

Deposition of Town Meeting

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MEETING OF
THE SULLIVAN'S ISLAND DESIGN REVIEW BOARD

DATE: JUNE 15, 2011

TIME: 6:00 PM

LOCATION: SULLIVAN'S ISLAND TOWN HALL ANNEX
SULLIVAN'S ISLAND, SC

REPORTED BY: J. LYNN CLARK, RPR
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A P P E A R A N C E S

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DESIGN REVIEW BOARD MEMBERS:

- PAT ILDERTON - CHAIR
- STEPHEN HERLONG - VICE CHAIR
- BETTY HARMON - MEMBER
- JON LANCTO - MEMBER
- FRED REINHARD - MEMBER
- BILLY CRAVER - MEMBER

ALSO PRESENT: KAT KENYON - PERMIT TECH/DRB
APPLICATIONS

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1 MR. ILBERTON: This is the June 15th,
2 2010 -- 2011 meeting of the Sullivan's Island
3 Review Board. That's a typo there. It is now
4 6:00, or close. And members in attendance are Pat
5 Ilderton, Steve Herlong, Fred Reinhard, Betty
6 Harmon and Billy Craver. The Freedom of
7 Information requirements have been met for this
8 meeting. I would now ask all cell phones to be turned
9 off -- ask all cell phones to be turned off.

10 The items on tonight's agenda are
11 approval of minutes. Do I hear a motion to
12 approve?

13 MR. CRAVER: So move.

14 MR. ILBERTON: Second?

15 MR. HERLONG: I second.

16 MR. ILBERTON: Discussion? Everybody
17 in favor?

18 MR. HERLONG: Aye.

19 MR. REINHARD: Aye.

20 MS. HARMON: Aye

21 MR. CRAVER: Aye.

22 MR. ILBERTON: Aye.

23 2424 Middle, accessory structure. Kat
24 wants me to make an announcement about Betty's
25 grand service to the board, and we all thank you

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1 and appreciate your service to the board, Betty,
2 and we'll miss you so much.

3 MS. HARMON: Thank you very much. I'll
4 miss you guys too.

5 MR. ILDERTON: I've just been informed
6 that this is Fred's last meeting also.

7 MR. REINHARD: Correct.

8 MR. ILDERTON: I didn't realize that.
9 I knew you -- I didn't realize you were moving that
10 fast.

11 MR. REINHARD: I didn't either. I
12 thought my house would sit on the market till the
13 end of the year.

14 MR. ILDERTON: Yeah. So really, I
15 think you-all have really helped form the ethic of
16 this board. I really do. It's been a good
17 association. I will miss both of you personally.
18 I really will. So anyway, we all appreciate that.
19 On the record with that.

20 (Applause.)

21 MS. KENYON: And I'm Randy tonight, so
22 I'm the boss.

23 MR. ILDERTON: All right. 2424 Middle,
24 accessory structure.

25 MS. KENYON: It is a fence. It went to

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1 the BZA. The BZA has approved it. Randy asked
2 that you please pay special attention to where its
3 location is.

4 MR. HERLONG: I have one question. Why
5 did it have to go to the BZA?

6 MS. KENYON: Because of the height.

7 MR. HARGETT: We have basically -- I'm
8 sorry. Andrew Hargett for 2424 Middle Street.

9 MR. ILBERTON: So let's just try to do
10 this in order. Randy's presentation is over.

11 MS. KENYON: That was me.

12 MR. ILBERTON: Yes, that was you. Yes,
13 sir.

14 MR. HARGETT: We have --

15 MR. REINHARD: Who are you?

16 MR. HARGETT: Andrew Hargett for --

17 MS. KENYON: Please, everybody has to
18 say who you are.

19 MR. HARGETT: Sorry about that. What
20 we have is utilities behind the residence. You
21 know, basically there's that structure, the water
22 tower, the water main, and this is some more
23 utilities and storage behind the building. These
24 are -- this is a copy of the fence that you-all
25 approved previously for the power substation on --

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1 I forget the name of that road.

2 MR. CRAVER: Thompson.

3 MS. KENYON: No. It's off Thompson.

4 It's not Goldbug. Down --

5 MR. HERLONG: It's about a block away.

6 MR. HARGETT: Exactly. So what we have
7 is that. And we're asking for eight foot because
8 that's what the ordinance requires for the utility
9 substructures and substations and all of that. So
10 by Town ordinance, it needs to be eight foot,
11 but -- so I don't know legally. I guess we have to
12 get BZA to sign off.

13 MS. KENYON: Because it's residential.

14 MR. HARGETT: Right. In theory, the
15 city or the town is supposed to have an eight-foot
16 fence around these things, but that's -- so what
17 we're asking for is an eight-foot fence along the
18 rear and to turn the corners, because the water
19 tower extends over the line and also the water main
20 down here is under the line.

21 There is an existing shadowbox. It's
22 six feet tall. It comes within about 16 feet, and
23 there's nothing on this side except chain link. So
24 I think that's why Randy asked you to pay special
25 attention to the corners.

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1 MR. ILBERTON: Okay. Thank you. Is
2 there any public comment on this application?
3 Public comment section then is closed. Anything to
4 add, Randy?

5 MS. KENYON: No. He only told me one
6 sentence for each one. That's all you get.

7 MR. ILBERTON: All right. We will
8 deliberate. I'll just start here. There was some
9 serious cutting that was -- clearing that was done,
10 I guess, by -- at the behest --

11 MR. HARGETT: By the City.

12 MR. ILBERTON: -- of the City and water
13 department, and it really did expose the back of
14 this house quite a bit. Quite frankly, I'm not
15 sure why it had to be so extensive myself, but
16 anyway, they really did clear out a lot in there.
17 And I don't have a problem with the application
18 considering they really did expose a lot of that
19 back area to this house. Steve?

20 MR. HERLONG: Well, one question. Will
21 the fence be a dark color like that fence a block
22 from here?

23 MR. HARGETT: Yes.

24 MR. HERLONG: So, again, I think that's
25 a good idea so that it will just recede back into

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1 the landscape as it grows back, and I think it's
2 actually an improvement to have that.

3 MR. HARGETT: My understanding is that
4 there was some tree intrusion in the utilities
5 there. That's why our fence is actually five foot
6 off the property line, because Steve or Greg, the
7 utilities manager out here --

8 MS. KENYON: Greg.

9 MR. HARGETT: Greg -- said that he
10 wanted us ten feet off the centerline of the
11 utilities with the fence, so that -- and he said
12 that they were having problems with intrusion from
13 tree roots and so forth and so on. That's why they
14 cut all that.

15 MR. HERLONG: So I have no trouble with
16 it. I think it's a good idea.

17 MR. REINHARD: Is there an access way
18 behind there for trucks and vehicles, service
19 vehicles or --

20 MR. HARGETT: Not on to the property.

21 MR. REINHARD: Behind the fence?

22 MR. HARGETT: Right. I guess they can
23 get on --

24 MR. REINHARD: But there's no access,
25 no formal access behind it.

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1 MR. HARGETT: No, sir.

2 MR. REINHARD: No service drive, per
3 se.

4 MR. HARGETT: Not that I've seen.

5 MR. REINHARD: Which side -- is this a
6 all boards on one side or the other or is it
7 alternating boards?

8 MR. HARGETT: Actually it's going to be
9 both.

10 MR. REINHARD: Boards on both sides?

11 MR. HARGETT: Yeah. Because they're
12 concerned about sound so they want to also use it
13 as a sound-deadening device.

14 MR. REINHARD: All right. I'm all
15 right with it. I think it's appropriate.

16 MR. ILBERTON: Betty?

17 MS. HARMON: I think it's appropriate
18 also.

19 MR. ILBERTON: Jon?

20 MR. LANCTO: Sorry. I missed your
21 presentation, but I looked when it came across my
22 computer, and I didn't have any problem with it.

23 MR. ILBERTON: Billy?

24 MR. CRAVER: I'm good with it.

25 MR. ILBERTON: Do I hear a motion?

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1 MR. REINHARD: Move for approval.

2 MR. HERLONG: Second.

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

5 MR. HERLONG: Aye.

6 MR. REINHARD: Aye.

7 MS. HARMON: Aye

8 MR. CRAVER: Aye.

9 MR. LANCTO: Aye.

10 MR. ILDERTON: Aye.

11 Thank you, sir.

12 MR. HARGETT: Thank you.

13 MR. ILDERTON: 2408 I'on, alteration.

14 (Mr. Herlong recused himself from the
15 Board.)

16 MS. KENYON: This is 2408 I'on. It's
17 for conceptual. They want a front porch,
18 foundation improvements to existing. They want to
19 reduce the -- make it reduce the height of the
20 structure.

