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3 MEETING OF THE SULLIVAN'S ISLAND DESIGN REVIEW BOARD

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5

DATE: May 20, 2009

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TIME: 6:00 p.m.

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LOCATION: SULLIVAN'S ISLAND TOWN HALL

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1610 Middle Street
Sullivan's Island, SC 29482

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22 REPORTED BY: NANCY ENNIS TIERNEY, CSR (IL)

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APPEARANCES

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DESIGN REVIEW BOARD MEMBERS:

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PAT ILBERTON - Chair

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DUKE WRIGHT - Secretary

BETTY HARMON - Member

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JON LANCTO - Member

BILLY CRAVER - Member

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9 ALSO PRESENT: Kat Kenyon - Administrative
Randy Robinson - Building Official

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1 MR. ILDERTON: This is the May 20, 2009
2 meeting of the Sullivan's Island Design Review Board.
3 It is now 6:00, and the members in attendance are Billy
4 Craver, Jon Lancto, Betty Harmon, Duke Wright and Pat
5 Ilderton. The Freedom of Information requirements have
6 been met for this meeting.

7 The items on tonight's agenda are
8 approval of the 2009 minutes. And I think, Duke, you
9 wanted to --

10 MR. WRIGHT: Yes. I move that we revise the
11 agenda to reverse Items 3 and 4, make Item 4 the second
12 item to review and 3 the last item.

13 MR. ILDERTON: Do I hear a second?

14 MR. CRAVER: Second.

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

17 MR. WRIGHT: Aye.

18 MR. ILDERTON: Aye.

19 MS. HARMON: Aye.

20 MR. LANCTO: Aye.

21 MR. CRAVER: Aye.

22 MR. ILDERTON: So moved.

23 So approval of the April of 2009
24 minutes. Everybody feel good about them?

25 MR. WRIGHT: I move the minutes be approved

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1 as written.

2 MR. ILDERTON: Do I hear a second?
3 MS. HARMON: Second.
4 MR. ILDERTON: Everybody in favor?
5 MR. WRIGHT: Aye.
6 MR. ILDERTON: Aye.
7 MS. HARMON: Aye.
8 MR. LANCTO: Aye.
9 MR. CRAVER: Aye.
10 MR. ILDERTON: So moved.
11 2808 Middle Street. Randy, what do we
12 have?
13 MR. ROBINSON: We have an application for an
14 inground pool. This pool is located to the rear of the
15 principal building. It meets the impervious footprint
16 requirements. It is one of those ones that staff
17 definitely recommends approval on.
18 The one thing I would like to say on
19 this one is there is no fence included in this pool
20 application, and they are going to have to put a fence
21 up around if you-all do approve it.
22 If you-all would approve it with the
23 condition that staff approve the fence, it has to be
24 wood or wood-wire material. So if you-all would do
25 that, that would be good and that will expedite this for
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1 the property owner.
2 MR. ILDERTON: Great. Thank you.
3 Is the applicant here?
4 MR. GREGG: I'm David Gregg, with Charleston
5 Pool and Spa, representing the homeowner.
6 MR. ILDERTON: Is there public comment? The
7 section is open for comment. Anybody have pro or con or
8 anything to say about this? All right. That section is
9 closed.
10 And, Billy, what do you think?
11 MR. CRAVER: Let him build his pool.
12 MR. ILDERTON: Jon?
13 MR. LANCTO: Yes.
14 MR. ILDERTON: Betty?
15 MS. HARMON: Yes.
16 MR. ILDERTON: I, also.
17 MR. WRIGHT: Yes.
18 MR. ILDERTON: Do I hear a motion?
19 MR. LANCTO: I make a motion we approve the
20 pool with staff being able to approve the wood or
21 wood-wire fence combination.

22 MR. ILDERTON: Do I hear a second?
23 MR. CRAVER: Second.
24 MR. ILDERTON: Everybody in favor?
25 MR. WRIGHT: Aye.

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1 MR. ILDERTON: Aye.
2 MS. HARAMON: Aye.
3 MR. LANCTO: Aye.
4 MR. CRAVER: Aye.
5 MR. ILDERTON: Thank you, sir.
6 Now, so we reversed, so we have 3314
7 Jasper now. Randy, what do you have?
8 MR. ROBINSON: This is for Mr. Tommy Baker
9 at 3314 Jasper. He's wanting to rebuild a fence that
10 was removed at the time of new construction.
11 You know, the fence -- it appears to me
12 that the fence is a nonconforming fence, so the fence
13 was removed by intent. So any nonconformity that it was
14 removed by intent is gone, so what you-all are looking
15 at is a new fence. It doesn't really matter that it was
16 there before.
17 Our ordinance does allow a solid
18 entrance feature of 16 feet wide. So if you-all approve
19 of the gates and the posts -- I don't know exactly how
20 wide this is. There are no dimensions on the plans that
21 tell you, but we will let the applicant present it and
22 then we can talk about it a little bit more in the
23 comment section.
24 MR. ILDERTON: Great. Thank you.
25 Is the applicant here for this section?

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1 The applicant is not here. What do we do now? Do we --
2 the applicant is not here. Do we still --
3 MR. CRAVER: Keep going.
4 MR. ILDERTON: Keep going, vote on it?
5 MR. CRAVER: Yes.
6 MR. ILDERTON: All right. The applicant is
7 not here. Is there any public comment on this? The
8 public comment section, then, is closed.
9 What do we think, Board?
10 MR. CRAVER: I don't have a problem with it.
11 Is there any reason not to -- Randy, is there anything
12 that you -- any reason you would say not to let them do
13 this?
14 MR. ROBINSON: I really don't, I mean,
15 provided it's wood, wood-wire material -- they just have

16 the two posts sitting here -- and it meets the fence
17 height requirements and all of that. It's kind of hard
18 to tell because, like I say, it's not dimensioned. I
19 don't see any reason why --
20 MR. CRAVER: I guess I would say that. As
21 long as it meets the requirements and staff was able to
22 make sure that it meets whatever the requirements are, I
23 don't have a problem with it.

24 MR. ILDERTON: Duke?

25 MR. WRIGHT: No. There are two schemes, A
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1 and B. I suppose if we approve it, we are approving
2 both?

3 MR. ILDERTON: Either one.

4 MR. WRIGHT: Either one they want to do. I
5 have no trouble.

6 In fact, I think next door there are
7 similar entrances to at least one of the houses, maybe
8 both of them. So I think that would be compatible with
9 what is there, so I have no trouble with it.

10 MR. ILDERTON: I also have no trouble with
11 it. Betty?

12 MS. HARMON: I'm fine with it.

13 MR. ILDERTON: Jon?

14 MR. LANCTO: Yes, as long as it meets the
15 requirements on 16 feet of entrance feature.

16 MR. ROBINSON: Right, or the pool fence
17 ordinance.

18 MR. LANCTO: Right.

19 MR. CRAVER: I move we approve. I guess any
20 approval is subject to staff making sure it meets the
21 requirements in the ordinance.

22 MR. ILDERTON: Sure. That is understood.

23 MR. CRAVER: So that is understood. I move
24 we approve it.

25 MR. WRIGHT: Second.

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1 MR. ILDERTON: Everybody in favor?

2 MR. WRIGHT: Aye.

3 MR. ILDERTON: Aye.

4 MS. HARMON: Aye.

5 MR. LANCTO: Aye.

6 MR. CRAVER: Aye.

7 MR. ILDERTON: All right.

8 Now, 2708 Goldbug Avenue.

9 MR. ROBINSON: Okay. 2708 Goldbug. Hang on

10 just a second and let me get this set up in front of me.

