: It's on Page 18 and it's Line  
5 6.

6 MR. ILDERTON: Look at the top of the page.

7 MS. HARMON: The top of the page is Page 20.

8 MR. CRAVER: No. That is actually four  
9 pages. It's a condensed transcript. That's that  
10 lawyerly thing that they do to confuse you.

11 MS. HARMON: See it, Kat? "Well, in the  
12 second meeting of this", I didn't say "of this". I said  
13 in the second meeting, which was -- and I read from what  
14 Blaine had to say from it -- which was November 17th,  
15 2004 under the Walsh residence, W-a-l-s-h, Walsh  
16 residence.

17 MS. KENYON: I will go back to the tape.

18 MR. WRIGHT: I move the minutes be approved  
19 with Betty's modifications, and Kat will go back and  
20 review the tapes of the minutes.

21 MR. CRAVER: I second it.

22 MR. ILDERTON: Everybody in favor?  
23 MR. WRIGHT: Aye.  
24 MR. ILDERTON: Aye.  
25 MR. HERLONG: Aye.  
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1 MS. HARMON: Aye.  
2 MR. CRAVER: Aye.  
3 MR. ILDERTON: Okay. The minutes are  
4 approved.  
5 MR. WRIGHT: I also -- I move that we amend  
6 the agenda for tonight's meeting to discuss two things.  
7 One is the letter to Chairman Ilderton  
8 from Hal Currey, the Planning Commission chair,  
9 regarding Sullivan's Island comprehensive plan.  
10 And the second item is to discuss some  
11 possible items that the board may delegate to staff in  
12 the future, minor changes and adjustments to approve  
13 projects.  
14 MR. ILDERTON: We will do that on the tail  
15 end after we hear all of the --  
16 MR. WRIGHT: Is that a motion?  
17 MR. HERLONG: I second that motion.  
18 MR. ILDERTON: Everybody in favor?  
19 MR. WRIGHT: Aye.  
20 MR. ILDERTON: Aye.  
21 MR. HERLONG: Aye.  
22 MS. HARMON: Aye.  
23 MR. CRAVER: Aye.  
24 MR. ILDERTON: The first two items have been  
25 deferred. I have to make a motion. Well, I can't make  
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1 a motion.  
2 MR. CRAVER: I make a motion that we defer  
3 Items 2 and 3.  
4 MR. ILDERTON: Do I hear a second?  
5 MR. WRIGHT: Second.  
6 MR. ILDERTON: Discussion?  
7 MS. HARMON: Why are we deferring?  
8 MR. ILDERTON: Basically, they have  
9 requested that they just want to hold off and come back  
10 in another month. I don't think they were prepared.  
11 MS. HARMON: Okay.  
12 MR. ILDERTON: Everybody in favor?  
13 MR. WRIGHT: Aye.  
14 MR. ILDERTON: Aye.  
15 MR. HERLONG: Aye.  
16 MS. HARMON: Aye.  
17 MR. CRAVER: Aye.  
18 MR. ILDERTON: So we are on to 1502 Thompson  
19 Avenue, accessory structure.  
20 MR. HERLONG: I am recusing myself from  
21 this.  
22 (Mr. Herlong recused himself.)  
23 MR. PRAUSE: 1502 Thompson. It's an  
24 accessory structure. It's a roofed structure. It's  
25 basically a playhouse or a tree house. And because it's  
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1 an accessory structure, it needs to come to you-all for  
2 approval.

3 They were scheduled to go before the  
4 Board of Zoning Appeals on last Thursday; however, there  
5 was no quorum present so that meeting was not held. And  
6 I would imagine they will be coming back in September to  
7 that meeting because they need a variance to place this  
8 within three feet of the rear lot line.

9 And, of course, you-all can approve it  
10 with conditions. So I would suggest that if you are of  
11 a mind to approve it, that you do so with the condition  
12 that it's contingent upon them receiving the necessary  
13 variance to put it where it needs to go.

14 And they submitted some pictures of the  
15 yard area and the tree, and a plat of the property, and  
16 also kind of a sketch of, I guess, what it might look  
17 like for you-all's consideration.

18 MR. ILBERTON: Great. Yes, ma'am?

19 MS. COCHRAN: This is the same thing you-all  
20 have. I am Sabrina Cochran with Herlong and Associates,  
21 and I'm here tonight to represent Samantha Nelson and  
22 and their boys, Jack, Roger and Sam.

23 I would like to start just by giving you  
24 a little bit of history. The Plochs built their house a  
25 few years ago under the old zoning ordinance and also

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1 before the DRB was established.

2 As you can see, they have a very unusual  
3 shallow lot. And to even build their house, they had to  
4 get a rear setback variance, which they applied for and  
5 got on the SR2 side, as you can see there.

6 The Plochs came to us recently because,  
7 as you can see, their three boys are at an age now that  
8 they would really like a playhouse out in their yard in  
9 this area as shown.

10 When this happened, we went to Kent and  
11 had extensive talks with him about what we needed to do,  
12 and came to the conclusion that it is an accessory  
13 structure and would need to come to you-all.

14 As you can see, and also as Kent  
15 mentioned, we do need a variance. We are going back  
16 next month to the BZA when -- that is when they  
17 rescheduled us.

18 But we have to come to you because it is  
19 an accessory structure. And that's what the code says,  
20 we have to come to the DRB.

21 So, as you can see, we have submitted a  
22 very diagrammatic sketch of what we think it could be.  
23 There is, obviously, height restrictions for accessory  
24 structures. It's about 10 feet wide and probably 12  
25 feet in the other direction, maximum. It's just a

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1 pretty simple structure, but I think it will be very  
2 nicely detailed.

3 So we are just asking for your approval  
4 on the accessory structure, and with the condition we  
5 have with the BZA.

6 MR. ILDERTON: Thank you. Is there any  
7 public comment to this application? The public comment  
8 section then is closed. Kent, anything else to add?  
9 MR. PRAUSE: No.  
10 MR. ILDERTON: Randy, are you good?  
11 MR. ROBINSON: Yes.  
12 MR. ILDERTON: All right. What do you  
13 think, Duke?  
14 MR. WRIGHT: I don't have any trouble with  
15 it. Apparently, there has been no opposition from the  
16 neighborhood. Nobody is here to oppose it.  
17 Have you talked to any of your  
18 neighbors? I raised four kids. I know what a tree  
19 house is all about, so I'm okay with it.  
20 MS. COCHRAN: Also, on their street there is  
21 other -- there is a trampoline. There is a lot of other  
22 play things on their street, so it's not out of  
23 character.  
24 MR. ILDERTON: I don't have a problem with  
25 it. Betty?  
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1 MS. HARMON: I love tree houses. As long as  
2 you get a variance, go for it.  
3 MR. CRAVER: I'm all with it.  
4 MR. ILDERTON: Do I hear a motion with a  
5 contingency that -- I think the motion has to be that  
6 they get the variance.  
7 MR. CRAVER: I move approval, subject to the  
8 applicant getting the variance necessary to place it  
9 where they want to place it.  
10 MR. ILDERTON: Do I hear a second?  
11 MS. HARMON: I second.  
12 MR. ILDERTON: Discussion? Everybody in  
13 favor?  
14 MR. WRIGHT: Aye.  
15 MR. ILDERTON: Aye.  
16 MS. HARMON: Aye.  
17 MR. CRAVER: Aye.  
18 MR. ILDERTON: Thank you, ma'am.  
19 2201 I'On Avenue, accessory structure,  
20 deck. I need to recuse myself from this one.  
21 (Mr. Ilderton recused himself.)  
22 MR. HERLONG: Kent?  
23 MR. PRAUSE: 2201 I'On Avenue. It's an  
24 accessory structure. It's outside of the historic  
25 district, but it's in the commercial district, which all  
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1 alterations to exterior buildings or structures in the  
2 commercial district must come to the Design Review Board  
3 for approval.  
4 MS. KENYON: We are on 2201, not 2213.  
5 MR. PRAUSE: Not there yet. 2201 I'On  
6 Avenue. What they propose to do here is install a new  
7 door and build a deck as an accessory structure. It  
8 looks like a deck with a hot tub in it. And you have a  
9 site plan that shows that, as well as a landscape plan.  
10 Of course, they will need to meet all