21 MR. ILDERTON: Thank you. Yes.

22 MS. LURKIN: Hi. I'm Bronwyn Lurkin of
23 Herlong and Associates. I'm presenting 2408 I'on
24 Avenue. It is a historic resource. Approximately
25 10 years ago this property owner underwent a major

1 renovation and expansion. The house was pushed
2 back from the street, angled more to more closely
3 align with the property line, and in addition
4 you'll notice from one of the photographs that it
5 was raised quite a bit. And much of the character
6 of the cottage was lost.

7 The property was recently purchased by
8 Jeff and Wesley Kennedy, and they're interested in
9 restoring some of that character and detail back to
10 the property in the neighborhood. Our site plan
11 and our footprint are going to remain unchanged at
12 this point, and our submission just involves the
13 changing of the aesthetic character of the facade.

14 By studying some drawings of that
15 renovation, it appears to us that the foundation
16 was built higher than intended, and our objective
17 is to visually lessen the height of the foundation
18 through design elements, as well as adding detail
19 to the front porch to restore the coastal cottage
20 appearance.

21 And to do that, what we're proposing is
22 to widen the stucco piers to a more uniform width
23 of 20 inches, rebuild the existing lattice to
24 horizontal louvers, add a panel detail between the
25 deepened band board and the piers, change the

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1 vertical pickets here to a crossbar with cabled
2 railing, add detail to the existing columns,
3 rebuild the fascia to include open rafter tails and
4 also add shutters to the porch doors and windows.

5 MR. ILBERTON: Great. Thank you. Is
6 there -- is there any public comment to this
7 application? Public comment section is closed.
8 Anything else to add, Kat?

9 MS. KENYON: No.

10 MR. ILBERTON: All right. Billy?

11 MR. CRAVER: I'm good with it.

12 MR. ILBERTON: Okay. Jon?

13 MR. LANCTO: I'm good with it.

14 MS. HARMON: Great presentation. I'm
15 fine with it.

16 MR. ILBERTON: Fred?

17 MR. REINHARD: It improves it a lot.

18 MR. ILBERTON: I remember when this
19 house was raised, and I thought it was raised too
20 high when it was done several years ago. And so I
21 think bringing it down like you-all are trying to
22 do visually is going to be a big improvement in the
23 house because it just seemed too high off the
24 ground. But it's going to be a great addition.

25 So do I hear a motion?

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1 MR. CRAVER: Move we approve.

2 MS. HARMON: Second.

3 MR. LANCTO: Wait a second. Can we
4 modify that? That was a conceptual. Can we modify
5 that? When Kat read it she said it was conceptual.
6 Can we change that to final?

7 MR. ILBERTON: If -- I think it just
8 depends on how far -- I mean how far the architect
9 thinks that -- I mean do they think this is it,
10 their submittal is going to be it? We can consider
11 that. That is, there's not going to be any more
12 change. If you think you're still going to be
13 working with it --

14 MS. LURKIN: I think the owners would
15 like this to be it for this phase. We might be
16 coming back to you for different submittals for
17 different things such as landscaping and just
18 different upgrades.

19 MR. ILBERTON: Well, that's fine then.

20 MR. CRAVER: I modify my motion to be
21 final.

22 MS. HARMON: Second.

23 MR. ILBERTON: Discussion? Everybody
24 in favor?

25 MR. REINHARD: Aye.

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1 MS. HARMON: Aye

2 MR. CRAVER: Aye.

3 MR. LANCTO: Aye.

4 MR. ILBERTON: Aye.

5 Great. Moving right along. 2668

6 Bayonne.

7 MS. KENYON: Okay. We're now at 2668

8 Bayonne, which is an accessory structure. They're

9 asking for a final. It's a pool -- the pool is not

10 20 foot from the front facade, and any recreational

11 accessory structure must be at least 20 foot

12 rearward of the front facade.

13 MR. ILBERTON: Thank you.

14 MS. KENYON: And I did give you a

15 handout that has Randy's writing on what -- what

16 he's talking about.

17 MR. ILBERTON: Great. Yes, ma'am.

18 MS. MESSIER: I'm Kelly Messier,

19 landscape architect on this project, and you have a

20 copy of this site plan, but this is the color plan.

21 This is an existing house that was recently

22 purchased by Michael Doty, who's back here. Due to

23 that we're working with an existing condition, this

24 is really the only logical place for them to add a

25 swimming pool. The house is a street-to-street lot

1 on -- this is Bayonne and this is Atlantic.

2 There's already an existing driveway back here.

3 If you were to count the 20 feet from
4 the front facade, it would come from here. I think
5 the way we worded this submittal was that to make
6 it work we wanted to count Atlantic Street as the
7 front for purposes of this submittal. And this has
8 been discussed with Randy, and I thought it was
9 acceptable to him. I don't know what he's written
10 in his notes.

11 MS. KENYON: That's what --

12 MS. MESSIER: But if you were to count
13 this as the front, where this actually is the front
14 door of the house and is used as the front entrance
15 already and will be as it is renovated, this does
16 fall 20 feet from the front. We are also asking
17 for relief on the side setback. The 40 feet --
18 there's 12 feet existing over here, and this line
19 right here is the 28 feet that would make the 40
20 feet. We're asking to reduce this to 21 feet,
21 which I believe is a 17 percent reduction, and the
22 DRB can reduce this up to 25 percent to allow this
23 pool to come in here.

24 The pool is only 14 feet wide. We've
25 got very minimal pavement on either side. This is

1 an area under the existing porch and deck where
2 there would be some shaded area. I want to
3 reiterate that as far as the side setback, we're
4 really talking about a flat pool area.

5 The lot's very heavily vegetated on all
6 sides with mature plants that we will want to keep
7 and maintain, so there's lots of privacy, and you
8 really won't even see the pool from the neighbors
9 or the street.

10 MR. ILBERTON: Thank you. Is there any
11 public comment to this application? Public comment
12 section is closed. Anything to add, Kat?

13 MS. KENYON: Yes, the front facade is
14 the street that faces the ocean. That's how we
15 address them.

16 MR. ILBERTON: Thank you. Fred, do you
17 want to start this?

18 MR. REINHARD: Yes. I'd like to just
19 avoid the issue of what is the front facade and the
20 rule that applies to the front facade and look at
21 the landscape drawing. Can we see that again,
22 Kelly? Look at the landscape drawing -- or you can
23 share it with the audience if you want -- and then
24 look at the vegetation on the end of the house
25 where this is going to go. Common sense would tell

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1 you that you're not going to see it.

2 MS. MESSIER: You aren't.

3 MR. REINHARD: You're not going to see
4 it from Bayonne Street, which is the address of the
5 house, and I think the intent of that was to not
6 have pools in the front yard. And this is really a
7 pool in the side yard, which is heavily landscaped,
8 so I think it's fine.

9 MR. ILBERTON: Betty?

10 MS. HARMON: I totally agree, and I
11 think it's fine.

12 MR. ILBERTON: Jon?

13 MR. LANCTO: I was looking to see if we
14 actually had a definition for front facade within
15 our code, and I don't see that. I realize what Kat
16 said about the ocean side is the front facade, but
17 I think if this house's primary front facade is the
18 side of the driveway, then that's -- unless someone
19 can find something else, then I think that we could
20 look at it in those terms and approve it. So --

21 MR. ILBERTON: Thank you. Billy?

22 MR. CRAVER: I'm good with it. I look
23 at this house all the time.

24 MR. ILBERTON: I am also good with it.
25 Do I hear a motion?

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1 MR. CRAVER: Move we approve it.

2 MS. HARMON: Second.

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

5 MR. REINHARD: Aye.

6 MS. HARMON: Aye

7 MR. CRAVER: Aye.

8 MR. LANCTO: Aye.

9 MR. ILBERTON: Aye.

10 (Mr. Herlong rejoined the Board.)

11 MR. ILBERTON: Great. 2668 Jasper.

12 All right. Kat, what do we have?

13 MS. KENYON: It is an addition and
14 alteration. It is historic, but it is outside of
15 the district, and he says, check it out for the
16 design.

17 MR. ILBERTON: Great. Thank you. Yes,
18 ma'am.

19 MS. WILSON: My name is Heather Wilson.
20 I'm the architect. I'm representing Wes and Betsy
21 Fuller. They have a contract on the house. They
22 have not purchased it. This is the house -- I
23 don't know if you're -- it faces Jasper. Yellow
24 cottage. It has been altered, renovated, mostly on
25 the inside. They took away the central hall

1 cottage door and put a small French door on the
2 side. But other than that, there's a small
3 nonhistoric addition on the back that we're asking
4 for permission to remove. And the model does not
5 show the dormers on the cottage, but they would
6 remain. The only thing we want to do to the
7 cottage is actually restore the original
8 four-foot-wide center hall cottage door that was
9 typical of these cottages.

10 The stairs and little canopy peak are
11 centered over what was the door. Beyond that, all
12 the work is in the addition. And I think what
13 we're looking to ascertain from you, from the
14 board, is how you feel about a second -- this is
15 not a true two-story. It's a one story,
16 one-and-a-half. Everything on the second floor is
17 under the eaves.