11 In front of you you will see an
12 application for a demolition and relocation. The
13 application appears to be filled out correctly.

14 There is also a survey done by Schneider
15 Historic Preservation on the property, a site plan. And
16 in front of it you will see a -- it should have been
17 provided to you -- a history of this property.

18 This property has been before you-all,
19 it looks like, nine different times. The last time, on
20 February the 18th of '08, an application for the final
21 design was approved by the Board.

22 The applicant came in and picked up a
23 permit to do repairs to the existing structure in
24 anticipation of acting upon his certificate of
25 appropriateness, and on June 18th of 2008 he returned to
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1 the Board to ask -- when he was doing the repairs, he
2 discovered some issues with the house. He brought that
3 to the Board. The Board denied his request for removal
4 from the list.

5 Now he's back in front of you to ask for
6 a demolition and relocation of the structure.

7 MR. ILDERTON: Thank you. Is the applicant
8 here for a presentation?

9 MR. HELLMAN: I'm Brian Hellman on behalf of
10 the applicants, Tim and Kim Cook, and also with me here
11 tonight is David Schneider.

12 I would ask, if it's possible, to
13 partially defer this meeting tonight. There are some
14 facts that we would like to discuss in detail with our
15 neighbors and to work through with Randy.

16 But we have also got David Schneider
17 here. He came in from out of town. And if it's
18 possible that he could speak as to some of the
19 historical factors of the house and portions of it that
20 I think he could lend a lot of expertise on, to allow
21 him to go forward tonight to say his part and then to
22 defer the remainder of the meeting until next month.

23 And that would give us an opportunity to
24 meet with the Town, to meet with some of the concerned
25 citizens, and I think you see there are a fair number of

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1 people here tonight, that we can address some of their
2 concerns and maybe work through them so there is less
3 for you to have to hear and work through next month.

4 MR. ILDERTON: Great.
5 My only observation -- and I say I'm not
6 an expert in Robert's Rules of Order and the way things
7 can be run or can't be run, whether you can have -- you
8 know, whether you can have an applicant basically
9 straddle two months or more in the presentation part.
10 I mean, we are in the middle of this.
11 This can either be deferred, but I'm not sure if it can
12 be -- I don't know if it can be partially deferred.
13 MR. CRAVER: I don't think -- we are not
14 governed by Robert's Rules.
15 MR. ILDERTON: Well, whatever we are
16 governed by. Let's say whatever it is.
17 MR. CRAVER: I don't think so.
18 MS. KENYON: Yes.
19 MR. CRAVER: Did we adopt those?
20 MS. HARMON: Yeah, we did.
21 MR. ILDERTON: I mean, I personally don't
22 have a problem with it, but as long as --
23 MS. KENYON: Can they do that? I mean, can
24 you do a half and half?
25 MR. BENKE: Can I read your rules of
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1 procedure real quick to answer that question? Let me go
2 take a quick look.
3 MR. CRAVER: Can we do whatever we want to
4 do?
5 MR. WRIGHT: I wouldn't think that Robert's
6 Rules would apply here.
7 MR. ILDERTON: I don't mind making a call
8 and then just rolling with the call. We have -- you
9 know, along with this, the concerns are there is a lot
10 of people here that want to speak perhaps for or against
11 or bring out certain things. To have them come back
12 again --
13 MS. KENYON: Would inconvenience them.
14 MR. ILDERTON: Is that okay or not okay? I
15 don't -- you know, that is something I think this Board
16 needs to discuss. You know, and --
17 MR. CRAVER: So Robert's Rules of Order
18 apply except as otherwise provided by the rules.
19 MR. HELLMAN: And, Mr. Chair, to that
20 extent, even if we went through with this tonight so
21 that everyone could speak, one of the reasons why we
22 wanted to defer is because there will probably be an
23 amendment to the existing design.

24 As I mentioned outside, there are a
25 couple of changes that the Cooks want to make to the
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1 property, which would require them to come back before
2 in terms of the final design.

3 So to the extent that anyone is here
4 tonight, they are going to have to come back again to a
5 meeting before this Board to make a few design tweaks in
6 the existing property. So it's sort of a -- you are
7 going to be here next time anyway.

8 MR. ILDERTON: Well, I think you are right,
9 in a way. I think if David is here, and he has this
10 only block of time, and he can't be back in a month's
11 time, certainly he can speak. I don't know --

12 MS. HARMON: What about the people that are
13 missing tonight, that they will not have heard what was
14 said tonight?

15 MR. LANCTO: Well, there was a public notice
16 on this.

17 MS. HARMON: No. I am talking about our --

18 MR. ILDERTON: There will be minutes.

19 MS. HARMON: -- Board minutes.

20 MR. ILDERTON: There will be minutes they
21 can brush up on.

22 MS. KENYON: I don't think they will be
23 allowed to vote because they haven't heard the whole
24 thing.

25 MR. ILDERTON: They may not be, but

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1 that's --

2 MR. ROBINSON: Can I read something in your
3 procedures?

4 MR. ILDERTON: Sure.

5 MR. ROBINSON: In 21-109 it says, upon
6 hearing the application, the Design Review Board shall
7 approve, approve subject to modification or conditions,
8 or deny their certificate of appropriateness.

9 Then it goes on to say, the Design
10 Review Board may also continue the application hearing
11 to allow for changes to be made to the application or
12 additional information being provided. So if you-all
13 want to defer it, you-all can defer it.

14 MR. CRAVER: That is not even a deferral.
15 That is allowing them -- he can make whatever
16 presentation he wants to tonight, and we can continue it
17 until the next meeting and finish the presentation, and

18 it's all within what you just said.

19 MR. ROBINSON: But it does say upon hearing
20 the application. So we should hear the application.

21 MS. HARMON: So we would have to hear the
22 application.

23 MR. ILDERTON: Well, if we are going to
24 hear, quote, the application, what we would hear tonight
25 is the application in total. There would be no other

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1 presentation the next time around.

2 I mean, I don't know. Our rules now say
3 you have ten minutes to talk. That is, the client or
4 the applicant has ten minutes to talk. Do we have ten
5 minutes to talk? I mean, I don't know. Now, and then
6 another ten minutes next time?

7 MR. CRAVER: We have the discretion to
8 expand that amount of time if the Board wants to.

9 MR. ILDERTON: Okay. That is fine. I mean,
10 this is a particular sticky difficult case. I am aware
11 of that.

12 So I am just throwing that out for
13 discussion. Because I'm not, like I say, I'm not in
14 your profession, so I don't know exactly the proper
15 procedure.

16 Because this is a difficult case, we
17 want to try to keep it proper and not do anything that
18 could be called into question later on, because this is
19 a case of particular interest to many people. It seems
20 to be.

21 But I don't have a problem with hearing
22 David talk, and then we can decide -- the Board can
23 decide is that what we want to do. All right?

24 MS. HARMON: You mean if we want to proceed?

25 MR. ILDERTON: Right, if we are going to

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1 proceed. We can have an open discussion about that.

2 Now, I don't know -- you know, in that
3 discussion I guess we can, again, bend the rules more
4 and say do we want comments about this part of this from
5 anybody else here.

6 I would think we can flex the rules even
7 more and have public comment on this particular part of
8 the application process, other than, you know, exactly
9 what is proposed here. Because, apparently, it's going
10 to be a different proposal -- I don't know.