11 the required setbacks, and other zoning and flood issues  
12 if there are any. But they are here just for approval  
13 of the appearance. That is it.

14 MR. HERLONG: I actually have one quick  
15 question. The reason this is before us, is it because  
16 it's a deck?

17 MR. ROBINSON: Correct, accessory structure.

18 MR. HERLONG: And even an attached deck is  
19 considered an accessory structure? That is the only  
20 reason it's here?

21 MR. PRAUSE: Right.

22 MR. HERLONG: Is the applicant here?

23 MR. SMITH: My name is Doug Smith, and I  
24 represent Heather Condon and Skipper Condon in their  
25 desire to build this deck and put a hot tub in their

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1 back yard.

2 It's not a historic house. It's not in  
3 the historic district. It meets all the required  
4 setback, lot coverage and other zoning requirements.  
5 And it's a good-looking deck, and I think it speaks for  
6 itself.

7 MR. HERLONG: And one more quick question.  
8 I see the deck and spa. I see a landscape plan. We are  
9 not here to talk about the landscaping, I'm assuming?  
10 That is not a DRB issue, is that correct?

11 MR. ROBINSON: Correct.

12 MR. SMITH: I am here for the deck, and that  
13 is the only reason.

14 MR. HERLONG: Is there any public comment?  
15 The public comment section is closed. Kent or Randy,  
16 any other comments?

17 MR. PRAUSE: Yeah. We just keep seeing  
18 these play structures that the landscape architects put  
19 on there without checking to see if they meet the  
20 correct requirements, too.

21 So we just want to make sure that that  
22 is not included at this time. They need to come back.  
23 And it, too, may need a variance. But we will deal with  
24 that one when they come for a permit.

25 MR. HERLONG: Okay. Betty, do you have any

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1 questions or comments?

2 MS. HARMON: I think the deck is great.  
3 It's going to be tight quarters. I know you are far  
4 enough back from the property line.

5 MR. SMITH: Yes.

6 MS. HARMON: Then I'm okay with it.

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

8 MR. HERLONG: Duke?

9 MR. WRIGHT: I have no trouble with it.

10 MR. HERLONG: I don't either. I see it  
11 as -- this is one of those issues we might want to  
12 discuss later.

13 It seems odd that an attached deck on a  
14 home that is not even historic even has to come before  
15 us. So I, of course, I have no trouble with this one

16 either.  
17                   Anyone want to make a motion?  
18           MR. WRIGHT: I move it be approved as  
19 submitted.  
20           MR. CRAVER: I second.  
21           MR. HERLONG: Any discussion on the motion?  
22 All in favor?  
23           MR. WRIGHT: Aye.  
24           MR. HERLONG: Aye.  
25           MS. HARMON: Aye.  
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1           MR. CRAVER: Aye.  
2           MR. HERLONG: Any opposed? None.  
3           MR. ILDEBERTON: I will recuse myself from  
4 this.  
5           (Mr. Ilderton recused himself.)  
6           MR. HERLONG: The next one is 2213-C Middle  
7 Street, accessory structure, deck.  
8           MR. PRAUSE: This one is in the commercial  
9 district. Addition of a deck and expand the existing  
10 porch, per se, and it's before you because it is in the  
11 commercial district.  
12           One of the concerns that I have with  
13 these folks doing any work down there, if they expand  
14 the use, not to displace any of the existing parking.  
15 And if they expand it with an enclosed wall space, then  
16 that triggers a review of parking requirements.  
17           But since this has no walls, and it does  
18 not -- and it's -- at least one portion of it is  
19 elevated and cantilevered so that, apparently, you are  
20 going to be able to park underneath it, so it won't  
21 displace the existing parking. It's not an issue with  
22 respect to zoning issues with parking.  
23           And they are here, I guess, just for  
24 your approval on the appearance according to the  
25 standards of neighborhood compatibility.  
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1           MR. HERLONG: Is the applicant present?  
2           MR. JONES: My name is Kenny Jones. I own  
3 High Thyme Cuisine. We are here to try and get the  
4 approval for expanding the front part of our porch out  
5 and then the elevated part.  
6           We are just looking to see what works  
7 best for you guys that we can be in compliance with it,  
8 to just add on a little bit to the front porch and even  
9 over to the side, which is not going to affect the  
10 parking. As I say, we will comply with the rules of  
11 Sullivan's Island.  
12           MR. HERLONG: Anything else to add?  
13           MR. SMITH: He's not going out any further  
14 than the existing stairs or handicap ramp, and we are  
15 not displacing any parking, and it seems to me it meets  
16 all the zoning requirements.  
17           MR. HERLONG: Okay. Is there any public  
18 comment? Yes?  
19           MS. VOTAVA: Pat Votava, 2214 Jasper. I  
20 wanted to address the issue of maybe with compatibility.

21 Some of my neighbors weren't able to be here tonight,  
22 but have asked me to represent the Jasper side.

23 As you know, we have had some issues  
24 with the residential neighborhood being close to the  
25 commercial neighborhood and the issue of noise.

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1 And I know in the issue of decks and  
2 outside areas that I understand have no walls has come  
3 up before, and the issue of whether or not that is  
4 compatible with what we are representing as a  
5 family-oriented business district and compatibility with  
6 the neighborhood.

7 And putting more people outside, there  
8 would be some more noise continuing to come up. Could I  
9 ask the applicant about the use?

10 MR. HERLONG: Well, I think just the  
11 applicant may -- I don't want a direct discussion. But,  
12 you know, if you want to offer anything else.

13 MR. JONES: We are different from some of  
14 the other outside restaurants you have there. We are  
15 more of an upscale, fine-dining restaurant.

16 Our hours are 5:30 to 10:00, which we do  
17 keep the bar open sometimes later. But when you speak  
18 of the problems that have developed in the business  
19 district with noise and that type of thing, we are more  
20 of a dining restaurant and not a bar.

21 So with that addition, it's just dining  
22 from 5:30 to 10:00. It's not from 10:00 to 2:00,  
23 the hours that I think you had some problems with in the  
24 past.

25 So we are just trying to add some

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1 seating for our customers and for ourselves. You know,  
2 it is more for dining than for a bar use.