18 In order to make the numbers work for
19 them, the family to move into it -- they are local.
20 This is going to be their full-time residence.
21 They have three children. And they would like to
22 have their master bedroom on the second floor of
23 the addition, which means that the addition is
24 about 42 to 48 inches taller than the front house,
25 which in working with them thus far in the design

1 was the only concern I had as to how you would feel
2 about that being a historic cottage and how it
3 looks from Jasper, et cetera.

4 This is a screen porch. I know it
5 looks very opaque from the model, but the house is
6 not in flood. We're not altering the elevation of
7 it. So the first floor of the addition will match
8 the first floor of the cottage. There are lots of
9 details to be worked out that's very schematic, but
10 they have priced this amount of building
11 construction, square footage, et cetera, and feel
12 really good about this floor plan.

13 The original cottage is 1,820 and
14 they're looking to add about 2,000. Again, like I
15 said, this is a screen porch, so it's misleading.
16 And this is obviously a porch on Jasper. This is
17 what they're hoping to do.

18 They hope to have -- this is future.
19 They hope to have a porch and a screened porch.
20 They can't afford to do that right now. The lot is
21 large enough, we're not asking for a variance. In
22 total I think this is going to be -- my numbers --
23 I think 3,600 square feet. Even after they do the
24 porch and potential screen porch, they still would
25 not need any sort of a size variance. They're not

1 looking to build a huge house. So, again, it's
2 really the issue of levels.

3 When we looked at doing a single-story
4 addition on behind the cottage, it just began to
5 spread out the house too much primarily from a cost
6 perspective, and also lot coverage. They're
7 interested in a big yard, eventually a pool, family
8 of three young kids. And, yeah, 2,606, plus
9 400-square-foot garage for building coverage area.

10 MR. ILBERTON: Thank you. Is there any
11 public comment to this application?

12 MR. FAVA: I just have a quick comment.
13 In looking at what's been presented, I think what
14 the applicant's addressing is typically that
15 addition does defer to the smaller house, but the
16 way that's been dealt with with the links, one
17 story, and the broken down massing, I think it's
18 very nicely done and treats the historic cottage
19 well, neighborhood well, and is very well done.

20 MR. ILBERTON: Great. Thank you. Is
21 there any other public comment? This public
22 comment section is closed. Anything to add?

23 MS. KENYON: No.

24 MR. ILBERTON: All right. Steve, do
25 you want to start?

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1 MR. HERLONG: No. I think it's a great
2 solution to break up the massing. Those links are
3 basically recessed off of the main three segments.
4 Just a great way to handle the property, I think.
5 It's an excellent solution.

6 MR. ILBERTON: All right. Fred.

7 MR. REINHARD: Yeah, it's always hard
8 to make a relatively small historic house bigger
9 without messing up the historic house, and I like
10 the way this has been done. I think it will even
11 be more successful when you're standing on the
12 street. You won't see -- you won't see that second
13 gable when you're walking down the street or
14 driving down the street, and the lot's narrow
15 enough. There's enough on both sides. I think
16 it's well done, and I congratulate the architect
17 for bringing a model, because the model really
18 helps get your point across.

19 MR. ILBERTON: Thank you. Betty?

20 MS. HARMON: I agree. I think the
21 model is superb. It just gives you visual views.
22 And I think it's wonderful.

23 MR. ILBERTON: Jon?

24 MR. LANCTO: I'm good with it. Very
25 good.

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1 MR. ILDERTON: Billy?

2 MR. CRAVER: You know, I'm trying to
3 think of this great legal term or architectural
4 term, and it comes to me, two of them. It's snazzy
5 and lovely all at the same time. I mean it just --
6 you like nailed it. And you raised the bar for all
7 the other architects, because the model -- the
8 model really does -- I mean -- you won it on the
9 model hands down. I mean it's just not hard to
10 visualize it. I'm all for it. It's great.

11 MR. ILDERTON: I also think it's a
12 great design, and you won't be able to really see
13 the addition substantially from Jasper. And it's
14 going to fit in well with the way it's going to fit
15 in off of -- the other street's Goldbug? Is that
16 correct or is it --

17 MR. HERLONG: Yes.

18 MR. CRAVER: Yes, Goldbug.

19 MR. ILDERTON: It's a great design. Do
20 I hear a motion?

21 MR. CRAVER: So moved to approve.

22 MS. HARMON: Second.

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

25 MR. HERLONG: Aye.

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1 MR. REINHARD: Aye.

2 MS. HARMON: Aye

3 MR. CRAVER: Aye.

4 MR. LANCTO: Aye.

5 MR. ILBERTON: Aye.

6 MS. KENYON: I just want to say if you
7 have not signed the sign-in sheet, please do before
8 you leave.

9 MR. ILBERTON: 2420 Jasper, new
10 construction. Kat, what do we have?

11 MS. KENYON: 2420 Jasper.

12 MR. ILBERTON: That's it? That's your
13 presentation? Thank you very much.

14 MS. KENYON: No. No. No. Okay. I
15 don't do the BZA. This plan came -- was it last
16 week? Last Thursday to the BZA. It was not
17 approved, it was not turned down. They just stated
18 that they wanted clearer plans. That's all.

19 MR. ILBERTON: Thank you. All right.

20 MS. KING: Okay. I'm Anita King with
21 Inc. Architecture here to present 2420 Jasper.
22 This house has come before the board twice. We got
23 final approval for the design of the historic
24 structure fronting Jasper. And we got preliminary
25 approval of the new structure located behind the

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1 historic structure. The DRB previously provided us
2 with a certificate of appropriateness for the two
3 houses on the lot. However, as Kat mentioned, the
4 Board of Zoning Appeals has postponed their
5 decision on this property because they have asked
6 for additional information. Therefore, we are
7 asking for final approval contingent on BZA
8 approval.

9 Previously you reviewed the elevations
10 and the 3-D renderings, and I brought those
11 renderings back for you again today --

12 MS. KENYON: Can you tell them what you
13 were asking the BZA for?

14 MS. KING: We were asking for a special
15 exception for two houses on the lot.

16 MR. HERLONG: Is that something that
17 anybody that -- everybody that's had a historic
18 structure smaller has had to go get that, right?
19 That's a pretty typical thing.

20 MS. KENYON: Yes.

21 MS. KING: The last time we spoke, the
22 neighbors had some concerns about the formality of
23 the window design on Myrtle Street, so I wanted to
24 start with that elevation. As you can see, we have
25 simplified the window design. Originally it was

1 full-height windows with transoms above, so we took
2 a look at that and took in consideration the
3 neighbors' concerns. Other than that, the
4 elevation is virtually the same, and I've brought
5 in our previous submittal if you'd like to take a
6 look at that.

7 The design is a simple gabled roof over
8 the main mass of the house with dormers and exposed
9 rafter tails, typical of many Sullivan's Island
10 homes. The materials relate directly back to the
11 historic house that we are taking down to 1,200
12 square feet. It has wood siding, 5-V crimped roof,
13 coordinating window and door designs, railing
14 designs and shutter designs.

15 Let me show you the side elevations.
16 Again, this elevation is toward the interior
17 courtyard. Again, we broke down the mass closest
18 to the historic house to kind of relate back and
19 not make the massing too big. So this is an
20 L-shaped design.

21 The other elevation, again, we have
22 kind of broken up the mass and related the
23 handrails. We have a smaller version here showing
24 the full extent with the historic structure on
25 there, so you can get a better idea of how we are

1 trying to relate the two structures together and
2 how we really liked the historic structure standing
3 on its own and kind of being its own identity.

4 We thought it was just a great little
5 structure, and we didn't want to overpower it with
6 the new house, but we did break up the mass in
7 order to relate that to the structure and kind of
8 keep them separated. Again, with an internal
9 courtyard here.

10 The items we have addressed since the
11 last DRB meeting are the finalization of the
12 exterior elevations, the window design, the garage
13 structure, the drive, the pool, the pool deck and
14 the landscaping to provide the Board a better
15 overall picture. We've brought some landscape
16 plans for you to look at. These are conceptual.
17 They've hired Kelly Messier to take a look at the
18 landscape.

19 A few things that we'd like to point
20 out is the drive location. We've tried to save the
21 oak tree and brought in the drive from the Myrtle
22 Street side. One thing I wanted to touch base on
23 is because of the current location of the historic
24 house we've got kind of a small driveway feeding
25 through the site. When we relocate the driveway,

1 we can only have one entrance, so we've chosen
2 Myrtle Street, because all of the houses on Jasper
3 primarily use Myrtle, although a few have driveways
4 all the way through, but there are no garage
5 structures facing Myrtle. So that's one thing
6 we've done.