11 If the nature of the proposal is going

12 to change next month, it's almost a different
13 application though, then, wouldn't it be?

14 MR. ROBINSON: Uh-huh.

15 MR. CRAVER: Although, this says right here
16 that the Design Review Board may continue the
17 application hearing to allow for changes to be made to
18 the application.

19 So he can change the application and
20 it's not a new deal, or additional information being
21 provided. So it contemplates that we can hear it
22 tonight, and then hear more in the next meeting, and we
23 are within the --

24 MR. ILDERTON: We have done that before.

25 MR. CRAVER: We are within the rules.

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1 MR. ILDERTON: We have done that before, I
2 know, more specifically with some commercial projects
3 going on up here, that they have been sort of either
4 modified right here on the spot or whatever -- they
5 haven't been exactly what was proposed, or whatever. So
6 this Board has done that before.

7 MS. HARMON: I would like to say I think if
8 we allow him to speak, then we need to let the public
9 speak.

10 MR. ILDERTON: That's fine.

11 MS. KENYON: That is what it says, after
12 hearing that.

13 MR. CRAVER: But if we had 16 applications
14 lined up here and we were going to be here until
15 midnight, I might have a different view, but it's
16 20 minutes after 6:00.

17 MR. ILDERTON: Well, then let's hear what
18 David has to say.

19 MR. HELLMAN: Just so I understand for the
20 record, we are going to let David go ahead and speak his
21 part?

22 MR. ILDERTON: Right.

23 MR. HELLMAN: And I will just quickly
24 introduce him, and then anybody in the gallery here that
25 wants to speak as well?

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1 MR. ILDERTON: Right, right.

2 MS. MIDDAUGH: Point of order. Can we hear
3 the application first? Because how are we going to
4 comment publicly?

5 MR. ILDERTON: Well, I guess David is going

6 to speak to the application.

7 MR. HELLMAN: David is going to speak to a
8 portion of the application.

9 But I think the application -- just so
10 we all know a little history here, I met earlier today
11 with Randy and talked about this, and also met with Tim
12 Cook, and also talked to a fair number of the people
13 that live around in this area.

14 And there are certain things that they
15 mentioned in our conversations, there are certain things
16 that I learned from Tim, and there are certain things
17 that came out of the conversation with Randy that really
18 makes sense for us to make the modifications that Billy
19 pointed out that the ordinance allows.

20 But we are really just begging your
21 indulgence here, in that Mr. Schneider came in from
22 Alabama to talk. And if he could talk tonight, and to
23 the extent that he talks about his view of the property
24 and his perspective of the property, and we just leave
25 it to that, and let the neighbors and other concerned
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1 people speak to that as well.

2 MR. ILBERTON: What we will do, I think is a
3 good idea, is let David talk and he can say whatever.
4 And then we will have a public comment, and the public
5 can say whatever they want to say. I mean, in their two
6 minutes allowed to the individual, whether it's speak to
7 whatever David said or just to speak about the weather.
8 And then the Board can -- correct.

9 MR. HELLMAN: So what I have here is
10 actually the legal standard for a certificate of
11 appropriateness, and David is going to be speaking as to
12 some of these standards.

13 As I think you-all know, a standard for
14 certificate of appropriateness is a little different.

15 MR. WRIGHT: Excuse me.

16 MR. HELLMAN: Yes, sir.

17 MR. WRIGHT: The application says
18 certificate of appropriateness to remove structure.
19 What does that mean?

20 MR. ROBINSON: I'm not sure. That is what
21 they are going to present to you-all.

22 MR. HELLMAN: David is going to talk about
23 the structure.

24 MR. WRIGHT: To remove the structure?

25 MR. HELLMAN: Well, he's actually --

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1 MR. CRAVER: You-all want to tear it down?

2 MR. HELLMAN: Theoretically.

3 MR. WRIGHT: Demolish?

4 MR. CRAVER: Let's say that's what it is
5 that we are talking about.

6 MR. WRIGHT: Let's get an answer.

7 MR. HELLMAN: I think that is a fair
8 assessment.

9 MR. WRIGHT: Thank you.

10 MR. HELLMAN: So David is going to talk
11 about some of these factors that the ordinance provides.
12 This is a little different, obviously, from some of the
13 subjective decisions about the color of a paint or the
14 design of an eave or something like that.

15 So since it's more objective, David is
16 going to speak as to that. So, at this point, I thank
17 you for the consideration of allowing us to make the
18 changes and allowing David to speak tonight.

19 MR. ILBERTON: Great.

20 MR. SCHNEIDER: I will try to keep it brief,
21 and I appreciate you-all hearing me. It is a bit of
22 travel to get over here from Alabama and find out that
23 you don't have anything to speak about, so it's nice to
24 be able to hear me.

25 I think most of you-all know me or know

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1 of me. I have been out tooling around Sullivan's Island
2 for twenty some odd years now doing historic stuff and
3 been one of the voices for historic preservation out
4 here since before Hurricane Hugo.

5 I did the original survey in '87, did
6 the upgrade in 2003, did all the National Register
7 nominations for the districts out here, and then
8 followed up with another survey for the Town in 2007, I
9 believe it was, to look into some things over 50 years
10 old.

11 And I think, obviously, I would be one
12 of the first people to join in with a lot of the other
13 folks in town and stepping in front of a bulldozer if
14 somebody was going after some of the houses that I think
15 we all would recognize as historic in this town. And I
16 think, again, from my track record you can see that.

17 But there are other buildings on the
18 island that, you know, through alterations that have
19 occurred over time, you know, have lost integrity. And

20 in historic preservation we basically define the term
21 integrity to mean, you know, has it lost its ability to
22 convey its sense of time and place either through the
23 replacement of fabric, replacement of individual
24 elements, et cetera.

25 In looking at the criteria you have for
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1 a COA -- I am going to talk specifically about 4 and 5,
2 and I think the next presentation, it will be sort of
3 the remainder.

4 One of the ones -- Number 4 says, "For
5 an historic property, consistency of the proposed work
6 with the findings in designating it a historic
7 structure, or comparable record of findings from a state
8 or federal listing."

9 The finding in this case was our 2003
10 Historic Resource Designation Study List, which listed
11 it as a Category 2.

12 When I developed that list in 2003 as
13 part of the planning process, we specifically labeled
14 it, and clearly labeled it, a study list and said that
15 it's a preliminary list only and had been developed to
16 serve as a starting point for community discussion about
17 setting priorities and implementing tools for the
18 preservation of the islands and historic resources.

19 Before a historic preservation
20 designation can take place, the consensus would have to
21 be built between individual property owners and the
22 community at large and elected officials. For most
23 properties, additional intensive evaluation and
24 documentation will be required.

25 MR. CRAVER: Dave, can you slow down a
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1 little bit so she can get it?

2 MR. SCHNEIDER: I'm sorry. I will give her
3 that part in writing. It's just a quote from the
4 ordinance.

5 But I think it's important to understand
6 that that study list had a -- you know, was specifically
7 targeted toward a certain thing.

8 As we have looked at -- I think the
9 other thing that is important there, obviously the
10 community arrived at a consensus because the Town
11 adopted an ordinance which took that study list and
12 designated the things in Category 1 and 2 as historic.

13 What it has not followed up, but I think

14 is still a very valid and important point in that study
15 list, is that we do have a need to really look at some
16 of these properties in more depth because, again, the
17 studies are based on a 1987 survey.