3 MS. VOTAVA: So you would close it at --

4 MR. JONES: We are not going to close -- I'm  
5 not saying we are going to close it, you know, if -- our  
6 bar isn't open later than 10:00. But we are not seating  
7 it. We are not -- I mean, we are getting back to the  
8 fact of you want things closed at 10:00 or 12:00 at  
9 night.

10 But, I mean, if we have people sitting  
11 down at 9:30 or 10:00 and we stop serving at 10:00, we  
12 are going to accommodate them until they are ready to  
13 leave.

14 But we are not a bar that has hours that  
15 we are open until 2:00 in the morning every Friday and  
16 Saturday night, where I think are some of the issues  
17 that you have problems with.

18 And I understand that, you know, the  
19 noise does cause issues for people being comfortable to  
20 sleep at night. We are not that type of bar. We are  
21 more of a restaurant.

22 MS. VOTAVA: Thank you. We appreciate that.  
23 We appreciate you limiting that business to dining, and  
24 thank you for that consideration.

25 MR. HERLONG: Any more public comment? The



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1 public comment section is closed. Kent or Randy, any  
2 further comments?

3 MR. PRAUSE: Well, we were just looking at  
4 the extent of the amount of additional seating out  
5 there. It may, indeed, trigger some addressing of  
6 parking requirements. And, if so, that will be up to  
7 you-all, too. It's not happening right now.

8 MR. HERLONG: Are you saying that if they  
9 make any physical changes to the building they may  
10 trigger parking as opposed to the deck?

11 MR. PRAUSE: Definitely if they add floor  
12 space, is the operative word, and that is inside walls.

13 But, also, there is a provision if  
14 they -- it says if they change the use, not expand it,  
15 but change it. So that is kind of a dicey way to look  
16 at it, too.

17 But, I mean, the whole idea of it is if  
18 you change something that creates a need for more  
19 parking, then we need to address that issue.

20 We thought this was just going to be an  
21 area outside to accommodate people that wanted to smoke.  
22 But it looks like there is, what, 20 something more  
23 seats, and that could very well generate the need for  
24 more parking. But, I mean, what --

25 MR. HERLONG: Okay. How do you think that

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1 affects what we are doing?

2 MR. PRAUSE: What you-all want to do right  
3 now is just look at it from the appearance and the  
4 neighborhood compatibility standard and see if that is  
5 appropriate.

6 MR. HERLONG: Okay. Duke, do you have any  
7 questions or comments?

8 MR. WRIGHT: No. Well, I have a personal  
9 problem with tacking that onto the side of this  
10 building. But, other than that, I don't oppose the  
11 requirement or the project, per se.

12 It's not a historic building, but it's  
13 not a bad-looking building, and I am just wondering how  
14 that is going to affect the appearance of it. But I  
15 would support it under these circumstances.

16 MR. HERLONG: Billy?

17 MR. CRAVER: I would support it. I mean, I  
18 don't think he's doing anything different than anybody  
19 else is doing there, and it is more of a dining  
20 restaurant.

21 MR. WRIGHT: I don't have any trouble with  
22 that.

23 MR. HERLONG: Betty?

24 MS. HARMON: I think I would approve it,  
25 too. It's a dining restaurant and not a bar, per se, so

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1 I think it will be all right.

2 MR. HERLONG: And I agree. This is the one  
3 type of establishment that really is the kind that I  
4 think this island enjoys and would encourage. And it's

5 always great to have more outdoor dining. Who wouldn't  
6 want more outdoor dining?

7 I do agree a bit with Duke that we could  
8 approve this and it could turn out to be a  
9 nicely-detailed, bracketed deck, or it could be somewhat  
10 unattractive.

11 I think that currently it's got planters  
12 and plants. And although it's not indicated, adding  
13 planters and plants around that deck could make it a  
14 very attractive space, and a place that people would  
15 want to come and enjoy driving past. But I would  
16 approve it as well.

17 MS. HARMON: A little landscaping would  
18 soften it a lot.

19 MR. JONES: Most definitely.

20 MR. HERLONG: Do I hear a motion?

21 MR. CRAVER: I move that we approve it.

22 MR. WRIGHT: Second.

23 MR. HERLONG: Any discussion on the motion?

24 All in favor?

25 MR. WRIGHT: Aye.

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1 MR. HERLONG: Aye.

2 MS. HARMON: Aye.

3 MR. CRAVER: Aye.

4 MR. HERLONG: Any opposed? None.

5 MR. JONES: Thank you very much.

6 MR. ILDEBERTON: All right. We are on  
7 to -- actually, I want to take this opportunity to read  
8 a short letter from Andy Benke.

9 "Dear Chairman Ilderton: As you will  
10 recall, the Design Review Board has two seats which  
11 expire in September of 2008. Members of council have  
12 reappointed Ms. Betty Harmon and appointed Mr. Jon  
13 Lancto to serve on the board for a three-year term,  
14 which will expire September of 2011.

15 "That and all staff will coordinate the  
16 state mandated training classes with Mr. Lancto so that  
17 he will be certified before the end of the year."

18 I just wanted to get that out of the way  
19 before we continue on.

20 And 3122 I'On, accessory structure,  
21 pool. What do you think, Kent?

22 MR. PRAUSE: Well, it's actually for an  
23 inground pool and a fence. And you have a site plan  
24 that shows the proposed inground pool and also the  
25 fence. This is -- they have checked it for preliminary

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1 approval. It's not in the district, not designated.

2 It's here because they are accessory uses.

3 And depending on what the extent of this  
4 play equipment area is, that, too, may need further  
5 approval and/or variance. I don't have enough details  
6 to be able to say one way or the other on that.

7 But that is not in front of you for your  
8 consideration at this time anyway, but I just want the  
9 record to reflect that. That's it.

10 MR. ILDERTON: Thank you. Yes, sir?  
11 MR. SAWYER: I'm Neil Sawyer, and I'm  
12 representing Tom Ross who owns the house. I believe  
13 everything meets all the requirements. We paid the  
14 surveyors, the landscape architects a lot of money to  
15 get it right, and I think it should be.  
16 The play equipment is simply a Lowe's,  
17 you know, eight- or nine-foot swing, a slide/ladder  
18 combination. And that's it.  
19 MR. ILDERTON: Great. Thank you. Is there  
20 any public comment to this application? The public  
21 comment section is closed. Anything more to add?  
22 MR. PRAUSE: It sounds like, from the  
23 description, that it will need further approval, the  
24 play area stuff. But what is here before you tonight is  
25 the pool and the fence.

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1 MR. ILDERTON: Okay, great.  
2 MR. ROBINSON: They did mark preliminary on  
3 this. I believe they want final approval on this.  
4 Isn't that correct?  
5 MR. SAWYER: Yes, we do.  
6 MR. ILDERTON: A final on the pool?  
7 MR. SAWYER: Right, on the pool.  
8 MR. CRAVER: Pool and the fence.  
9 MR. SAWYER: Pool and the fence.  
10 MR. ILDERTON: So the record is amended that  
11 this is before us for final approval.  
12 All right. Billy, what do you think?  
13 MR. CRAVER: I think it's fine.  
14 MR. ILDERTON: Betty?  
15 MS. HARMON: I'm okay with it.  
16 MR. ILDERTON: Steve?  
17 MR. HERLONG: I think this will be a nice  
18 addition to the property. I'm in favor.  
19 MR. ILDERTON: I think it's going to be  
20 wonderful, also.  
21 MR. WRIGHT: I have no trouble with it. I  
22 move it be approved.  
23 MR. CRAVER: Second.  
24 MR. ILDERTON: Discussion? Everyone in  
25 favor?