7 As you can see too, I wanted to show
8 you the pool design that Kelly came up with. This
9 is slightly different from our preliminary. We've
10 developed a little grill area behind the garage
11 here, and we're going to talk a little bit about
12 the setback for that pool as well, because she had
13 a suggestion that kind of tied all that pool deck
14 and grill area in together. That would be a
15 separate DRB submittal, but we did want to get the
16 Board's opinion on whether they would consider that
17 side setback relief as well.

18 It's currently 15 feet to the edge of
19 the basin, which is only 18 inches high, and 17
20 feet to the edge of the pool, which is 30 inches
21 high. Kelly's here if you-all have any specific
22 questions concerning the design. The owners
23 haven't finalized that yet, but they would like
24 some consideration on that relief area.

25 Also Mr. Fava is here tonight. He came

1 to the Board of Zoning Appeals meeting and
2 addressed the new structure facing Myrtle in lieu
3 of Jasper. Again, as previously submitted, we
4 asked for that variance in both the conceptual and
5 preliminary submittals.

6 This lot is particularly unique because
7 we do have the historic structure facing Jasper
8 that we are trying to maintain and would like to
9 keep the character of that street as well intact.
10 The only place we have to build is actually behind
11 the current structure.

12 One thing we did is we definitely
13 studied the neighborhood. When our clients came to
14 us, the one thing they said is they really liked
15 the house directly behind their property. Here on
16 the map, A is our property. The house behind it,
17 the Brewers' home, is this C-shaped configuration
18 with a pool in the center and their garage facing
19 Goldbug.

20 This is their historic house that they
21 renovated, and they loved the design and they loved
22 the concept that they too had kind of this
23 two-facing configuration, and that we believe this
24 sets precedence for the neighborhood. We have some
25 other examples of houses in the neighborhood. We

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1 like this example. We think they've done a great
2 job, and we're kind of looking to this as our
3 example.

4 There are several other examples of
5 houses that either have two entrances or face away
6 from the ocean. Again, we have a structure facing
7 the ocean. Our property itself is not turning us
8 back to the ocean or turning us back to Jasper, but
9 we kind of have the situation where we have two
10 houses at play. This is 2629 Myrtle facing
11 Goldbug, this is 2618 Myrtle facing Goldbug, and
12 this is 2523 Myrtle. Again, all of these houses
13 are in the neighborhood and within the historic
14 district. We, of course, like the Brewers'
15 directly behind us in that vicinity. Did you have
16 a question?

17 MR. HERLONG: Where is this -- where is
18 this --

19 MS. KING: That's the Goldbug entrance.

20 MR. HERLONG: Goldbug entrance to --

21 MS. KING: To this house.

22 MS. KENYON: Michael Brewer's.

23 MS. KING: It is actually a Myrtle
24 Street address. And this is our lot. So it's the
25 house directly behind us, which is the one that my

1 clients saw first and really liked the
2 configuration of that house.

3 I just wanted to point out that in
4 Section 21.1.11, standards of neighborhood
5 compatibility, where this ordinance grants the
6 Design Review Board the discretion to modify a
7 zoning standard or design standard, the board shall
8 determine or not be -- the proposed modification is
9 compatible with the neighborhood. In making this
10 determination, the board shall consider with
11 reference the adjoining lots, lots facing across
12 the street and lots in the immediate vicinity, or,
13 B, massing and orientation of the structure.

14 And we would clearly state that the
15 precedence has already been set, and that we are
16 doing something very similar that was just built
17 recently. Our design meets all of the zoning
18 requirements, and it is not atypical for additions
19 to stretch from one street to the other on these
20 longer lots. And as the street converges, the
21 houses are even closer to Myrtle. We believe we
22 are being sensitive to both Jasper and Myrtle by
23 maintaining this historic house in its true form
24 and keeping the main house low to the ground and
25 only raising it enough to meet FEMA along with

1 designing a one-and-a-half story feature instead of
2 two stories, and we are below the height
3 restrictions.

4 Again, we are asking for final approval
5 of the new structure on the site conditional of BZA
6 approval of the special exception for two
7 structures on the site. We would also like board
8 input on the pool relief that we would address in a
9 separate submittal.

10 MR. ILBERTON: Thank you. Is there
11 public comment for this application?

12 MR. FAVA: Yes, sir. Eddie Fava, and I
13 live right across the street at 2424 Myrtle. I
14 just have a question, because when we were at the
15 BZA meeting the other night, the direction from
16 their board was that this could not go to DRB final
17 approval until it had zoning approval. And I think
18 it would be putting the cart before the horse to
19 approve something completely contingent on a zoning
20 approval. And that's what they said at that
21 meeting.

22 So I was -- it's my turn right now,
23 just a moment. So I was a little confused because
24 I asked very specifically at that meeting is there
25 going to be another meeting before, and they said,

1 no, they have to come back to the zoning board
2 before they go back to us. And to do it on a
3 contingency I think is a little disingenuous and
4 that should be established before it moves forward.

5 Some of the things that were discussed
6 at that meeting, and the zoning board did agree, is
7 that, much as we said, the main facade of the
8 buildings -- and it was said in previous
9 applications in some that have been presented where
10 the scale, I feel, was handled a lot better. The
11 front facade is the street address that faces the
12 ocean. And there's no doubt that there's the
13 ability to do an addition to this house, do it
14 attractively, have something that faces the rear to
15 a certain extent, which is fine.

16 But first of all, I think it needs to
17 be approved by zoning before this board gives it
18 final approval, with all due respect. And I do
19 think it needs to be very carefully looked at
20 because along that whole length of Myrtle there's
21 not one house that faces or address -- a main house
22 that addresses Myrtle, that whole length. Raven is
23 the same way. There are a couple on Goldbug and
24 some of those that have been done. Mr. Brewer's --
25 the rear on mine, I mean has an addition that

1 faces, but it's removed back. It doesn't read as
2 the front of the house.

3 This is a completely detached house,
4 and with all due respect, looking at the elevation,
5 the full elevation, in a sense, just kind of
6 overwhelms the historic structure rather than
7 respects it, and I feel like it does that to that
8 element of the street. And to start that pattern
9 where we're able to put houses that address both
10 sides of that street, I think, a main house facing
11 a main house, just does a disservice to this area
12 of the neighborhood.

13 MR. ILDERTON: Thank you. Yes, ma'am.

14 MS. ELLIOTT: I'm Amy Elliott, and my
15 family owns 2320 Jasper Boulevard. And from where
16 I was sitting I couldn't see any of the plans. So
17 I'd like to see the plans before I make a comment.

18 MS. KING: This is the existing
19 historic structure on Jasper, and this is the new
20 structure.

21 MS. ELLIOTT: Okay. And this is the
22 house on Jasper that has the heavy hedge along the
23 sidewalk?

24 MS. KING: Correct.

25 MS. ELLIOTT: That needs trimming.

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1 MR. FAVA: Can I look at the full
2 elevation so we can see that as well?

3 MS. KING: This is the elevation.

4 MR. FAVA: The side elevation. The
5 whole -- yeah.

6 MS. ELLIOTT: Now, these -- okay. Now,
7 on the left-hand side is the existing house and
8 then everything behind there is new.

9 MS. KING: Correct.

10 MS. ELLIOTT: And they're going to be
11 attached to each other?

12 MS. KING: No. They're detached.

13 MS. ELLIOTT: Well, what is the little
14 latticework --

15 MS. KING: This is a deck.

16 MS. ELLIOTT: Okay. Now, is the
17 property going to be held by one owner or is it
18 going to be a condominium situation in terms of --

19 MS. KING: Well, it wouldn't be a
20 condominium situation, but with two structures you
21 are allowed to rent the rear structure if you so
22 choose.

23 MS. ELLIOTT: Rent one structure.

24 MS. KING: Rent one structure.

25 MS. ELLIOTT: And then I had a question

1 for the Board. It was my understanding that if you
2 had an historic structure on the property it had to
3 be under 1,000 square feet to have a second
4 structure on the property. Is that --

5 MR. ILBERTON: I think it's 1,200.

6 MS. ELLIOTT: 1,200? All right.

7 That's all of my questions.

8 MR. ILBERTON: Great. Thank you. Any
9 other public comment to this application? Public
10 comment section is closed then. Anything to add,
11 Kat?

12 MS. KENYON: No.

13 MR. ILBERTON: As far as whether this
14 should even be before us, that's not for us to
15 determine. I don't think -- I guess I can only
16 assume it was determined by Randy and the powers
17 that be.

18 So the fact that it is before us, I
19 don't think we can say it shouldn't be, because
20 I -- I mean I couldn't make a call on that. I
21 don't think it's for us to make a call. Randy made
22 the call on it. He says -- by the fact that it is
23 here, he's saying it's okay. Now, maybe it's not,
24 but that would be another issue altogether. I
25 don't think we can address whether it should be

1 before us or not, or BZA, or whatever else.