18 In 2003 we simply did a windshield
19 survey where we looked at it from the car and said, yep,
20 it looks kind of like the survey photograph in 1987.
21 And we really didn't have the time or money to go knock
22 on the door and go look at the property or anything in
23 any depth.

24 So it's appropriate, as property owners
25 come and bring projects to you that are historic, that
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1 they may from time to time take the step to provide that
2 more detailed evaluation, and that is what this
3 particular property owner has done.

4 He has hired a historic preservation
5 consultant to come in and look and determine whether the
6 building, you know, meets the established criteria of
7 the ordinance, or the types of criteria that we normally
8 look at in determining what is historic and what is not.

9 What I found when I actually got on the
10 property for the first time in January is it's been
11 substantially altered. The windows have all been
12 replaced. The doors have all been replaced. There is
13 some historic fabric in terms of the siding and framing,
14 most of which is in really poor condition because of
15 termites, et cetera.

16 You know, I can't really remember going
17 onto the site in 1987. I have looked at a couple of
18 thousand buildings since then probably. But I would
19 say, from my evaluation earlier this year, that either
20 we were not able to observe those conditions in 1987 or
21 they had been altered after 1987, specifically the
22 windows and some of the other things. The back has a
23 big addition. You can look through my report and it
24 gets into all of that detail.

25 So, therefore, I think in keeping with
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1 that language, it's certainly appropriate in cases where
2 we have buildings that maybe are questionable in terms
3 of their historic quality for this Board to seek some
4 additional input.

5 Normally, we would like to do that in
6 the beginning of the process. In this case we did it
7 the other way, so it's appropriate to do it sort of at

8 the end of the process.

9 "Number 5: For an historic property,
10 consistency with the Secretary of the Interior's
11 Standards" -- obviously, the Board has approved the
12 design for this project and has decided it meets the
13 Secretary of Standards. Now, that existing design
14 includes keeping some of this historic building intact
15 and then trying to work around it.

16 Unfortunately, in dealing with the
17 Secretary of Standards, which I have dealt with over the
18 last 30 years professionally, it really is hard to apply
19 them here because there is not really any historic
20 fabric left. The building has basically lost the
21 integrity that it should have had.

22 I think the other thing that is
23 important in that Category 2 listing, if you look back
24 at the report on which that is based, and you look back
25 at that definition, it really wasn't intended to

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1 landmark Category 2 buildings.

2 They were basically determined to be
3 buildings that -- wait a second -- those located in
4 historic districts would be contributing. In other
5 words, they were intended to be contributing properties
6 in the districts, not necessarily things that sat out by
7 themselves.

8 In this case you have a fragment of the
9 historic building that is not in the context of a
10 streetscape of historic buildings. It's just sitting
11 out there by itself.

12 And then, of course, the other
13 consideration is the condition of the structure. In
14 looking at it, most of the building has been replaced.
15 Everything that faces the street, with the exception of
16 the one bay which kind of projects out, is modern. You
17 can see it from the frame. You can see it from the
18 exterior.

19 That one projection that sticks out has
20 a replacement window. It's not the same size as a
21 historic window.

22 You get on to the other elevations and
23 similar things have happened. You get in the inside and
24 look at the framing and the replacement of siding, et
25 cetera. There is just not a lot left of this building.

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1 And the condition is so poor that I

2 think what you are going to find, if this man were to
3 take this building and try to redo it in any way, shape
4 or form, it's literally not going to withstand that.

5 More importantly, if you look at most of
6 the buildings that have been redone on the island,
7 because of the conditions you have out here with
8 termites, et cetera, et cetera, you get a substantial
9 amount of material replacement. Even if it's in kind,
10 most of these buildings end up getting re-sided,
11 substantially reframed, et cetera.

12 And, at that point, they stop being a
13 historic building anymore. They have become a replica
14 of a historic building, or like a reproduction of a
15 piece of furniture, but they are not an antique anymore.

16 I think that is the conditions we are
17 getting into here, where there is so little left that
18 anything you do to try to keep it is going to end up,
19 you know, removing what is left.

20 I think the only other thing I wanted to
21 sort of mention -- and then I'll let you have an
22 opportunity to have any questions you might have.

23 First of all, obviously, I think it's
24 important that Sullivan's Island finally took the step
25 back in 2003, 2004, whenever it was, to begin to do
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1 something to protect its historic resources. I think
2 everybody in this room would agree that there is a lot
3 of stuff out here that is certainly worthy of
4 preserving.

5 Part of that planning process in 2003,
6 though, required us to strike a real delicate balance
7 between private property rights and what was a
8 legitimate concern to try to preserve these resources.

9 It's always been my position that the
10 designation process needs to be very careful, because we
11 want to make sure that the things that the Town
12 restricts and says are historic really are, and that we
13 are not just sort of, you know, adopting things that are
14 not particularly historic.

15 If you don't have that level of
16 evaluation, either before the properties are designated
17 or, in this case, as part of a review of a proposal to
18 redo the building, your designation process becomes open
19 to a wide -- left to interpretation, you know, I think
20 it's historic because, or he thinks it's historic
21 because, not based on standards that are in your

22 ordinance or standards that are commonly applied, you
23 know, throughout the country.

24 Once that happens -- you know, I have
25 seen it in many, many cases where historic preservation
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1 ordinances end up being modified, being done away with,
2 whatever, because it just becomes too hard for people to
3 understand what people are trying to accomplish.

4 And, ultimately, that can weaken the
5 process of having protections for the many things on
6 this island that are certainly worthy of being
7 preserved.

8 You know, it's sad that this old house
9 has seen a lot of changes over the years. I have looked
10 at a lot of houses. I came back in 2007, and we looked
11 at a lot of houses that are over 50 years old based on
12 tax records, where there just wasn't anything left from
13 a historic standpoint. And this building, I think,
14 really falls into that category.

15 MR. ILDERTON: Thank you, sir. Does the
16 Board have any questions for David?

17 MS. HARMON: I do. With all due respect,
18 Mr. Schneider, are you being compensated for this
19 report?

20 MR. SCHNEIDER: I certainly am. In fact,
21 when I was called by the applicant, or actually the real
22 estate agent representing the applicant, he asked me if
23 I would come out and take look at the building, and I
24 said, certainly, and I quoted him a price. But I also
25 said to him, very specifically, that I'm going to call
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1 it like I see it.

2 You know, I have been doing this for a
3 long time. I have a 30-year career. I am not going to
4 stand up and say something that I don't believe in.

5 So, yes, I'm being compensated, but I
6 don't think it would matter whether I was or not, quite
7 frankly.

8 MR. ILDERTON: Any other questions? Jon?

9 MR. LANCTO: What is your feeling on changes
10 that have been made to the building since your first
11 view of it on the original assessment of the historic
12 properties?

13 MR. SCHNEIDER: Going back to '87?

14 MR. LANCTO: Yes.

15 MR. SCHNEIDER: Well, part of the problem is

16 that the '87 survey card is not all that detailed. So
17 it's not clear, for instance, some of the changes that
18 might have been there. Obviously, the rear addition was
19 there by 1987. I have a photograph that shows it.

20 It hadn't been there very long,
21 probably, based on the framing, and from what I have
22 been able to gather about the history of the building.

23 The windows are sort of a moot -- I
24 think an issue I can't really speak to because, again, I
25 can't recall back in '87 whether I actually got in and
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1 was able to get right up close to it.