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1 MR. WRIGHT: Aye.  
2 MR. ILDERTON: Aye.  
3 MR. HERLONG: Aye.  
4 MS. HARMON: Aye.  
5 MR. CRAVER: Aye.  
6 MR. ILDERTON: Thank you.  
7 1702 Poe Avenue, changes to an approved  
8 application.  
9 MR. PRAUSE: 1702 Poe Avenue, it is within  
10 the historic district; however, it's not designated as a  
11 historic resource. They haven't indicated whether or  
12 not they want conceptual, preliminary or final approval.  
13 I guess they will tell you when it comes up.  
14 It's an accessory structure and

15 alteration. They want to convert the garage into a play  
16 room and a golf cart storage and construct new detached  
17 screen porch.

18                   They are asking for relief on the  
19 principal building coverage and impervious coverage.  
20 But I'm not quite sure how that works, because they can  
21 only do that with these grass pavers, apparently.

22                   So if it involves any hardscape, that  
23 will have to be brought down to the standard of 30  
24 percent of lot coverage for impervious surface.

25                   And it looks like the portion in the

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1 existing garage has been possibly elevated. I see two  
2 risers with some steps.

3                   But one thing I did want to point out  
4 was that whatever is put in there can't be any lower  
5 than the existing finished floor elevation of the main  
6 building because it doesn't meet the flood elevation  
7 requirements, and they can't put anything in there that  
8 is any lower than that existing finished floor.

9                   So I assume that has been addressed with  
10 elevating it and putting two steps in. But I just  
11 wanted the record to reflect that. That's it.

12                   MR. ILDEBERTON: Thank you. Yes, sir?

13                   MR. ADRIAN: Joel Adrian here representing a  
14 house at 1702. Hopefully this will be quick.

15                   I have pictures up here of houses in the  
16 general vicinity of 1702. This is a little shack right  
17 across the street from Station 17. That is the house  
18 just before you get to that intersection.

19                   This two-story very large home is the  
20 one right next door. This corner would be that corner  
21 there, and then her house is this little one-story  
22 stucco home.

23                   What we are looking at doing is -- the  
24 site plans you-all have in front of you. I don't know  
25 if you want me to go through this.

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1                   But in the back she would like to add  
2 this detached screen porch. The initial submittal had  
3 the screen porch attached to the house.

4                   In order to get our coverage intact, we  
5 have a large deck and a very large patio in the back,  
6 and a large concrete driveway that we are taking out,  
7 but we are replacing it with what would be some smaller  
8 paved walkways, this detached porch.

9                   We are still working on the driveway.  
10 The proposal, as it is, is to have a 10-foot wide,  
11 21-foot long grass paver drive that goes to the street.

12                   The owner has expressed she would like  
13 to -- at the location over here so she can park her car  
14 off street since the beach parking seems to be backing  
15 up on her, and then have a little flare that goes out to  
16 this side where she can get the golf cart in and out.

17                   And we get to -- the way the garage area  
18 lays out is the far left corner is going to be a golf  
19 cart storage area. It's 124 square feet. There will be

20 two steps up to get this new heated space the same level  
21 as the existing house.

22 She wants to add a bathroom back there  
23 to really make this the play room for the child, and  
24 leaving the rest of it pretty much as is. She was  
25 wanting to add on a little deck to the back of the hot

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1 tub, which should have been on the application.

2 Elevationwise, that is what it looks  
3 like now, garage. And then when the screen porch change  
4 gets done, there will be a smaller garage door for that  
5 room.

6 And that is the appearance of that  
7 screen porch mass which occurs way in the back, just so  
8 you can see. It's the only part you will see actually  
9 from Station 17.

10 When you turn to actually go down Poe  
11 Avenue -- where is that picture -- that side of the  
12 house, there is a hedge along the house. And then she  
13 is heavily wooded in the back, so it should be very  
14 unobtrusive from Poe. And, plus, it sits back 125 feet  
15 from that street right-of-way.

16 The screen porch itself is 18x24. It's  
17 going to be 10x10 columns trimmed out to match the front  
18 columns, screens and porch railings to match the front.

19 MR. ILDERTON: Great. Thank you. Public  
20 comment? The public comment section is closed.

21 Kent, anything we need to add?

22 MR. PRAUSE: No.

23 MR. ILDERTON: Randy?

24 MR. ROBINSON: No.

25 MR. ILDERTON: All right. Duke?

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1 MR. WRIGHT: Is this a totally new  
2 submission? We reviewed and approved one application of  
3 this house --

4 MR. ADRIAN: Parts.

5 MR. WRIGHT: -- a couple of meetings ago.

6 MR. ADRIAN: Right. The part that is new is  
7 the fact that the screen porch is being detached and is  
8 actually an accessory structure off the side.

9 The original submittal, they are still  
10 requesting to take this garage area and convert it to  
11 partial heated and then a golf cart storage area.

12 MR. WRIGHT: So there is no change there?

13 MR. ADRIAN: That part hasn't changed.

14 MR. WRIGHT: I didn't think so.

15 MR. ADRIAN: The elevation may have changed.  
16 I don't know what the first elevation looked like or  
17 was, so --

18 MR. WRIGHT: So the change, essentially, is  
19 adding the screen --

20 MR. ADRIAN: Screen porch in the back.

21 MR. WRIGHT: -- porch in the rear, is  
22 basically all you are doing?

23 MR. ADRIAN: Correct. And if you-all were  
24 okay with it, we would certainly love it to be a final

25 submittal, with the stipulation that we can work with  
0029  
1 Randy on how this driveway configuration comes together.  
2 MR. WRIGHT: I'm okay.  
3 MR. ILDERTON: I think it's going to be  
4 nice. I like the whole detached feel of --  
5 MR. HERLONG: I don't think I was present  
6 when it first came before the board, but I have no  
7 trouble at all. I think you have a low, one-story house  
8 and trying to find a way to make it more functional for  
9 a family.  
10 The idea of the separated screen porch  
11 seems to be totally in keeping with the neighborhood.  
12 So, for all of those reasons, I would be totally fine  
13 with this.  
14 And I would even -- I'm sorry. But I  
15 would let the decisions on that pervious issue and  
16 driveway even go to staff in this kind of instance.  
17 MS. HARMON: I have questions about the  
18 back, the renovation rear -- renovated rear elevation.  
19 These new windows -- was that a screen porch there?  
20 MR. ADRIAN: Yes. And that was on the  
21 original submittal, that screen porch, to make it a  
22 three-season room, so that is not changing.  
23 MS. HARMON: And you are putting a new door  
24 off the kitchen? Isn't that the kitchen?  
25 MR. ADRIAN: Well, no. This actually leads  
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1 to a little transitional hall from the master bedroom  
2 and the master bath, and that door is to go to that  
3 little deck to the hot tub.  
4 MS. HARMON: To the hot tub. Okay. I am  
5 fine with it.  
6 MR. ILDERTON: Billy?  
7 MR. CRAVER: I'm fine with it.  
8 MR. ILDERTON: Do I hear a motion?  
9 MR. HERLONG: I move that we approve it,  
10 with the final decisions on the driveway and its design  
11 and materials goes to staff for approval.  
12 MR. WRIGHT: Second.  
13 MR. ILDERTON: Discussion? Everybody in  
14 favor?  
15 MR. WRIGHT: Aye.  
16 MR. ILDERTON: Aye.  
17 MR. HERLONG: Aye.  
18 MS. HARMON: Aye.  
19 MR. CRAVER: Aye.  
20 MR. ILDERTON: Thank you, sir.  
21 MR. ADRIAN: Thank you.  
22 MR. ILDERTON: Now we are going to discuss,  
23 I guess, the first item. Let's talk about what we may  
24 suggest, or maybe make a resolution that certain items  
25 can be approved at staff level.  
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1 And I guess what would happen is if  
2 someone came in here and they didn't like what you-all  
3 said, or your direction, if we did suggest this, that