2 MS. KENYON: He said you could hear it.
3 He just wanted you to know that they hadn't
4 approved it.

5 MR. ILBERTON: So I just wanted to
6 clear the air on that. We're talking about design
7 here and whether it's good design or not, and so
8 forth and so on. So that's what we're doing here.
9 And I will say the fact that I think we already
10 permitted this house to be in the 1,200-square-foot
11 range, I believe, through a previous meeting. So
12 the fact that there are two houses on here -- and I
13 don't think any -- I think it's written in the
14 code -- I guess it's a standard that they have to
15 go before BZA.

16 MS. KENYON: Yes. They have to have a
17 approval for a second structure.

18 MR. ILBERTON: But I guess that's with
19 anybody, but it is written in the code if I'm not
20 miss -- if I'm not correct, that it's permissible
21 to have another structure on here. So it's not
22 like -- I don't know why it was written they still
23 have to go before the BZA, but that's fine.

24 MS. KENYON: It's permissible if you
25 get permission.

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1 MR. ILDERTON: Okay. Okay. Anyway.
2 Billy, you want to start with this?

3 MR. CRAVER: Sure. I like it. I think
4 it breaks the massing up. You know, the second
5 house on the lot is limited to being a smaller
6 house than -- if they built one house on the lot,
7 you could -- you know, you can ask for extra square
8 footage. You can't do that on this so you end up
9 with less square feet than you would building a
10 single house. It's not a boxy structure. I don't
11 have a problem with it fronting -- I mean you've
12 got two houses. You've got to deal with it.

13 I don't have a problem at all with us
14 approving it, giving final approval contingent on
15 the BZA approving it. I don't think we need to set
16 up a ping-pong game to go back and forth. If they
17 give approval and we've given final approval, then
18 that's fine. I'm not aware of anything in our
19 ordinance that says we can't do that, and I think
20 we've done it before. So I'm good with it. I
21 think they've put a lot of thought into it, and I
22 applaud the design.

23 MR. ILDERTON: Jon? Thank you, Billy.

24 MR. LANCTO: Yeah, I think that I hear
25 what Eddie has to say about the facade -- the front

1 of that, you know, house facing Myrtle. And I
2 think if they built a large house behind the
3 historic structure facing Jasper, it would have a
4 worse situation, that the -- that that would
5 compete with the look of the smaller historic
6 house. There might be some ways around that, but I
7 don't think it's going to have that much of an
8 impact on the Myrtle Street neighborhood to have a
9 front facade there versus what could be just an
10 access. So I think, thinking in terms of what
11 could happen here, I think that it's a good design.

12 MR. ILBERTON: Betty?

13 MS. HARMON: What did you say about the
14 pool? Did you address that or did you forget that?

15 MS. KING: The pool was just a
16 secondary question that we wanted some feedback
17 from the Board for a future submittal if we --

18 MS. HARMON: This isn't included in
19 this?

20 MS. KING: No. That's not included in
21 this.

22 MS. HARMON: I tend to agree with Billy
23 and Jon. It's massive, but it's similar to the
24 one -- to this one. So I guess precedence has been
25 set. So I'm okay with it.

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1 MR. ILDERTON: Fred?

2 MR. REINHARD: I don't agree. I don't
3 think it meets the neighborhood compatibility test,
4 and I don't think it is subordinate enough to the
5 old house that it fits the way some of the houses
6 that we've had presented to us do fit well. So
7 I -- I do agree with Eddie.

8 MR. ILDERTON: Thank you. Steve?

9 MR. HERLONG: On the back of the main
10 house, there's something sort of like a link
11 that's -- that looks like one story but also looks
12 like two-story space. And I don't think that
13 roof -- maybe that roof, if it's one story, could
14 be lower and that would help reduce some of the
15 mass.

16 MS. KING: This is the long portion
17 you're saying --

18 MR. HERLONG: The one right behind
19 that, yes. That's a -- it doesn't have to be that
20 tall. Maybe it could come down. It doesn't show
21 as much as on the side elevations, the mass that
22 that projects. And I'm hearing all of the
23 discussion.

24 Let me -- I do have a question. Which
25 blocks along here are in the historic district? Is

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1 it just this block? Where is the district?

2 MS. KING: It goes like this. These
3 two houses are not --

4 MR. HERLONG: So it's all four blocks
5 along Jasper are in it, the historic district? Do
6 we know?

7 MS. KING: We don't have the map up
8 close. Do you know?

9 MR. FAVA: I don't know exactly, but I
10 think it's close in that range, yes, sir.

11 MR. HERLONG: I'm just kind of
12 wondering, is this a situation that only this house
13 may have had this opportunity or are others -- is
14 this just a first of others that may have that
15 opportunity?

16 MS. KENYON: This does not include the
17 National. I don't have those four, but --

18 MR. HERLONG: They're over in here. It
19 sort of splits the two outer ones, I guess. Is
20 that where we are here? It's like part of this one
21 and part of that block here.

22 MS. KENYON: But you have to realize,
23 because I don't have the National Register either.
24 And there's four --

25 MR. HERLONG: Those are usually smaller

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1 than this.

2 MS. KENYON: Uh-huh.

3 MR. HERLONG: But I also -- I think
4 part of the issue is that -- it could be a simpler
5 facade. I don't really have trouble with it
6 addressing Myrtle because it is a second residence
7 on the lot. It's just that it's -- to use another
8 term -- fancy -- it's a fancier house than what you
9 would see in this district typically. Like the
10 house across the street is very cottagey. And if
11 it was as cottagey as that, I think it would be
12 fine. It's just more -- it's more than that.
13 That's my only issue.

14 I don't have any real issue with the
15 massing of it. It's just maybe the detailing of
16 that one facade could be simpler and it would
17 not --

18 MS. HARMON: That's a good thought.

19 MR. HERLONG: -- come across as so
20 different maybe.

21 MR. ILBERTON: All right. Thank you.
22 This actually is not that different from what we've
23 faced before I think, but had the original
24 structure, the 1,200 square foot structure, been on
25 the back of the lot, it would have been easy to put

1 the front facade towards Jasper because it would
2 have called for it.

3 If you took this house and just turned
4 it completely around so that facade was facing the
5 back of that house, I mean it might ideally, you
6 know, be good for somebody in the neighborhood but
7 certainly not good for the people living in it, and
8 it would look a little ridiculous to be facing the
9 back of another house. I mean it's a unique
10 situation.

11 These lots we have on Sullivan's Island
12 are unique because they are street to street. We
13 are saving the older structure. That's -- the
14 whole idea behind these laws is to have -- to be
15 able to keep the 1,200 square foot structure is to
16 save these cottages. We're doing that, and on --
17 and the Jasper facade of that little cottage is
18 still going to be there when you drive by Jasper
19 and see it.

20 I think with enough landscaping and
21 consideration from the owners that the front facade
22 is facing Myrtle is -- I think it just has to be
23 that way perhaps with this particular design. And
24 I don't know. I find this design fairly simple. I
25 mean it's a story-and-a-half with dormers. I mean

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1 it's -- I don't find it, you know, too heavy
2 myself. So I don't -- I guess what I'm saying is I
3 don't have a problem with it.

4 They've been before us -- I guess this
5 is the third time, and we've added our comments the
6 last time to the structure -- to the design. I
7 think they were taken in earnest, and I feel like
8 they've listened to the direction of the Board that
9 we gave them last time. So I feel fine with it.

10 MR. HERLONG: The detailing is clearly
11 less formal than the last submittal.

12 MR. ILBERTON: Yeah.

13 MR. CRAVER: I would move for final
14 approval conditioned on the BZA approving the
15 second house on the lot, and that would be the
16 approval that they need from the BZA.

17 MS. KING: Special exception for a
18 second house?

19 MR. CRAVER: Special exception for a
20 second house on the lot.

21 MR. ILBERTON: Do I hear a second?

22 MR. LANCTO: Second.

23 MR. ILBERTON: Discussion?

24 MR. LANCTO: I would just like to bring
25 up the point about the pool, just try to --

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1 MR. ILBERTON: Well, we can have that
2 discussion, how people feel about it.

3 MR. CRAVER: That's not part --

4 MR. ILBERTON: It's not part of the
5 approval. But it can be part of our discussion in
6 the discussion section, but it's not -- it's not
7 part of our -- what we're approving.

8 MR. LANCTO: Right.

9 MR. ILBERTON: I mean how does anybody
10 feel about the pool? I mean --

11 MS. KENYON: It's not in the
12 application.

13 MR. ILBERTON: We can -- I don't -- I
14 say I don't have a problem with it, but that's
15 not -- but I wouldn't say I'm voting for it, but
16 personally I don't see a problem with --

17 MR. HERLONG: I think it's a nice
18 space. I think by turning it you get more living
19 space on either side of it. As long as that
20 setback is allowed, I don't --

21 MR. LANCTO: Yeah, I would concur on
22 that too.

23 MR. ILBERTON: Okay. We've got a
24 second. Discussion period still open. Is there
25 anything else? All right. Call for a vote.