2 From the street, they look like six over
3 six windows, which would certainly be appropriate for
4 the period of the building. But when you get up and
5 look at them from the inside, they are modern
6 replacement windows that don't fit the historic
7 openings. They have all new frames, all new sashes, et
8 cetera.

9 So a lot of the stuff we really
10 couldn't -- even in '87 we might not have been able to
11 evaluate it that closely because we couldn't get inside
12 and see how it was framed.

13 MR. LANCTO: You mentioned an '87 survey
14 card?

15 MR. SCHNEIDER: Yes. It's included in the
16 appendix, I think, in that document.

17 MR. WRIGHT: It's the last page of this.

18 MR. SCHNEIDER: And that, again, I did the
19 survey in '87 for Preservation Consultants, so I
20 actually was the one that did the evaluation of the
21 site.

22 MR. LANCTO: Got you.

23 MR. CRAVER: The '87 survey was the
24 windshield survey?

25 MR. SCHNEIDER: No. '87 was what we call a
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1 comprehensive survey, in that we tried to get access to
2 every property. Sometimes we could; sometimes we
3 couldn't. We basically knocked on doors, and if someone
4 was home we would ask permission and go look around.
5 And, if they weren't, we just had to do it pretty much
6 from the street.

7 In 2003, as we were doing this part of
8 this overall planning process, what we were able to do
9 is take the results of the 1987 survey and digitize

10 them. So I had a photograph from that.

11 In some cases we also had photographs
12 from a damage assessment survey that was done after
13 Hugo. So you could kind of compare, you know, how it
14 had changed since Hurricane Hugo.

15 In this case the changes, at least from
16 a windshield standpoint, were fairly minimal. It looked
17 pretty much in '87 like it did now.

18 So it wasn't really until you get on the
19 site and actually sort of kick the tires and then take a
20 look at the fabric and see the conditions of things and
21 what was there that we could really evaluate.

22 MR. ILDERTON: Any other questions?

23 All right. I have several letters that
24 I will read after the public comment section is closed,
25 unless there is anybody that is here that wrote a letter
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1 that may want to comment and not have the letter read.
2 But, other than that, I will open it up now for public
3 comment.

4 Is there any public comment on this
5 application? Yes, Roy?

6 MR. WILLIAMS: Roy Williams, 2513 I'On
7 Avenue.

8 I find this a very puzzling application.
9 It was mentioned earlier that this application has been
10 before the Board nine different times, and I see they
11 have gotten approval to do certain things.

12 I mean, how often can you whittle away a
13 piece of property until you deliberately make it
14 nonhistoric?

15 I also am concerned about the street
16 view. It seems like the house fits in very well with
17 the surrounding properties, and I would be hesitant to
18 think what could happen if this is demolished and a new
19 house is put up.

20 Is it going to be some huge house that
21 is going to be not compatible with those modest
22 dwellings that are in that block?

23 And if you had the survey in '87,
24 another one in 2003, another in 2007, and nine
25 appearances before the Board, I am just baffled that all
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1 of a sudden this house is found to be not historic.

2 I mean, after all, the White House was
3 gutted when Harry Truman lived there. They took

4 everything out. And we certainly consider the White
5 House to be very historic. I mean, where do you draw
6 that line when you put in new windows and different
7 things? I just find it -- I'm just a little bit
8 baffled, I will say.

9 MR. ILDERTON: Thank you, sir. Is there
10 anybody else? Yes, ma'am?

11 MS. CURRY: I'm Julia Currey, 1728 I'On. I
12 just wanted to voice my opinion on the importance of
13 historic houses on this island.

14 And my question, along with Roy, is how
15 do these different windows and doors get replaced in a
16 nonhistoric way to begin with to make that perhaps an
17 issue for the property not to be historic anymore?
18 Anyway, I am for protecting the ordinances and the law
19 to protecting historic houses.

20 MR. ILDERTON: Thank you, ma'am. Yes,
21 ma'am?

22 MS. MIDDAGH: Susan Middaugh, 2420 Raven
23 Drive. The whole process and the order of things I find
24 really disturbing and possibly setting a very dangerous
25 precedent.

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1 I think the contributory houses do not
2 have to be historic, antique and preserved in all its
3 aspects to be very important for our neighborhoods.

4 And I know that you-all, when you start
5 into this process with an older house on a property, and
6 another house being attached or a second house, you site
7 visit those houses. And you all are the final arbiter.

8 We have had people ask to have houses
9 taken off, asked to have houses put on, asked to have
10 houses demolished, have houses -- the second one on the
11 property because it's historic, and you just don't go by
12 that list. You go and walk through the property and you
13 sort of make your own verification because these are
14 important matters.

15 Presumably, that happened at the start
16 of these nine visits. And, presumably, last June it
17 sounds like he requested that it be taken off the list
18 or demolished then, and you evidently turned him down.
19 So I would really hate to have this come back and
20 ultimately succeed. It just would make a mockery of the
21 whole process.

22 MR. ILDERTON: Great. Thank you, ma'am.
23 Anybody else who would like to speak? Yes, sir?

24 MR. HAYNES: Ashley Haynes, 2720 Goldbug. I
25 live just down the street, and just -- I guess I feel
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1 the opposite of most anyone who has talked.

2 It seems like Mr. Schneider is the one
3 who made the list, and it's been adopted by the Town and
4 the Board and all of that, and then he comes back
5 specifically to look at a house, and we all have sort of
6 taken his list as gospel. And so then his opinion to
7 come back and look at this house, his opinion should be
8 taken as gospel at this point, I believe, that it should
9 not be on the list. That's all.

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

12 MR. GEER: Mr. Chairman, David Geer, 2702
13 Goldbug.

14 I have one question. Will there be
15 public -- since we are going to continue this, will
16 there be other discussion next time?

17 MR. ILDERTON: Yes, sir.

18 MR. GEER: I think Roy said it pretty well.
19 I think the problem issue here is that there has been a
20 deterioration in the house since nothing has been done
21 to it over the years since it was not inhabited.

22 And when it's been moved around and some
23 construction has been done, nothing has been done except
24 to allow the raccoons and the rats and all to come
25 through the house at that point. The windows haven't
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1 been boarded up.

2 And, of course, anything sitting on the
3 marsh is going to deteriorate dramatically. We have
4 been here for each one. We have been very supportive of
5 the approval and thought that the house incorporated in
6 that approval was excellent and were very supportive.

7 Tim Cook has been more than amenable to
8 talk to the neighbors and try to get support there. The
9 fact is that if we set a precedent that we can come back
10 and forth on a home, and, yes, it's historic, no, it's
11 not historic. It's either historic or it's not, and we
12 have to kind of live with it.

13 But if it deteriorates to that extent,
14 then, you know, a person of Mr. Schneider's esteem and
15 his qualification is certainly going to say now, based
16 on what I saw several years ago, it's not historic.

17 Today it was -- it has deteriorated.

18 Whether deterioration excludes it from being historic, I
19 don't know. I don't think we ought to remove this house
20 from the historic list.

21 MR. ILDERTON: Great. Thank you, sir. Yes,
22 sir?

23 MR. BOEHM: I'm Paul Boehm. I own a little
24 garage apartment a couple of doors away.

25 And I would just comment, I am actually
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1 the one that asked Mr. Schneider to come over here
2 because I had some dealings with him on another house
3 that got removed while the 50-year thing was an issue
4 awhile back.