4 they would be able to make application to us or not?  
5 Or, I mean, they would be able --  
6 MR. ROBINSON: Kent has some questions as to  
7 whether --  
8 MR. PRAUSE: Yeah. I don't see any  
9 provisions for that to happen. The ordinance spells out  
10 certain things that you-all --  
11 MR. ILDERTON: So you are saying you don't  
12 think we can do this?  
13 MR. PRAUSE: Correct.  
14 MR. ILDERTON: We can't make a resolution --  
15 MR. PRAUSE: To delegate things.  
16 MR. ILDERTON: -- to delegate this?  
17 MR. PRAUSE: Correct.  
18 MR. ILDERTON: Without running it through  
19 the --  
20 MR. PRAUSE: No. There needs to be an  
21 amendment to the ordinance to allow that to happen.  
22 MR. CRAVER: Unless the ordinance gives us  
23 the authority to delegate --  
24 MR. PRAUSE: But it doesn't.  
25 MR. CRAVER: -- something --  
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1 MR. PRAUSE: It doesn't.  
2 MR. CRAVER: Then we don't have any power to  
3 delegate?  
4 MR. ILDERTON: He says the ordinance does  
5 not give us that authority.  
6 MR. CRAVER: Then we don't have the power to  
7 delegate it then?  
8 MR. PRAUSE: Right. And, I mean, I think  
9 it's a good idea that it be there.  
10 But, I mean, I think you would agree  
11 with me, Billy, that if you do something like that just  
12 through a resolution and you don't have the authority to  
13 do it, then that could cause some real trouble if  
14 somebody is aggrieved by a decision that we make, either  
15 an applicant or a neighboring property owner. It could  
16 just get really ugly.  
17 MR. CRAVER: It's a problem. I mean, if the  
18 board feels like some of these things ought to be  
19 delegable to staff, then we ought to make a  
20 recommendation to council that the ordinance be amended  
21 to give us the authority to delegate some things.  
22 MR. HERLONG: I really think these issues  
23 are -- I don't know how much time and discussion this  
24 probably takes up with staff.  
25 But for people doing changes or  
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1 additions or new projects, the drawings that we approve  
2 are still conceptual in nature. They then go through a  
3 review, a full set of documentation and get approved.  
4 And, in doing that, 10,000 decisions have been made  
5 different. Hopefully, not architecturally different.  
6 But maybe we have a window four inches  
7 over or six inches over or a foot over. Or, as you  
8 described, somebody -- we approve something on a house

9 that is not in the historic district, and we gave them  
10 relief because of that deck, and they want to now change  
11 the door to not have a transom because of cost, there is  
12 nothing anybody can do.

13 But they have to come back to this  
14 board, which absolutely just slows the process down, and  
15 is a huge frustration to homeowners, and I'm sure to  
16 staff, to anybody that is put in that situation.

17 So I would think that -- I wonder if  
18 there is any way the DRB can request that council  
19 develop some kind of amendment that can allow us to add  
20 some --

21 MR. ILDEBERTON: Maybe we could get some  
22 relief almost right away by asking council to make a,  
23 you know, decision based on this. This is a good layout  
24 here. This is from the City of Charleston, correct?

25 And there is nothing on here, on these

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1 items, that I see that is an issue. And maybe we could  
2 get council to consider it sooner than later, put it on  
3 the next council agenda for a quick discussion, and give  
4 us either the power to delegate it or at least -- or  
5 these things right here, that we do that.

6 If they didn't want to give us the power  
7 to build and delegate certain things, that is to make  
8 these decisions, then at least these items. Because  
9 this is, just like you said, this is pretty  
10 straightforward, you know.

11 What do you think, Pat? Do you think  
12 they would consider trying to --

13 MR. O'NEIL: Pat O'Neil, a member of Town  
14 Council and chairman of the real estate committee with  
15 regard to zoning issues.

16 I would suggest you send us a list of  
17 what types of decisions you would like staff to be able  
18 to make, under what circumstances.

19 And then maybe you may want to give them  
20 more latitude for nonhistoric structures that are not in  
21 the historic district than you would for historic  
22 structures and others in the historic district.

23 Why don't you give us your list of items  
24 that you would like to include. We will have to send it  
25 to the Planning Commission, because this will be a

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1 change in the zoning ordinance.

2 MR. ILDEBERTON: It has to go to them first?  
3 It has to go to you first, and then to them and then  
4 back to you?

5 MR. O'NEIL: Yes.

6 MR. ILDEBERTON: So it's not a one-month  
7 process?

8 MR. O'NEIL: No, unfortunately.

9 Now, I don't know what the requirements  
10 are for being able to do something under pending  
11 ordinance. I doubt that this would qualify as having  
12 the kind of urgency you usually think of for that.

13 MR. PRAUSE: Well, that is generally



14 intended to keep people from doing stuff until you make  
15 a decision, rather than allowing someone to do something  
16 before you make a decision.

17 MR. O'NEIL: Also, council has very little  
18 experience with trying to make life easier for anybody.

19 MR. ILDERTON: Well, right. I mean, that's  
20 the kind of thing -- very little experience with that.  
21 Like you say, we are trying to actually take away laws,  
22 trying to take away some zoning rights.

23 MR. O'NEIL: I mean, we can't get started  
24 until we -- I mean, we could get started with it by  
25 putting it on --

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1 MR. ILDERTON: So it has to go to you, then  
2 zoning and back to you, this particular thing, which  
3 is --

4 MR. O'NEIL: Yes. And I think it will be a  
5 lot better. Rather than us sort of bring up the general  
6 concept at our next committee meeting, it would be a lot  
7 better if you guys gave us something more specific to  
8 react to, you know, Planning something more, and we  
9 would send it on to Planning.

10 MR. CRAVER: It would be helpful if we gave  
11 him an actual proposed amendment.

12 MR. HERLONG: We discussed this six months  
13 ago, Duke, and we had a special meeting trying to help  
14 speed up some of these minor changes that we felt  
15 clearly would be approvable by staff, and we really  
16 weren't able to take it anywhere.