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1 Everybody in favor?

2 MR. HERLONG: Aye.

3 MS. HARMON: Aye

4 MR. CRAVER: Aye.

5 MR. LANCTO: Aye.

6 MR. ILDERTON: Aye.

7 Everybody opposed?

8 MR. REINHARD: Opposed.

9 MR. ILDERTON: Great. Thank you,
10 ma'am.

11 MS. KENYON: Next is 2213-B, Taco
12 Mamacita.

13 MR. ILDERTON: I'm recusing myself,
14 right?

15 (Chairman Ilderton was recused from the
16 Board.)

17 MS. KENYON: This is final approval.
18 They want to replace the new -- a new fence, the
19 sidewalk, the signage. And Randy said providing it
20 is not lit, neon is approved in our ordinance, but
21 it's not -- it can't be like really lit.

22 MR. REINHARD: Not lit.

23 MR. HERLONG: Can you explain that?

24 MS. KENYON: This is what he says.

25 Listen to me. He said, the signage, it's okay as

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1 long as -- providing it is not lit. Then he said
2 but neon is approved in our ordinance. So there
3 you go.

4 MS. HARMON: Please, no neon lights.

5 MR. CRAVER: So neon is not lit.

6 MS. HARMON: No neon lights.

7 MS. KENYON: Apparently neon is
8 different than lit.

9 MR. HERLONG: As long as you don't turn
10 them on.

11 MR. THOMAS SWEENEY: Can I add
12 something to that or should I wait?

13 MR. HERLONG: Let's just go ahead and
14 be formal. Is there anything you want to say?

15 MS. KENYON: No.

16 MR. HERLONG: It's all yours.

17 MR. THOMAS SWEENEY: I'm just going to
18 go down the list on the items that we applied for.
19 And I would -- I haven't introduced myself. I'm
20 Thomas Sweeney from Stumphouse Architects
21 representing Taco Mamacita and the Monens, the
22 owners who are here with us tonight.

23 The first point was demoing the raised
24 patio for proper drainage at the front of the site.
25 I actually ran through this with Randy, and he

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1 wound up approving it. He asked that it be put in
2 this for review. I'm not sure why. Just because
3 it's -- he already approved it. So we can just run
4 through it so you guys are up to speed with it.

5 MS. KENYON: He gave you staff
6 approval.

7 MR. TOM SWEENEY: That's correct.

8 MS. KENYON: But the Board still has to
9 know about it.

10 MR. TOM SWEENEY: I got you.

11 MR. CRAVER: It's already been demoed,
12 hasn't it?

13 MR. THOMAS SWEENEY: It has.

14 MS. KENYON: That's because Randy said
15 okay.

16 MR. REINHARD: Approved.

17 MR. TOM SWEENEY: The next point was
18 the fence, the existing fence. We are maintaining
19 the same fence line. You can see it in the model
20 here. And you saw this model previously on the
21 approval of the roof structure.

22 The change we'd like to make to the
23 fence are horizontal slats. We're code compliant
24 per -- I don't know what section, 2126, I
25 believe -- with the opening, but the section is on

1 sheet A2.3 where the lattice actually runs
2 horizontally one-by-six on the bottom side and
3 one-by-four at the top.

4 And what we're doing is we're
5 addressing the front side, the front and the side
6 elevation with an eating table, a table rail
7 essentially, for the fence.

8 MS. HARMON: So the rail is -- this is
9 the rail in here?

10 MR. TOM SWEENEY: That's correct, yes.
11 And the third point on this review is the sidewalk
12 between the fence and the street. I've been
13 talking with Randy about this quite a bit, and DOT.
14 The condition that occurs at the property line
15 where the fence occurs gives us roughly 10 feet out
16 to the street front, and per page 27 and 61 laid
17 out in the ordinance, we're required to have a
18 six-foot sidewalk there. And the sidewalk, the
19 current condition with the sidewalk, that that
20 10-foot condition that's flush with the street,
21 Randy wants something done with that.

22 We had talked to DOT about a 10-foot
23 curb there. I don't have the paperwork back from
24 them on encroachments, but my question is -- my
25 question to Randy was if that's compliant, if --

1 and it's represented on these two lines on the
2 model, so this -- this line is actually the street,
3 Middle Street, right here. And this line is the
4 required six-foot path, and currently it's painted
5 out there on the street.

6 So really the -- obviously we want to
7 maintain code compliance with the ordinance. I
8 just don't -- I don't know if it's necessary to put
9 the curb in.

10 MR. HERLONG: Raising the sidewalk and
11 using the curb.

12 MR. TOM SWEENEY: That's correct, yeah.
13 Simply because in the ordinance we are in
14 compliance with the condition that it's in right
15 now.

16 MR. HERLONG: I wish we had Randy to
17 know what his suggestion -- what was Randy's
18 suggestion on that.

19 MR. TOM SWEENEY: He likes the idea of
20 the curb, but he said that he couldn't require us
21 to put it in. And this came up on a previous
22 meeting when we were discussing the patio roof, and
23 I don't think there was any conclusion for it,
24 which really is why we're back here tonight to
25 get --

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1 MS. HARMON: It was a DOT thing, wasn't
2 it?

3 MR. TOM SWEENEY: Yeah, it was.

4 MS. HARMON: The South Carolina DOT,
5 and I think it still is.

6 MR. TOM SWEENEY: And apparently there
7 is a plan to make that curb -- the DOT has a plan
8 to put that curb in. I just don't -- I don't know
9 the schedule on it. And that was the question I
10 was asking, because what happens now, there is a
11 curb. There's an existing handicap access at the
12 corner of Dunleavy's, and then it just drops off.
13 So they stopped at Dunleavy's, and then it's flush
14 with the street for 10 feet in front of our
15 property line to Middle Street.

16 MR. LANCTO: And that's a no parking
17 zone now, right?

18 MR. TOM SWEENEY: That's correct. Yes.

19 MR. LANCTO: So changing the elevation
20 -- well, let me ask you, will changing the
21 elevation affect your plans on grade levels going
22 into the building?

23 MR. TOM SWEENEY: Well, it would have
24 to be a condition similar to this, really similar
25 to what's going on at Dunleavy's. There's a

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1 handicap ramp at either end. It's butted up
2 against our property line and that fence. So that
3 curb would occur here. And when I was talking to
4 DOT, they were talking about a 10-foot curb. Randy
5 was talking about the required six-foot curb and
6 letting a four-foot section remain, which would
7 still be the exact same problem, where people are
8 parking there all the time.

9 MR. HERLONG: Down at the bottom where
10 the end of Dunleavy's -- the raised section at
11 Dunleavy's is, is it just a step off right --
12 that's raised; is that correct?

13 MR. TOM SWEENEY: It is. And there's
14 handicap access on this side --

15 MR. HERLONG: On the corner --

16 MR. TOM SWEENEY: -- and this side it's
17 not.

18 MR. HERLONG: Right. There it's just a
19 step down?

20 MR. TOM SWEENEY: Yeah. It's a slope.
21 I didn't get good photos of it.

22 MR. REINHARD: It's showing a ramp
23 there. The arrow down?

24 MR. TOM SWEENEY: On the Dunleavy side.

25 MR. REINHARD: It slopes down.

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1 MR. TOM SWEENEY: Yes.

2 MR. REINHARD: You need to put the
3 grade on this, slopes this way. So everything sort
4 of slopes to that -- this slopes this way --

5 MR. TOM SWEENEY: That's correct.

6 MR. REINHARD: -- to go grade of the
7 street. This slopes down to that.

8 MR. TOM SWEENEY: That's correct.

9 MR. REINHARD: And then there's another
10 slope here that's not shown on this drawing, but on
11 this one.

12 MR. TOM SWEENEY: Yes.

13 MR. REINHARD: But don't you have to
14 have DOT's approval to do that 10-foot-wide
15 sidewalk with curb and handicap ramps at each end?
16 Do you have to have their approval?

17 MR. TOM SWEENEY: We do have to have,
18 yeah, and get encroachment approval from them as
19 well.

20 MR. REINHARD: So you can't do that
21 until you have that approval.

22 MR. TOM SWEENEY: That's correct. And
23 really what -- I was confused after this last
24 meeting because that wasn't resolved. And when we
25 spoke about it, the Board said you weren't sure

1 that you could ask us to do that. And my confusion
2 stems from the fact that in talking to DOT there is
3 apparently plans to keep that curb coming down past
4 Dunleavy's. I just don't know when that's going to
5 happen.

6 MR. REINHARD: Well, the real question
7 is if we said it's okay and you move forward and
8 did it that way, and DOT came back and said, we
9 don't like it --

10 MR. TOM SWEENEY: Well, I mean we would
11 go to DOT first. I mean that's -- I was hoping to
12 have --

13 MR. REINHARD: So are you saying that
14 if DOT approves it, will we approve it? Why are
15 you bringing it to us? It's a DOT issue.