5 I also want to point out that Mr. Cook
6 hasn't changed any doors, hasn't changed any windows,
7 hasn't changed any framing on this house.

8 He simply exposed the interior of the
9 house and the bones of the house to Mr. Schneider to be
10 able to look at it and give you his evaluation at this
11 point. Nothing has been done by Tim to remove anything
12 in terms of the structure, or windows or doors of this
13 house. Thank you.

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

15 MR. MIDDAUGH: Larry Middaugh, 2420 Raven
16 Drive. I walk by this house a lot, and I know -- I have
17 been to this meeting on several occasions where you have
18 talked about changing this house and came up with some
19 methods that seemed like they were quite reasonable, and
20 I would hate to see you just ditch that. That house has
21 been sticking up in the air now for some time.

22 And I think that, you know, you might
23 also think a little bit about neglect when you think
24 about maintaining a historic house. And over the past
25 year it has been sitting there -- well, maybe that is

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1 probably a little bit too much.

2 But for the past several months it's
3 been sitting there, nothing done with it, and raised up.
4 And I really would hate to see you ditch the notion of
5 what you have been dealing with for the past nine
6 meetings.

7 MR. ILDERTON: Yes, sir. Is there any other
8 public comment? Yes, sir?

9 MR. HIERS: I'm Jimmy Hiers. I live next
10 door to this property at 2714 Goldbug.

11 And I would like to point out that I

12 believe that the property, since the current owner has
13 bought it, I believe the property has been substantially
14 altered.

15 I think the interior pine flooring has
16 been pulled out. The wall and ceiling bead board
17 paneling and some tongue-and-groove paneling has been
18 pulled out. I know all the tile work has been pulled
19 out.

20 And I would also like to comment, with
21 all due respect to Mr. Schneider, that I think his
22 report should be discounted somewhat due to the fact
23 that he's no longer the neutral party that he was when
24 he was under contract with the Town and twice classified
25 the house on the historic list.

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1 I think it's a little too convenient
2 that he can reach a different conclusion when, perhaps,
3 he's been tasked and contracted to do so. And I will
4 look forward to speaking at the next meeting in
5 opposition to the removal of this house from the list or
6 the demolishing of the house. Thank you.

7 MR. ILDERTON: Is there any other public
8 comment? Yes, ma'am?

9 MS. GEER: I'm Aussie Geer. I live at 2702
10 Goldbug. I live on the other side of the property.

11 And I understand and have heard
12 everything about it being historic and on the list, but
13 ultimately it's the Town and the DRB who decides what is
14 of historic value to this town, what is traditional,
15 what is the fiber and the feeling we want to keep. It's
16 not just the list of houses.

17 You have the ability to add to that list
18 or to maintain that list, and it can be done completely
19 by the DRB.

20 You also have the ability to take into
21 consideration and are charged by the ordinance, in fact,
22 with the ability to take into consideration how a
23 particular house sits in relationship to a neighborhood.
24 That is that concept of neighborhood compatibility.

25 And only the DRB on this island has the

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1 ability to uphold that principle, and it's a very keen
2 one, and you have done a wonderful job. You did a very
3 good job working with the neighborhood through eight or
4 nine meetings, and Mr. Cook and Mrs. Cook, to get a
5 house and a plan that was compatible with the

6 neighborhood and maintain that little gem of a house
7 sitting up there.

8 The house has indeed, as Mr. Schneider
9 pointed out, it has been added onto over the years. I
10 think it's like 84 years old in the older section. But
11 that is sort of a tradition on Sullivan's Island as
12 well.

13 Lots of little beach houses start
14 little, the next generation puts on a wing, and then
15 there is another wing. In fact, some of the new houses
16 on this island are designed to reflect that by having a
17 main house, and to the rear a bedroom addition jutting
18 out the way it was done over the years before.

19 So, in fact, I think it's very much a
20 tradition on Sullivan's Island for older houses to have
21 changes made over the years.

22 The DRB has clearly wanted to save this
23 house by repeatedly making decisions that would preserve
24 and protect it. They have been before you a year ago
25 with an engineering specialist. The same things have
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1 been exposed. The same arguments were given to you, and
2 you denied changing it based on that and taking it off
3 the list.

4 I believe that the Town has the
5 authority and the DRB has definitely got the ability to
6 make this cottage charming again. It was in excellent
7 condition not very many years ago.

8 The owner can be required to restore the
9 house to accurately reflect what it was when he bought
10 it. It does not need to be demolished, and I hope that
11 you will see that it doesn't happen. Thank you.

12 MR. ILDERTON: Thank you. Is there any
13 other comments, public comment? The section then is --
14 well, it's not closed, because I am going to read these
15 letters and then I will close it.

16 MR. HELLMAN: If I could, sort of as the
17 public comment section.

18 MR. ILDERTON: Yes, sir.

19 MR. HELLMAN: What I did want to say is that
20 what we would like to do is meet with the people that
21 have interest in this sometime between now and the next
22 meeting.

23 And we can meet here at the town, we can
24 meet at one of the facilities here on the island, but to
25 talk about the property and talk about what the Cooks

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1 would like to do and sort of explain to everybody,
2 before we come again to the Board, so that it's not sort
3 of a case of first impression, if you will. So I just
4 want to make that known to everybody who is here.

5 MR. ILBERTON: Thank you, sir. All right.
6 I am going to start with this letter.

7 "I reside at 2678 Goldbug Avenue, which
8 is two doors down from 2708 Goldbug Avenue, and I
9 request this letter be brought to the attention of the
10 Design Review Board members.

11 "I strongly object to this historic
12 house being continually destroyed and the owner
13 continually wanting the DRB to allow more changes than
14 initially improved. The natural barrier, sandhill and
15 trees, on the back side which was previously addressed
16 at one of the many meetings which has come before the
17 Design Review Board has been completely destroyed,
18 thereby making the rest of the neighborhood subject to
19 hurricane winds and waters. Previously the owner
20 alleged this house has been changed as recently as 1979
21 and after Hurricane Hugo. Now he appears to have hired
22 the same individual who listed these old island houses
23 as historic to say it is not historic.

24 "I was born and have lived within a
25 block of this property all my life and from whence this
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1 information came, I cannot begin to imagine. Someone
2 obviously does not know anything about older home
3 construction here on the island, which, by the way, seem
4 to weather major hurricanes much better than the new
5 houses being put up. This house has not had any major
6 changes in my lifetime, 67 years. It survived Hurricane
7 Hugo with minimal damage. It is historic and should
8 remain designated historic. A variance of any kind for
9 this property should not be allowed.

10 "I felt the neighborhood had come to a
11 reasonable agreement for an addition to this house;
12 however, it appears that the owner is still not
13 satisfied and will not be satisfied until he can
14 completely tear it down or let it completely fall down
15 by purposely neglecting to secure what he has already
16 demolished and put up a monstrosity which is totally out
17 of context in this quiet, family-oriented neighborhood,
18 one of the few remaining such areas.

19 "How many times do we have to attend

20 this meeting on this? How many times do the Board
21 members have to listen to this? Is there no limit to
22 how many times a person can continually come before the
23 DRB? Can the Town not properly close up the house and
24 force the owner to pay the cost of such by placing a
25 lien on the property? It appears Town Council needs to
0045

1 revise the DRB ordinance immediately to keep our island
2 neighborhoods the way they are and preclude this
3 continual harassment of our neighborhood by the new
4 property owners.