17 But I think we are talking about exactly  
18 what we were trying to discuss, some sort of a form that  
19 will allow some simple changes or adjustments to maybe a  
20 pre-approved plan or a list. Maybe we and Randy want to  
21 get together after the meeting --

22 MR. WRIGHT: I was just thinking that.

23 MR. HERLONG: -- and develop that list.  
24 It's hard to do in a forum like this. But three people  
25 that deal with it a lot would be able to come up with

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1 that list that we could maybe bring back to the DRB next  
2 month to discuss.

3 MR. WRIGHT: I agree with that. I think  
4 that is the right way to do it. And I think we could do  
5 that without violating the public meeting rules, two of  
6 us and Randy. Is that okay with you?

7 MR. PRAUSE: That is fine.

8 MR. WRIGHT: I would be happy to do that.

9 MR. ILDERTON: Okay. Let's do that then.

10 MS. HARMON: I would like to say I'm a  
11 little bit hesitant about this being -- playing the  
12 devil's advocate here.

13 If we allow people to do this, I think  
14 there is going to be sloppier work coming before the DRB  
15 because they will say we can go to staff and get that  
16 done. And, secondly, I think we should not do this for  
17 historic properties.

18 MR. ROBINSON: There will have to be some

19 differences between nonhistoric properties and historic  
20 properties. You make a good point there.

21 Kent and I would probably not feel  
22 comfortable with allowing some of these things with  
23 historic properties.

24 MS. HARMON: Good, good.

25 MR. WRIGHT: Yeah. I think, Betty, you are

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1 exactly right. We need to not just summarily adopt this  
2 list. We need to go through a separate action to come  
3 up with our own list. Let the working group do that,  
4 and then we will bring it back to the board next month.

5 MR. ILDERTON: Great.

6 MR. HERLONG: This list really doesn't apply  
7 that well to this island. It's a great example of  
8 things that -- a place where this was done because they  
9 saw the same need.

10 Our list, I think, would be pretty  
11 different, and pretty specific probably, too.

12 MR. ILDERTON: We will do that then.

13 The second item on the agenda is the  
14 letter I received, we all received, from Hal Currey, the  
15 head of zoning committee -- the Planning Committee,  
16 excuse me.

17 I guess when I got it I wasn't quite  
18 sure -- I mean, basically the -- does everyone have a  
19 copy of the letter?

20 MR. HERLONG: Do you want to read it out  
21 loud?

22 MR. ILDERTON: I will.

23 "As you are aware, the Planning  
24 Commission is working on the 2008 version of the state  
25 mandated Comprehensive Plan for the Town. The format of

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1 the Comprehensive Plan calls for specific needs and  
2 goals related to each element that should be used to  
3 implement the vision over the next ten years. When the  
4 process was started the goal was to finish this by  
5 October, the 10th anniversary of the existing plan.

6 "Alas, the goal will not be met without  
7 a Herculean effort on the part of the Planning  
8 Commission and Town Council. The Commission members  
9 have asked me to draft this letter to request input from  
10 the Design Review Board, perhaps aiding us in our effort  
11 to complete the planning process more efficiently and  
12 effectively. A similar letter will go to the chair of  
13 the Board of Zoning Appeals and its membership.

14 "It occurred to the Planning Commission  
15 that the experience you have gained trying to implement  
16 the zoning ordinance, or grant variances to it, puts you  
17 in a unique position to comment on those aspects of the  
18 current zoning ordinances that need review and perhaps  
19 modification. Specifically, are there sections of the  
20 current zoning ordinance that do not contribute to the  
21 overarching intent of the ordinances regarding sense of  
22 place and protecting the unique nature of the island?  
23 Are there sections that are difficult or too cumbersome

24 to administer or other provisions of the ordinance that  
25 need to be re-examined because of a confusing nature, or  
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1 that are too lenient or too restrictive?

2 "With your input, that of the Board of  
3 Zoning Appeals, Town officials, interested public and  
4 our own deliberations, we hope to assess, in a very  
5 general way, the effectiveness of the current zoning  
6 ordinances. Our intent is to then comment on that  
7 effectiveness in the Comprehensive Plan and, if  
8 appropriate, recommend in the plan that steps be taken  
9 to review or reassess those certain provisions of the  
10 ordinances that are troublesome for whatever reason.

11 "The Planning Commission will discuss  
12 what we receive from you in our meeting in September and  
13 would appreciate your bringing this topic to the  
14 attention of the Design Review Board members at your  
15 next meeting. Please respond in writing so that we will  
16 have a permanent record of the Design Review Board  
17 input. And, of course, we would welcome any and all  
18 members at the September 10th, 2008 Planning Commission  
19 meeting or any other meeting for that matter. The  
20 September meeting will start at 5:00 and run until 7:30  
21 or 8:00. Thank you very much, Hal Currey, Planning  
22 Commission Chair."

23 I guess this has something to do with  
24 what we were discussing previously, I mean, as far as  
25 making suggestions on the zoning ordinance.

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1 I don't know that we would necessarily,  
2 even if we had time to go through the whole zoning  
3 ordinance at some point tonight, that we could all do  
4 this. We know generally how it works.

5 Whether we would all agree, that is, and  
6 I'm not so sure how we would, as a board, make  
7 suggestions if we don't agree, unless we voted on each  
8 item that we agree on. So it could be -- we could  
9 certainly discuss it.

10 I am sure there are things I think the  
11 zoning ordinance needs to be changed that somebody else  
12 may not think that needs to be changed or looked at, you  
13 know.

14 But I think we could either -- I don't  
15 know if we want to do it at this meeting or another  
16 meeting. They are asking for input by September. That  
17 is pretty close.

18 Now, if we wanted to generally discuss  
19 it tonight in an overall form, we do have people here  
20 right now very familiar with it, Steve and myself and  
21 Kent and Randy and everybody else, and everybody on the  
22 board that has been dealing with it for the last few  
23 years in some form.

24 We can make a general recommendation, or  
25 try to make a general recommendation tonight on what we

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1 think may be some of the less effective points and for  
2 less restrictive and more restrictive.

3                   Basically, they are asking to look at it  
4 as what is falling through the cracks and then what is  
5 too -- what is not good about it and what is good about  
6 it, and what would we recommend both from what we know.  
7 I think that is what he's asking us to do.

8                   MR. HERLONG: I agree. I think he's  
9 probably asking it from a more global perspective. A  
10 lot of the things I have issues with are the  
11 effectiveness of how some of these sections are  
12 implemented.

13                   That is a tough one. I think that would  
14 be hard for this board to say, for instance, that it's  
15 time to make an adjustment to a lot coverage issue.

16                   MR. ILBERTON: I mean, I think, from my  
17 point of view, the general comment that I would want to  
18 see made is -- from what I understand, this ordinance is  
19 probably the most intricate, if not Byzantine, ordinance  
20 in Charleston County, if not in the state of South  
21 Carolina. And it doesn't need to be that difficult for  
22 such a small island, in my opinion.

23                   Now, I think we have done -- I think the  
24 ordinance that was passed and all has done a great  
25 service to Sullivan's Island. Saving the historic

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1 structures and limiting some of the larger, unattractive  
2 homes is the reason why it was implemented a few years  
3 ago, on both aspects, and directing good design and  
4 using good professionals.

5                   But I do think some of the formulas and  
6 all are just so difficult and hard to understand that I  
7 think some of those could be looked at. I don't know,  
8 you know. That's just my perspective.