16 MS. HARMON: I think he wants us to
17 approve it, and he wants to take it to the DOT.

18 MR. TOM SWEENEY: That's what I was
19 asking Randy the whole time, and Randy asked me to
20 present it to you guys. My point is we right now
21 are in compliance with the condition that exists
22 right now. My clients want to do the right thing
23 by this property, by this establishment. And if
24 that's what it takes to put that curb in there,
25 we're willing to go that route. DOT is very

1 difficult to pin down on anything. And this
2 process has been pretty remarkable just to get
3 somebody on the phone. Andy Benke helped me out
4 quite a bit putting me in touch with the proper
5 people, but I still -- I don't have any solid
6 answer from DOT, and I think -- I think after that
7 last meeting and the conversations with DOT, I got
8 ahead of myself simply because I think we're in
9 compliance with the condition that's there now.

10 It's too bad that it's not the
11 best-case scenario, that people are parking there,
12 that they just ignore the painted condition on the
13 street. I just don't know that it's my client's
14 responsibility to put a curb in.

15 MS. HARMON: I wouldn't think so.

16 MR. CRAVER: I don't know that you have
17 the right to unless you get that encroachment
18 permit.

19 MR. TOM SWEENEY: Absolutely.

20 MR. HERLONG: But in many communities
21 you're responsible for the curb in front of your
22 house, so I think it could or couldn't be. I don't
23 know.

24 MR. TOM SWEENEY: I think the gray area
25 occurs because we're building -- the fence comes to

1 the property line, and then, per the ordinance, I
2 have to have a six-foot path. I happen to have a
3 10-foot path. So how do I define that six-foot
4 path? Is it a curb?

5 MR. HERLONG: An interesting thought on
6 that is we would be ruling on something that's
7 outside of the property line. Is that our --

8 MS. HARMON: I don't think we can do
9 that.

10 MR. HERLONG: -- purview or not? I
11 don't really know.

12 MS. HARMON: I think -- if you're in
13 compliance, work with DOT.

14 MR. HERLONG: It's not a design issue.

15 MS. HARMON: It's not a design issue.

16 MR. HERLONG: I don't know.

17 MR. TOM SWEENEY: Okay.

18 MR. REINHARD: I have a question.
19 There's no -- I don't -- I can't see it. It's a
20 small drawing, but spot elevations, and it goes
21 back to what Jon asked. Your patio, which has your
22 fence on the property line, is that raised up six
23 inches?

24 MR. TOM SWEENEY: No. Now, what we did
25 is we took that patio out to get positive drainage

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1 down.

2 MR. REINHARD: Okay. So now you're
3 down.

4 MR. TOM SWEENEY: That's correct.

5 MR. REINHARD: So what happens if they
6 build the sidewalk up six inches?

7 MR. TOM SWEENEY: Well, there's a
8 section -- and this is what the assumption was --
9 that section occurs at the fence. So on A2.3, on
10 drawing 2 on A2.3, there is a six-inch curb that
11 would allow me to get my positive drainage down off
12 the site and then the curb occurs the length of the
13 fence --

14 MR. LANCTO: So where does the water go
15 then?

16 MR. TOM SWEENEY: -- with the handicap
17 access. Well, right now, what we're doing is we're
18 shedding water this way. How they shed water off
19 this, it's essentially up to them. I mean it will
20 be shedding this way and this way as well.

21 MR. REINHARD: But could it shed that
22 way and still have enough elevation for a curb
23 between the sidewalk and the street?

24 I mean you're showing one here. But is
25 this -- is this a true condition? Is this a

1 condition with the new 10-foot sidewalk in place?
2 What does this represent?

3 MR. TOM SWEENEY: That would represent
4 the center of that curb. So as it pitches to one
5 side and the other, that -- this whole street
6 slopes this way. So that previous curb that we had
7 there was at six inches at the entry and 10 inches
8 at the far end. So there's an existing slope
9 there. So essentially the entire curb is pitching
10 toward the drain that is in the curb cut at the
11 parking lot. Does that make sense?

12 MR. REINHARD: No. Let me make it a
13 little clearer. If you build your patio and you
14 build your fence with the bar top on it, and they
15 come back in and put in a sidewalk, is the sidewalk
16 not raised?

17 MR. TOM SWEENEY: That sidewalk is
18 raised, yes.

19 MR. REINHARD: So how does that marry
20 into your terrace?

21 MR. CRAVER: Is that sidewalk higher
22 than the level of your --

23 MR. TOM SWEENEY: The sidewalk is
24 higher than the level of our terrace, yes.

25 MR. CRAVER: So you have a swimming

1 pool at that point.

2 MR. TOM SWEENEY: Well, there would be
3 a drain. We would have to put a drain in here,
4 essentially a French drain, that would tie in --

5 MR. REINHARD: That's what I thought.
6 That isn't apparent here, but intuitively you're
7 going to have a problem if they put a sidewalk in.

8 MR. TOM SWEENEY: Again --

9 MR. REINHARD: Because the sidewalk's
10 going to be higher than your terrace.

11 MR. TOM SWEENEY: Right. This is why I
12 wanted to talk to you about this before we
13 actually --

14 MR. REINHARD: And you can't raise your
15 terrace because it would be higher than the floor
16 elevation in your building.

17 MR. TOM SWEENEY: Which was the problem
18 existing.

19 MR. REINHARD: All right. I understand
20 it now.

21 MR. CRAVER: So what are you going to
22 do?

23 MR. TOM SWEENEY: Well, what I want to
24 do is this condition with the slope going down this
25 way, and then assume that at some point that curb

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1 will be going in there and have a French drain on
2 this side, on the far side of the --

3 MR. REINHARD: I don't know if they can
4 do that. I don't know if DOT can trap water on
5 their side of the -- between their side of the
6 sidewalk and your building. I don't know if
7 they're allowed to do that.

8 MR. TOM SWEENEY: Well, the other
9 condition is similar to what happens down further
10 down at -- on Middle Street, where it's essentially
11 the curb just comes in two or three feet. So
12 this -- this remains flush, the flush condition
13 that it's in right now. Because all of this right
14 now slopes this way and this way.

15 MR. REINHARD: Uh-huh.

16 MR. TOM SWEENEY: At each of the
17 entries where the curb cuts, the future curb cut
18 and this curb cut at -- between our property and
19 Dunleavy's occur, there's positive drainage this
20 way and positive drainage this way.

21 MR. REINHARD: I've seen this situation
22 handled in Charleston. And what they do is they
23 actually have a flush curb -- of course, they use
24 granite there, but they sink the granite --

25 MR. TOM SWEENEY: Oh, I'm with you.

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1 MR. REINHARD: So that the curb is
2 flush as it would be as if you had a driveway. So
3 it reads like a line of demarcation between the
4 street and the sidewalk, and then they put a
5 different material in to read as a sidewalk. So
6 it's all still the same elevation. But it doesn't
7 look like a parking spot. It looks like a
8 crosswalk or a sidewalk.

9 MR. TOM SWEENEY: Got you.

10 MR. REINHARD: All right. Beat that
11 one to death.

12 MR. HERLONG: Well, I think it would --
13 I think that the Town would want this to be
14 attractive, as you're just describing, as opposed
15 to what we see now. Just, you know, yellow painted
16 stripes is very unattractive. And so I'm not
17 really sure, however, what we can do to attempt to
18 guide whoever's responsibility that is to do
19 something attractive. Do we --

20 MR. CRAVER: What decision are you
21 asking us for? I guess I'm -- am I missing
22 something?

23 MR. HERLONG: I still don't know if we
24 should even address that or not.

25 MR. REINHARD: I don't think we should.

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1 MR. CRAVER: What were you asking of --
2 what were you hoping to go away with from us
3 tonight?

4 MR. TOM SWEENEY: That answer, whether
5 or not you had jurisdiction essentially past that
6 property line, and this is where Randy, I think,
7 was uncomfortable with giving me an answer on it
8 and why he wanted this discussion to happen.

9 MR. HERLONG: Well, maybe we should say
10 that we will defer to Randy on how he wants to
11 handle that so that he knows --

12 MR. REINHARD: But that doesn't allow
13 him to move forward.

14 MR. CRAVER: Right.

15 MR. TOM SWEENEY: I think really the
16 question I'm asking is whether or not it's even
17 appropriate to put this question to you guys. And
18 it ties into the previous conversation when we were
19 talking about the patio roof.

20 MS. HARMON: Well, you said you're in
21 compliance right now?

22 MR. TOM SWEENEY: That's correct.
23 That's been my point all along.

24 MS. HARMON: Leave it alone.

25 MR. CRAVER: I think, if the

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1 requirement is that there's a six-foot walk and
2 there's 10 feet there in front of your property,
3 and it isn't property that you have the right to do
4 anything with --

5 MR. TOM SWEENEY: That's it. I thought
6 it was a moot point as well.

7 MR. CRAVER: -- I'm not sure what we
8 can do, you know. Now, I mean, you have a
9 potential mess if they build a four-inch high or
10 five-inch high.

