

**In The Matter Of:**

*Town of Sullivans Island*

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*Design Review Board Town Meeting  
August 15, 2012*

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DESIGN REVIEW BOARD OF SULLIVAN'S ISLAND

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DATE: August 15, 2012  
TIME: 6:05 PM  
LOCATION: Sullivan's Island Town Hall  
2050-B Middle Street  
Sullivan's Island, SC  
REPORTED BY: LORA L. McDANIEL,  
Registered Professional Reporter

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25

**LAWYER'S NOTES**

Page	Line	
		2205 Atlantic
		3200 Jasper
		2918 Marshall 1918

Design Review Board Town Meeting - August 15, 2012

3

1 MR. HERLONG: Should we go ahead and get  
2 started?

3 MS. KENYON: Yeah.

4 MR. HERLONG: Design Review Board of  
5 Sullivan's Island will meet -- is meeting now, August  
6 15, 2012 at 6:00. It is 6:05.

7 Members in attendance are Steve Herlong,  
8 Rhonda Sanders, Kelly Messier, Billy Chaver.

9 The Freedom of Information requirements  
10 have been met for this meeting. The items on the  
11 agenda begin with number one, the approval of the  
12 August 2012 minutes.

13 MR. CHAVER: So moved.

14 MS. SANDERS: Second.

15 MR. HERLONG: Any discussion?

16 All in favor.

17 (Ayes stated by all Design Review Board  
18 members.)

19 MR. HERLONG: And the second item on the  
20 agenda is 2205 Atlantic Avenue. It's an addition and  
21 alteration. And so Randy you have --

22 MR. ROBINSON: 2205 Atlantic Avenue, it's  
23 been before y'all before. Y'all gave a preliminary  
24 approval last time. They're relocating the existing  
25 house, turning it around, placing it on the street

1 today is exactly what we presented to you before  
2 except for one small change, which is this area right  
3 here on the plan, which in the previous scheme it was  
4 a covered porch area; now it's a glassed-in portion.  
5 So you can see it on the section elevation here and  
6 on the courtyard elevation here where it turns the  
7 corner right here.

8           And in the previous submittal, it was an  
9 open porch. In working through the scheme with the  
10 clients, the flow of the house just works a lot  
11 better having that be enclosed square footage. And  
12 so that's why we arrived at that change. That's  
13 essentially everything else as submitted before.

14           MR. HERLONG: Okay. Is there any public  
15 comment? The public comment section is closed.

16           Randy, any final comments?

17           MR. ROBINSON: Justin, the covered porch  
18 that was enclosed, you say the square footage of the  
19 project was reduced but yet now you're enclosing a  
20 covered porch.

21           MR. FERRICK: Correct.

22           MR. ROBINSON: How does that work?

23           MR. FERRICK: Because of the inaccuracy in  
24 the free-hand drawings when we did the original  
25 calculations. Once we actually, you know, fine tuned

Design Review Board Town Meeting - August 15, 2012

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1 the existing width of the house is in excess of what  
2 is currently allowed by the zoning code, currently  
3 the house before it's rotated is actually seven feet  
4 and change off the property line. So we, in fact,  
5 moved it over and centered it more within the  
6 property footprint so that it has a minimum of ten  
7 foot set back. We're bringing it more into  
8 compliance with the code than what it was previously.  
9 I can show that.

10 MS. MESSIER: It was at seven. It's now  
11 at ten.

12 MR. FERRICK: On the minimum side,  
13 correct. We can't reduce the width of it.

14 MS. MESSIER: It's on the other side where  
15 it's supposed to be 28. You're asking 21'9"; is that  
16 correct?

17 MR. ROBINSON: I believe it's 11.

18 MR. CLOWNEY: Total of 28.

19 MR. FERRICK: Let me look at the form just  
20 to make sure.

21 MS. MESSIER: Now it's at 7'8" and 14'1".

22 MR. FERRICK: Correct.

23 MS. MESSIER: The total is 21'9" versus  
24 28. That's where you're asking for the relief.

25 MR. FERRICK: Correct. This is the

1 don't see any problem.

2 MR. CLOWNEY: I'm Beau Clowney. This is  
3 Kate Campbell. We have designed this house for our  
4 clients. Nice family house. The lot is a tricky  
5 lot. It's kind of like a little peninsula. We have  
6 the OCRM setbacks on 2/3 sides and then also setbacks  
7 on the street.

8 We've made great effort as we've designed  
9 this to do something -- it's a nice family house,  
10 three children -- to do something that really feels  
11 older. They wanted to do something that really spoke  
12 to the vocabulary of the island. Wanted to do  
13 something, as you drove by, as you experience this  
14 house, you really felt like it had always been there.