9                   MR. HERLONG: I would agree that it is  
10 clearly the most formula-driven ordinance in the area,  
11 clearly.

12                   But, on the other hand, that means it's  
13 very definitive. We have got a very specific set of  
14 requirements to work through. They do take awhile for a  
15 newcomer to come to terms with it.

16                   I think right now the biggest dilemma,  
17 and I think we did discuss this when we were even  
18 implementing this, is that other communities have, let's  
19 say, an architectural administrator, someone who has  
20 been given authority to make some decisions on behalf of  
21 a board.

22                   And right now decisions have to be made  
23 every day, probably, by Randy. He has to make a call  
24 every day; yet, there is nothing in the ordinance.

25                   I think by enacting something where we

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1 give Randy authority to make decisions on behalf of the  
2 board would move projects, move issues forward and out  
3 of the hands of staff and probably out of this room.

4                   We are going to see more and more people  
5 who have had something approved that want to make a  
6 minor change. We are going to be getting into the  
7 process of how something is being done. It's going to

8 always, every year, become a more detailed prospect --  
9 or analysis of what we are doing.

10 And I think the meeting we can have  
11 would be very effective. But I don't think these are  
12 things that we can necessarily go back to the Planning  
13 Commission with. I just don't think we are --

14 MR. CRAVER: One concept that I feel like we  
15 have sort of run into that I would like to see addressed  
16 in some fashion is to refine the historic structure  
17 designation.

18 And I really think we need two different  
19 designations. I don't know what the right terminology  
20 is for them. One I will call a strictly historic or a  
21 strict -- yeah, strictly historic structure. And I will  
22 say that is an officer's quarter or enlisted man's  
23 quarter, something like that, and I would apply the  
24 ordinance as it's written to those.

25 Then I would say that there is the

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1 historic flavor, or maybe you would call it a historic  
2 resource or whatever, and that is a structure that has  
3 been altered. It doesn't necessarily have major  
4 historical significance, but it has a real island flavor  
5 to it.

6 And the difference that I would use in  
7 approaching those is with the strictly historic, I would  
8 be much less inclined to allow changes to it.

9 With the other designation, where it's a  
10 historic flavor, but they could do a lot of work to it  
11 and make changes and it wouldn't offend, I will call it,  
12 the Sullivan's Island flavor of it, but it would allow  
13 them more latitude and it would keep -- it would keep  
14 us -- we have added a bunch of altered structures, and  
15 there are more to look at.

16 And if I thought we were protecting a  
17 flavor of Sullivan's Island architecture, but not doing  
18 it in such a strict fashion that people couldn't  
19 reasonably do things to the houses to make them more  
20 livable and not lose the value of having, you know, a  
21 500-square foot house stuck in the middle of a lot and  
22 not allowing them to do anything to it, I would feel a  
23 whole lot better about it.

24 There aren't that many structures on  
25 Sullivan's Island that have such historic character to

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1 them that they can't be altered in some fashion. But  
2 the way the ordinance is worded now, we can take that  
3 very strict approach and not let them do anything to it.

4 I just think there are a lot of  
5 structures we are dealing with. I mean, when the  
6 Planning Commission passed the historic district and the  
7 historic designation, we took the notebook and just said  
8 everything goes. I mean, and it was to stop people from  
9 tearing stuff down.

10 We had Chip Lorange in here, and he told  
11 us that that wasn't the intent of what that notebook  
12 was. And when the Planning Commission passed that, and

13 when we did the ordinance, we knew that wasn't the  
14 intent.

15                   Everybody pointed to the fact that you  
16 could have something taken off the list as the  
17 protection against the houses that were being put on the  
18 list that really shouldn't be there being on there.

19                   I don't see houses coming off. I mean,  
20 it's going to be harder and harder for people to get  
21 off. And so I look at it and think, okay, is there a  
22 better way to approach it.

23                   And that is is to recognize that there  
24 are some houses that are so historic they shouldn't be  
25 changed at all, and then there are others that are more

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1 of a historic flavor. And as long as they can maintain  
2 that flavor, we should give them more latitude.

3                   I don't know how anybody else feels  
4 about that. But I think we are putting too many  
5 different structures into a very strict ordinance. And  
6 I don't think it's fair to a lot of the residents who  
7 are having their houses now designated as historic  
8 houses. I would like to see some latitude.

9                   MR. ILBERTON: Well, that speaks to the  
10 problem, what we have here, because that is just one  
11 part of the zoning ordinance. You know, we have this  
12 whole thing, you know, like you said, the historical  
13 part.

14                   And it's hard for us to speak to the  
15 whole thing, with the whole intricate zoning ordinance  
16 and make a definitive sounding -- a letter of  
17 recommendation.

18                   What I would like to see is most of us  
19 show up for the next -- the September 10th meeting so we  
20 can have a discussion, an intelligent discussion about  
21 this, and basically bring some good ideas along with the  
22 letter that may -- or the recommendations on this, and  
23 any other thing that you-all might get together when  
24 you-all get together tonight.

25                   MR. WRIGHT: Yeah. I don't see any way that

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1 we can do a serious review of the ordinance and do  
2 justice to what they are asking, what the Planning  
3 Commission is asking us to do in a matter of two or  
4 three weeks.

5                   This is a very comprehensive, complex  
6 issue. And I don't understand what is the rush, for one  
7 thing, to get it done by September.

8                   MR. CRAVER: Isn't there a deadline, like a  
9 state deadline?

10                   MR. O'NEIL: Yes.

11                   MR. CRAVER: It's just like a state law  
12 deadline. I'm not sure what the deadline is, but it's a  
13 state --

14                   MR. WRIGHT: Is it an arbitrary deadline?

15                   MR. CRAVER: It's a state mandated --

16                   MR. O'NEIL: It's a legal deadline, a  
17 statutory deadline.

18 MR. CRAVER: Yes, a statutory deadline.  
19 MR. PRAUSE: Ten years. And, also, I had  
20 mentioned this to Hal, and there are issues with however  
21 many of you show up.  
22 If there is a quorum of this body that  
23 shows up, it's a meeting. If there is a quorum of the  
24 Board of Zoning Appeals that shows up, it's a meeting.  
25 So what I suggest is just have a joint  
0049  
1 meeting of this board, their board and the Board of  
2 Zoning Appeals. But, for some reason, he didn't want to  
3 do that.  
4 He wanted you-all to have your meeting  
5 and put something in writing to go to him, and have the  
6 Board of Zoning Appeals have their meeting and put  
7 something in writing and go to them.  
8 But, in my mind, it makes more sense to  
9 just have a joint meeting of all --  
10 MS. HARMON: I agree.  
11 MR. ILDERTON: I think we ought to at least  
12 show up at the September meeting.  
13 MR. CRAVER: I think we at least ought to  
14 give notice that we are having a meeting that day if we  
15 all show up.  
16 MR. PRAUSE: It just requires 24-hour notice  
17 if you are going to meet the Freedom of Information Act  
18 requirement. But, you know, then it's legitimate. The  
19 quorum of you can show up and it's okay.  
20 MR. CRAVER: We don't have to call the  
21 meeting to order or anything. We are just there.  
22 MR. PRAUSE: I don't know that you need to  
23 do that. Other jurisdictions have done that. That  
24 might be a bit of overkill, but at least you have  
25 advertised that there is going to be a meeting, a quorum  
0050  
1 of members to discuss these issues so the public is put  
2 on notice.  
3 MR. CRAVER: We could stand outside and say  
4 no action has been taken and that would be the end of  
5 the meeting. I think you ought to give notice.  
6 MR. PRAUSE: I think it's required.  
7 MS. KENYON: Yes.  
8 MR. WRIGHT: You are talking about the 10th  
9 of September?  
10 MR. CRAVER: Right. Because if more than  
11 three of us show up at that meeting, we are having a  
12 legal meeting.  
13 MR. ILDERTON: You mean this board is having  
14 a meeting?  
15 MR. CRAVER: This board is having a meeting.  
16 MS. KENYON: Yeah, because you have a  
17 quorum.  
18 MR. ILDERTON: What happens if you-all go to  
19 the same party?  
20 MR. PRAUSE: The same thing.  
21 MR. CRAVER: You have it. I mean, that is  
22 just the way it works.