5 "As I have addressed this Board multiple
6 times before, in writing and in person on this issue, I
7 still believe the proposed house is extremely large,
8 approximately one-and-one-half times or more of those on
9 either side of it. It does not fit in the neighborhood,
10 and now has the sandhill and trees behind it totally
11 destroyed, thereby cutting into the protection of any
12 storm winds for the neighborhood. The sandhill should
13 be required to be replaced, as should the trees which
14 were destroyed. The house should have been boarded up
15 to prevent further deterioration after it was opened up
16 to the elements. I still also have concerns with the
17 size of the structure should there be a fire due to the
18 many very old and very large oak trees in this
19 neighborhood.

20 "As for bug damage, show me a house
21 anywhere over here which does not have bugs, termites,
22 et cetera. It can be repaired, and most property owners
23 continually repair their property, not purposely leave
24 it to deteriorate to the point where nothing is left and
25 it falls down. Sincerely, Elizabeth B. Richardson, 2678
0046

1 Goldbug Avenue."

2 The next letter is from a Board member.

3 "Dear Kat: Please relay my feelings in
4 my absence regarding the request of the property owner
5 of 2708 Goldbug Avenue to the Design Review Board at the
6 meeting on May 20th, 2009.

7 "I wish to recommend for denial of the
8 request to demolish this house. This structure is duly
9 registered with the historic structure as stated in the
10 State Historic Preservation Office, whose records show
11 the house was built in 1905, and in 1987 Historic Sites
12 survey conducted by Preservation Consultants. That
13 survey notes that the house is representative of the

14 modest summer island residences built in the early 20th
15 Century.

16 "The recent February 3rd, 2009 Schneider
17 Historic Preservation, LLC, historic resource site
18 assessment cannot change those facts. The present
19 condition of this historic and charming Sullivan's
20 Island beach house can only be attributed to its past
21 and present owners. This is clearly a case of an
22 attempt at demolition by neglect.

23 "I would implore my colleagues on the
24 DRB to strike down this 10th attempt to remove this
25 historic structure from our island. Most sincerely
0047

1 yours, Fred Reinhard, DRB member."

2 Do I need to read -- okay.

3 The next is, "Dear Kat: Howard and I are
4 unable to attend the DRB meeting tonight, but would
5 appreciate if you could include the following in the
6 discussion of this evening concerning the property at
7 2700 block of Goldbug that the owner would like removed
8 from the historic property list so that he can be
9 cleared to proceed with demolishing the place.

10 "Please refer to the minutes of the last
11 meeting when the issue was addressed. In it will be the
12 copy of my comments then. The only thing that has
13 changed is that the house is deteriorating and that the
14 owner was unsuccessful in his attempt to sell it.

15 "One point I made at the last meeting
16 was that the purpose of the existence of the DRB is to
17 try to preserve as much of the feel of Sullivan's Island
18 as possible. This house is a great example of old-time
19 Sullivan's Island.

20 "My husband and I are in favor of
21 maintaining this property on the historic list and do
22 not feel that demolishing it is in the best interest of
23 the neighborhood or what the DRB is striving to achieve
24 for Sullivan's Island. Thank you very much, Eve
25 Gentieu, Howard Stone, 2672 Jasper Boulevard."

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1 All right. The public discussion
2 comment section is closed. We, I guess, as a Board now,
3 can certainly discuss the merits of the application.
4 But really, most pointedly, I think we need to discuss
5 the request to defer the process.

6 MR. CRAVER: It's really to continue.

7 MR. ILBERTON: To continue the process to

8 the next meeting.

9 MR. ROBINSON: Pat, don't I get another
10 opportunity to --

11 MR. ILBERTON: Excuse me. Randy?

12 MR. ROBINSON: Let me just fill you-all in
13 on a couple of things before you go to deliberate.

14 This property came before you and
15 received a certificate of appropriateness for the
16 building on February 18th of '08. So I just want to let
17 you-all know that the certificate of appropriateness is
18 no longer valid for that structure.

19 He's going to have to come back to
20 you-all again with that structure. Because after a
21 year, the ordinance says, after a certificate of
22 appropriateness has been approved, a building permit has
23 not been issued within one year from the date of
24 approval, then such certificate of appropriateness shall
25 be null and void and no building permit shall be issued.

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1 So there has not been a building permit
2 issued to execute that certificate of appropriateness.
3 So this house is coming back to you anyway, just to let
4 you know that.

5 MR. ILBERTON: Great.

6 MR. ROBINSON: Also, I think Aussie made a
7 good point in that David is, you know, a very smart man
8 and very, very good at historical preservation, and that
9 is his business. He's a professional, but only the
10 Design Review Board has the feel for Sullivan's Island.

11 And I just wanted to tell you-all that
12 you-all are the ones that put things on the list and
13 take things off. He can give you his opinion, but the
14 feel for Sullivan's Island has been directed to you-all
15 to have.

16 I looked up a little information on this
17 house. I mean, we went back as far as we could as far
18 as building permits go, and we were able to get back to
19 1970.

20 Since 1970 there has been no permits
21 except for in 1978 there was a permit issued for
22 structural repairs, enclosure of open area under front
23 roof, plumbing repairs and complete rewiring of this
24 structure.

25 So there may have been some -- a porch

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1 on the front, and that was altered in '78. We couldn't

2 find any other major alterations to this house. So we
3 know these go back, like I say, to 1970. So any other
4 alterations were done prior to 1970.

5 I would like to address the dune in the
6 rear that -- I don't know exactly how much elevation was
7 taken off of that thing, but I suspect that there wasn't
8 much.

9 I went out there and inspected it as
10 soon as I was told that that dune was flattened, and
11 went back there, and I could still see the smilax coming
12 out of it. So it wasn't a whole lot taken off of it.
13 Some was. There were two trees removed, in which Mr.
14 Cook got permits to remove. He will have to put those
15 trees back.

16 I don't see a problem with you-all
17 deferring this to next month. My real concern is that
18 this house is open, and it has been open for a long
19 time. I asked Mr. Cook to close it up a couple of
20 months ago and nothing has happened.

21 And no matter what, and I don't know if
22 the Board can do it, if the Board can defer with the
23 condition, that hasn't been answered to me, but I would
24 like you-all to, if you do defer it, defer it with the
25 condition that this house be immediately boarded up,
0051

1 that it be secured.

2 I did receive a letter from Mr. Cook, or
3 an e-mail from Mr. Cook today, and I will read it to
4 you.

5 It says, "I understand I need to proceed
6 with boarding up the windows at 2708 Goldbug Avenue.
7 The neighbors' children broke out most of the windows
8 about a month ago, so I will get them boarded up. I
9 will also close the storm shutters on all the windows
10 that have them, and it will probably be the middle of
11 next week before I can get it completed. I hope this
12 addresses the issues at hand. Let me know if I need to
13 do anything else."

14 That is a good start, but I think this
15 thing needs to be really secured. I mean, there needs
16 to be some plywood put around the bottom bands so
17 rodents can't get in and out.

18 There may also need to be some kind of
19 dehumidification put inside the building so we don't
20 have -- it doesn't create a moisture problem in there
21 and we have a mold problem and more problems with the

22 structure. And that is all I have to say.

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

24 MR. HELLMAN: Two quick things. As Randy
25 pointed out, Mr. Cook is going to get this place boarded
0052

1 up. And Randy and I, that is one of the things we
2 talked about today.

3 Secondly, the design of the house that
4 was approved is really not at issue other than a couple
5 of small changes, which is what we are going to deal
6 with between now and the next meeting.