11 MR. REINHARD: I don't think they'll do
12 that because there's a liability involved. Trapped
13 water on their property.

14 MR. LANCTO: I like your idea, Fred,
15 about changing the materials. There's lots of
16 stuff that could be done there.

17 MR. REINHARD: And they can be creative
18 too, if you force them.

19 MR. TOM SWEENEY: Okay.

20 MR. HERLONG: So you had three items
21 total.

22 MR. TOM SWEENEY: There's one more.
23 The signage. And it's what we were talking about
24 at -- or Kat was talking about, the neon, because I
25 first -- or my brother Dan actually discussed the

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1 porch the last go around, and we had asked about an
2 interior lit sign. And it clearly states that
3 there's -- interior lit signs on Sullivan's are
4 unacceptable. So what we would like to do is use
5 the letters, which are channel letters, so it's
6 essentially using the negative space of these
7 letters rather than flipping it on the flat plane,
8 and float them off the facade. And we are, again,
9 in compliance with the square footage. We have to
10 take into account the Dunleavy sign, and we
11 still -- with this size signage it comes to right
12 on 32 square feet. And the lights that we would
13 have would be spots that are on the patio roof.
14 Similar --

15 MR. REINHARD: So there's no neon?

16 MR. TOM SWEENEY: No neon. There's no
17 neon.

18 MR. REINHARD: You're going to have
19 direct illumination on the channel there?

20 MR. TOM SWEENEY: That's correct.

21 MR. REINHARD: Fine.

22 MS. HARMON: Good. No neon. Channel
23 is good.

24 MR. HERLONG: Okay. So we've gotten
25 through the presentation part. Is there any public

1 comment? Public comment section is closed.

2 MR. DAN SWEENEY: I presented -- I'm
3 Dan Sweeney. I presented each time previously. I
4 think that the confusion about the sidewalk was
5 that Randy at the last meeting really -- we all
6 desire that sidewalk to be continuous, all the way
7 from Dunleavy's through to High Thyme and all the
8 way down. And right there we've had a problem area
9 where it's a loading zone and it's striped right
10 now.

11 So we all recognized at that last
12 meeting that if we could have a curb there, it
13 would be desirable to have a curb there, a full
14 sidewalk right there. That's the most desirable
15 and safest condition right there. We've not been
16 able to get ahold of DOT. I don't think it's in
17 your purview to rule on that because it's outside
18 of the property line.

19 Randy has just continued to ask for it
20 of us, which is fine. I think we all want it. We
21 want it to happen, but we have to coordinate with
22 DOT, and -- if we're going to put that in place,
23 and --

24 MR. REINHARD: There's a keyword right
25 there, coordinate. And it's not just coordinating

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1 with DOT. It's coordinating that sidewalk and that
2 curb the entire length of that block so it works
3 continuously.

4 MR. DAN SWEENEY: I agree.

5 MR. REINHARD: Not just you fix a
6 little bit in front of your store and then somebody
7 else does something in front of your store. You
8 just have a hodgepodge of stuff that won't work.

9 MR. DAN SWEENEY: What has happened
10 here is that now time frames are not favorable to
11 us working with DOT, and so we've not been able to
12 get them to come to the table and figure out what
13 they're going to do there. We're ready to move
14 forward with what we're doing. So we'll just
15 coordinate with them after we get our plane, when
16 we find out what our outside plane is. That's all
17 I was going to say. I don't think it's appropriate
18 to be in front of you.

19 MR. HERLONG: Okay. So first item you
20 mentioned was that you're demoing the raised patio
21 which has already been demoed. Is there anything
22 you need us to rule on regarding that patio?

23 MR. TOM SWEENEY: No.

24 MR. HERLONG: So let's just strike the
25 patio. So really it may just be the fencing and

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1 the signage.

2 MR. TOM SWEENEY: That's correct.

3 MR. LANCTO: I move we approve both of
4 those items.

5 MR. CRAVER: Second.

6 MS. HARMON: Two and four?

7 MR. TOM SWEENEY: Yes, ma'am.

8 MR. HERLONG: Okay. So is there any
9 discussion about the approval?

10 MS. KENYON: Can I ask you -- maybe you
11 should put something in there that you don't think
12 that the sidewalk is your purview. Put something
13 in there so we've got some kind of an answer.

14 MR. CRAVER: Okay.

15 MR. LANCTO: I move we approve the
16 fence and the signage, and we don't feel like it's
17 within our purview to make a determination on the
18 sidewalk.

19 MR. CRAVER: Second.

20 MS. HARMON: Second.

21 MR. HERLONG: So any discussion on that
22 motion? All in favor?

23 MR. REINHARD: Aye.

24 MS. HARMON: Aye

25 MR. CRAVER: Aye.

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1 MR. LANCTO: Aye.

2 MR. HERLONG: Aye.

3 MS. KENYON: It's just so that he knows
4 what he's got on the certificate of
5 appropriateness.

6 MR. HERLONG: Very good.

7 MR. TOM SWEENEY: Thank you. I
8 appreciate it.

9 MR. HERLONG: We are adjourned.

10 (The hearing was concluded at
11 7:27 p.m.)

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REPORTER'S CERTIFICATE

1
2
3 I, J. LYNN CLARK, Registered Professional
4 Reporter and Notary Public in and for the State of
5 South Carolina at Large, do hereby certify that I
6 correctly reported the within-entitled matter and
7 that the foregoing is a full, true and correct
8 transcription of my shorthand notes of the
9 testimony and/or other oral proceedings had in the
10 said matter.

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

14 Witness my hand, I have hereunto affixed my
15 official seal this 20th day of June, 2011, at
16 Charleston, Charleston County, South Carolina.

17
18
19
20 J. Lynn Clark
21 Registered Professional
22 Reporter, CP, CM
23 My commission expires
24 FEBRUARY 5, 2017
25

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 stairs (1)
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 standards (1)
 standing (2)
 start (6)
 state (2)
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 states (1)
 stems (1)
 step (2)
 STEPHEN (1)
 Steve (5)
 stopped (1)
 storage (1)
 store (2)
 stories (1)
 story (9)
 Street (41)
 street's (1)
 stretch (1)
 strike (1)
 striped (1)
 stripes (1)
 structure (39)
 structures (4)
 stucco (1)
 studied (1)
 studying (1)
 stuff (2)
 Stumphouse (1)
 submission (1)
 submittal (8)
 submittals (2)
 submitted (1)
 subordinate (1)

substantially (1)
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 substations (1)
 substructures (1)
 successful (1)
 suggestion (3)
 SULLIVAN'S (7)
 superb (1)
 supposed (1)
 sure (6)
 SWEENEY (61)
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table (3)
 Taco (2)
 tails (2)
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 takes (1)
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 talking (11)
 tall (2)
 taller (1)
 TECH (1)
 tell (2)
 ten (1)
 tend (1)
 term (3)
 terms (3)
 terrace (4)
 test (1)
 testimony (1)
 thank (25)
 theory (1)
 thereof (1)
 thing (8)
 things (4)
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 thinks (1)
 third (2)
 THOMAS (4)
 Thompson (2)
 thought (9)
 three (5)
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 Thyme (1)

tie (1)
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 till (1)
 TIME (12)
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 TOM (53)
 tonight (5)
 tonight's (1)
 top (2)
 total (2)
 totally (1)
 touch (2)
 tower (2)
 TOWN (4)
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 trap (1)
 Trapped (1)
 treats (1)
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 trouble (2)
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 try (2)
 trying (4)
 turn (3)
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 typically (2)
 typo (1)

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Uh (2)
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 understanding (2)
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 unique (3)

upgrades (1)
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 usually (1)
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 utility (1)

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variance (3)
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 vegetation (1)
 vehicles (2)
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 versus (1)
 vertical (1)
 VICE (1)
 vicinity (2)
 views (1)
 virtually (1)
 visual (1)
 visualize (1)
 visually (2)
 vote (1)
 voting (1)

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Wait (2)
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 walking (1)
 want (21)
 wanted (12)
 wants (5)
 water (10)
 way (25)
 ways (1)
 week (1)
 Well (31)
 went (1)
 we're (31)
 Wes (1)
 Wesley (1)
 We've (18)
 whoever's (1)
 wide (3)
 widen (1)
 width (1)
 willing (1)
 Wilson (2)
 window (4)
 windows (2)

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 Witness (1)
 won (1)
 wonderful (1)
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 wood (1)
 worded (1)
 work (5)
 worked (1)
 working (4)
 works (1)
 worse (1)
 wound (1)
 writing (1)
 written (4)
 WWW.CLARK (1)

< Y >

yard (3)
 Yeah (12)
 year (1)
 years (2)
 Yellow (2)
 young (1)

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zone (2)
 Zoning (9)