23 MS. KENYON: You can't talk to each other.  
24 MR. ILBERTON: Yes?  
25 MR. O'NEIL: Pat, I don't think that Hal is

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1 asking you to look at specific items in that zoning  
2 ordinance, as much as they are looking for your comment  
3 and guidance on whether or not the zoning ordinance, as  
4 a tool, contributes to the comprehensive plan or the  
5 direction that residents want to see the island move.  
6 I mean, whether or not pervious surfaces  
7 or setbacks, I mean, that is all part of the zoning  
8 ordinance. And I don't think they are looking for your  
9 input on those very specific items, as much as I think  
10 Steve said the word global, comprehensive, or whether or  
11 not that zoning ordinance, as a tool, contributes to  
12 the objective of --

13 MR. ILBERTON: Yeah. Essentially, like I  
14 said before, the ordinance has done a great service so  
15 far to Sullivan's Island. I mean, more than not, as  
16 there is some difficulties and stuff. So, I mean, maybe  
17 we will just say that it does and maybe point out a few  
18 things.

19 Like the suggestion of considering  
20 letting certain things be approved at staff level, and  
21 maybe some other things we might discover.

22 But the underlying fact that it has, I  
23 mean, that it is a very important tool and has been for  
24 the last couple of -- several years.

25 MR. BENKE: Again, I don't think it's to

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1 look at that whole ordinance specifically, or specific  
2 items, as it is generally speaking.

3 MR. ILBERTON: Well, would you-all want to  
4 look at this particular -- the thing that you and Randy  
5 and Duke were going to meet on, and then just maybe  
6 lightly discuss --

7 MR. HERLONG: You know, I don't think that  
8 issue has any relevance to what they are doing.

9 MR. CRAVER: I think you are right.

10 MR. HERLONG: I think they are totally  
11 separate issues. I think maybe they are just looking to  
12 add to the file that -- and I think we all probably  
13 would agree that the developments we have made have  
14 enhanced the quality of living on the island. We have  
15 reduced the amount of oversized building, overbuilding.  
16 And it's, in general, working.

17 When I went to the first meeting about  
18 the comprehensive plan over at the church, I didn't hear  
19 many people with many issues like there used to be on  
20 the island. So I think it's --

21 MR. ILBERTON: Well, I will draft a letter,  
22 some sort of letter replying to this letter from Hal and  
23 just circulate it by e-mail to everybody. And if  
24 anybody wants to add to it, or object, or inflate it or  
25 whatever, then we will get the letter to Hal.

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1 And then I would recommend or suggest



2 that as many people show up -- or I will show up at the  
3 December (sic) 10th meeting. If anybody has input -- if  
4 we don't want to create a quorum, a few of us will show  
5 up to the September 10th meeting to just comment on any  
6 of the --

7 MR. WRIGHT: Just by showing up, about four  
8 of us or five of us show up, does that cause us to --

9 MR. ILBERTON: I don't know. It spoils the  
10 whole party, from what I understand. I don't quite  
11 understand what is going on there.

12 MS. HARMON: If you give 24 hours notice,  
13 then it's legal.

14 MR. CRAVER: Right. I mean, I would just  
15 give the notice. I mean, it's just not a big deal.

16 MR. ILBERTON: You mean that we may show up  
17 at this meeting, this board might show up?

18 MR. PRAUSE: The joint meeting of these  
19 three entities.

20 MR. CRAVER: Right. I mean, there is no  
21 downside to giving notice. The only downside is if we  
22 don't give notice.

23 MR. ILBERTON: I mean, without Hal and their  
24 board sort of saying, yeah, that's okay, I don't know --

25 MR. CRAVER: We don't need to give a joint

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1 meeting. We just need to give notice that -- I mean, I  
2 don't care about the Zoning Board and about the Planning  
3 Commission. I am concerned about us. And if you just  
4 run the notice that we are going to have a meeting --

5 MR. ILBERTON: We will meet somewhere, at  
6 some time, some place.

7 MR. CRAVER: No. We are going to have a  
8 meeting here September 5th --

9 MS. HARMON: September 10th.

10 MR. CRAVER: September 10th at 5:00

11 MR. ILBERTON: Well, Hal is going to have  
12 the meeting. We are going to be here.

13 MR. CRAVER: Right. But the Design Review  
14 Board will have a meeting at that time. And if we are  
15 all here, that's fine. You don't have to call it to  
16 order. You don't have to do anything. If you give the  
17 notice --

18 MS. KENYON: You are safe.

19 MR. PRAUSE: Well, if you are going to  
20 conduct business, then you should call it to order and  
21 there should be minutes and all that.

22 MR. ILBERTON: Who gets to call it to order,  
23 me or Hal?

24 MR. PRAUSE: The whole idea is that the  
25 public has notice that something is going on. If they

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1 want to come and listen and hear it and participate as  
2 you-all let them, that they be allowed to.

3 MR. CRAVER: Why don't you put in the  
4 notice that the Design Review Board is going to attend  
5 the Planning Commission meeting, and that it does not  
6 intend to conduct any business, but it's giving the

7 notice to comply with the Freedom of Information Act.  
8 MR. PRAUSE: That's fine. That will work.  
9 MR. CRAVER: Just say what it is.  
10 MR. O'NEIL: Can you use the word crash?  
11 MR. CRAVER: Crash the Planning Commission.  
12 MR. ILDERTON: We can get the Board of  
13 Zoning Appeals there, too. Big time.  
14 MR. CRAVER: It will be a coup.  
15 MR. PRAUSE: Serve adult beverages.  
16 MS. KENYON: Now, I agree with him.  
17 MR. ILDERTON: All right. Well, let's do  
18 that then. I agree. Just might as well cover the bases  
19 and make an announcement.  
20 Is there anything else? This meeting is  
21 adjourned.  
22 (The hearing concluded at 7:10 p.m.)  
23  
24  
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1 STATE OF SOUTH CAROLINA )  
2 )  
3 COUNTY OF CHARLESTON )  
4

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

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

16 Witness my hand, I have hereunto affixed my official  
17 seal this 28th day of August, 2008, at Charleston,  
18 Charleston County, South Carolina.  
19  
20  
21  
22  
23

24 \_\_\_\_\_  
25 Nancy Ennis Tierney  
CSR (IL)  
My Commission expires  
April 6, 2014