7 We are not here today so that he can
8 build some monstrosity, and I think that needs to be on
9 the record. It's to build, basically, something that
10 more or less matches the footprint of what was approved.
11 Thank you.

12 MR. ILDERTON: All right. Billy?

13 MR. CRAVER: Golly, where do you start?

14 I want to start with I appreciate David
15 Schneider coming back. He's an expert. He was paid by
16 the Town when he made the findings that he made in 1987
17 and 2002 and in 2007. All experts are paid. That
18 doesn't mean that they don't have any integrity in the
19 opinions they come up with, and that doesn't detract
20 from the value of what they say.

21 You have to judge the value of what they
22 say based on the merits of it, not on attacking their
23 integrity for being paid for their work.

24 A point that David made, this one that
25 we wrestle with with other houses, is the issue of are
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1 we protecting historic structures or are we going to
2 protect reproductions.

3 Because we have one house that we looked
4 at at one point that really had turned into a
5 reproduction, and the people that rebuilt it did such a
6 good job rebuilding it, it looked really good, and we
7 were fixed to vote on it and the owners just agreed to
8 have it be designated as a historic house, so we didn't
9 end up having to finish wrestling with the issue.

10 So I don't know where we end up with on
11 that issue, but a reproduction is not a historic house.
12 It's a nifty-looking house that looks like something
13 that could have been built a long time ago, but wasn't.

14 The notion of if this house is taken
15 down that it can be replaced with a big monstrosity, we

16 went through a lot of trouble to put the zoning
17 ordinance in place, and it has some pretty -- we did.
18 And, David, I see you shaking your head.

19 MR. GEER: I'm not shaking my head at you,
20 Billy.

21 MR. CRAVER: It has some pretty strict
22 requirements, and we really beat up on people on
23 neighborhood compatibility. And we have said no to a
24 number of houses where people wanted to expand beyond
25 what was allowed by the zoning ordinance.

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1 The zoning ordinance doesn't allow
2 monstrosities anymore unless, if you meet certain
3 criteria, you can go bigger than what is allowed in the
4 ordinance. But I think we are beyond the monstrosity
5 issue here.

6 If any of the other houses in the
7 neighborhood that may not be historic were allowed to be
8 torn down, they would be able to build on their lot the
9 same kind of house that if this house ends up being torn
10 down would be allowed to be built on this lot, and it
11 wouldn't be a monstrosity.

12 As a matter of fact, whatever Tim Cook
13 is allowed to build on this lot, if this house isn't
14 torn down, he will only be allowed to build something
15 significantly less than somebody could build on their
16 lot if they were allowed to tear theirs down, because he
17 doesn't get to go beyond those basic allowances.

18 He doesn't get that potential 25 percent
19 uptake, I don't think, because of the historic issue
20 that he has got there. So -- I think that is right,
21 isn't it, Randy? Or if he's building the second house,
22 he doesn't get the extra?

23 MR. ROBINSON: If he's building the second
24 house, he does not get the extra.

25 MR. CRAVER: You don't get the extra 25

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1 percent.

2 MR. ROBINSON: If he's adding on --

3 MR. CRAVER: If he's adding on, he could.

4 Okay.

5 MR. ROBINSON: He actually gets an exemption
6 if he's adding on.

7 MR. CRAVER: So I guess the notion here is,
8 to me, to start off with, is I'm going to look at this
9 thing new each time I look at it.

10 And I'm going to try to use my judgment,
11 and my brain, and understand what is going on in the
12 community, and try to do what is fair in preserving
13 stuff for the Town of Sullivan's Island, but also doing
14 what is right recognizing the property owners' rights.

15 I believe when this came before this
16 Board before -- I know that this is an old structure, or
17 parts of it are old. Robert E. Lee didn't sign the
18 Declaration of Independence in it. Some fantastically
19 renowned architect didn't design it.

20 I am not aware of anything about this
21 structure that makes it, in and of itself, historically
22 significant.

23 So I don't start off with -- and I grew
24 up over here on Sullivan's Island, so I have known all
25 the houses on the island pretty much all my life. It's
0056

1 a neat little house, but if it's as deteriorated as it
2 is, if it's where it is, I'm not going to sit here and
3 say because we are here the 10th time that somehow I
4 have to punish Tim Cook because the house is where it
5 is. And I guess that is where I'm going to start.

6 I want to think about everything else
7 that I have heard, but I don't want to start with a
8 negative against Tim Cook. I don't want to start with a
9 negative against the neighborhood. I want to start with
10 an open mind and think about the house.

11 I respect David's opinions tremendously.
12 I agree with Aussie, with what you said. We are the
13 gatekeepers. Now we have to decide whether to gatekeep
14 a reproduction or a -- which is really what we are
15 saying, is do we want a nifty little cottage there as
16 opposed to allowing somebody to do what they want to do
17 with their property.

18 And I really wrestle with that because,
19 I mean, I'm not rich. My house over here is my biggest
20 asset. If somebody told me I couldn't do something with
21 it and it deteriorated the value of it, it would have a
22 dramatic impact on me, and it does on a lot of people
23 over here. And so whatever we do with this house is
24 going to have that kind of impact on Tim Cook.

25 So I haven't made my mind up yet, but I
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1 just wanted you-all to know what I was thinking about.

2 MR. ILBERTON: So I can only infer that you
3 are in favor of the continuance?

4 MR. CRAVER: I am. I want to do -- I would
5 love for them to come back later and say this is what we
6 have talked with the neighbors about, and while nobody
7 is particularly happy with where we are, everybody is
8 giving a little bit.

9 And all I can say is that somebody is
10 going to be unhappy with whatever the decision is that
11 we make. And if they can agree on something and come
12 back and jointly ask us to do something, I would much
13 rather see that than us have to put a knife down the
14 neighborhood and say, well, we agree with this group and
15 not with that group.

16 MR. ILDERTON: Duke, do you want to --

17 MR. WRIGHT: I'm in favor of the continuance
18 and I will reserve my comments until then.

19 MR. ILDERTON: And I'm in favor of a
20 continuance, also, and I will make my comments when I
21 need to make them. Because I don't know what I'm
22 commenting on now because we don't really have a full
23 presentation. Betty?

24 MS. HARMON: I agree with a continuance.
25 And I would like to say that I didn't know asking if
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1 somebody is being paid for a consultation was
2 questioning their integrity. If you thought that, I
3 apologize.

4 MR. SCHNEIDER: No. Your comments were
5 perfectly appropriate.

6 MR. ILDERTON: Jon?

7 MR. LANCTO: I would be in favor of a
8 continuance.

9 MR. ILDERTON: Do I hear a motion?

10 MR. WRIGHT: I move that the application be
11 continued until the next Board meeting.

12 MR. ILDERTON: Do I hear a second?

13 MR. LANCTO: Second.

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

16 MR. WRIGHT: Aye.

17 MR. ILDERTON: Aye.

18 MS. HARMON: Aye.

19 MR. LANCTO: Aye.

20 MR. CRAVER: Aye.

21 MR. ILDERTON: So moved. We are adjourned.

22 (The hearing was recessed at 7:10 p.m.; to
23 be continued to a future date.)

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1 STATE OF SOUTH CAROLINA)

2)

COUNTY OF CHARLESTON)

3

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

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

10 Witness my hand, I have hereunto affixed my official
seal this 24th day of May, 2009, at Charleston,
11 Charleston County, South Carolina.

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