15 In typical Sullivan's Island spirit, we  
16 kind of merged a few different roof forms and have  
17 one nice little guest piece out there to the side.  
18 And it's all been this real balancing act of trying  
19 to get it within the setbacks and make it work.

20 There's a lot of land, lot of space. As  
21 you move by this property, you're going to experience  
22 the space around it. We're not going to be clipping  
23 any of that. We really also feel like the way it  
24 meets the street, it's going to be this great  
25 succession of nice little roof forms.

1 under on two of the principal building coverage, and  
2 we are asking for approval on the overall square  
3 footage. Thank you.

4 MR. HERLONG: Sure. Is there any public  
5 comment?

6 Public comment section is closed. Randy,  
7 do you have any final comments?

8 MR. ROBINSON: The only comment I have is  
9 the little guest house section will require a deed  
10 restriction be placed on it. Other than that, looks  
11 good.

12 MR. HERLONG: That's because it doesn't  
13 have what? Contiguous heated space.

14 MR. ROBINSON: Right, doesn't have heated  
15 space, not connected with heated space. They'll have  
16 to put a deed restriction on it that says, number  
17 one, it can't have a kitchen. Also, it can't be  
18 rented as separate dwelling unit.

19 MR. HERLONG: Rhonda, do you have any  
20 comments?

21 MS. SANDERS: No, I think it looks great.  
22 Side setbacks obviously other than just next door  
23 neighbors. It's totally reasonable request.

24 MR. HERLONG: Kelly.

25 MS. MESSIER: Randy, we've talked about



1 anything which has a permanent location on the  
2 ground. I really don't know if they intended for a  
3 driveway or not.

4 The way I feel the purpose says to prevent  
5 the runoff. If you have a pervious surface, it's  
6 capturing the runoff water, so it's actually better  
7 than grass in some respects.

8 MS. MESSIER: The main reason I'm asking,  
9 I know that we wouldn't allow the pool patio to go in  
10 there.

11 MR. ROBINSON: That's correct. And we  
12 wouldn't allow a parking area either. Parking areas  
13 and recreational accessory structures are not -- must  
14 meet the setbacks of a house.

15 MS. MESSIER: Don't you think part of this  
16 is going to be used for parking?

17 MR. ROBINSON: They have a parking area  
18 sitting in front of the house or street side of the  
19 house. I kind of believe it's going to be some kind  
20 of drive-through to the backyard. I mean, that's  
21 what it kind of appears to me.

22 MS. CAMPBELL: There's an existing boat  
23 ramp on the property. It's on the survey. You can  
24 see it. It's off of our, what I think in the  
25 package, there's an original survey.

1 kind of like the way it is right now, as it's always  
2 been. We're really not looking to re-invent that.

3 MR. HERLONG: Randy, has this ever come  
4 up? Usually it's on the opposite side of the  
5 property from an entry.

6 MR. ROBINSON: This is very unique.

7 MR. HERLONG: Usually not an issue.

8 MR. ROBINSON: Looking in structures, the  
9 use of which requires more or less permanent location  
10 on the ground or which is attached to something  
11 having more or less permanent location on the ground.

12 A building and sign as defined in this  
13 section are structures. A structure or part of a  
14 structure shall include buildings, overhangs, eaves,  
15 covered structures such as steps, porches, patios,  
16 decks, pools, carports and any extension of a  
17 building beyond the foundation line.

18 I kind of feel like it really isn't  
19 addressed in a structure. It's not -- driveways are  
20 not in our accessory section of our ordinance.  
21 They're way up in the front section of the ordinance  
22 in the general requirements.

23 You know, I tend to want to say that a  
24 driveway is not an accessory structure. If it was a  
25 parking area, that's different. You know, like I

1 conceptual.

2 MR. CHAVER: I move we give conceptual  
3 approval for the plans.

4 MS. SANDERS: Second.

5 MR. HERLONG: Is there any discussion on  
6 the motion?

7 All in favor.

8 (Ayes stated by all Design Review Board  
9 members).

10 MR. HERLONG: None opposed.

11 MS. CAMPBELL: Thank you.

12 MR. CLOWNEY: Thank you.

13 MR. HERLONG: Now we have an issue in  
14 deliberating the fourth item on the agenda, 2918  
15 Marshall. I need to recuse myself.

16 MS. MESSIER: Can we do it with three  
17 people?

18 MR. HERLONG: To give approval, how many  
19 do we need?

20 MR. CHAVER: We have a quorum.

21 MR. ROBINSON: Then you have to have a  
22 majority.

23 MR. CHAVER: Of the board or of the people  
24 present?

25 MR. ROBINSON: You would if you have a

1           Previously you could give them 92 percent  
2 on the principal building square footage. My  
3 question is: Where is the site plan? It's basically  
4 not changing the footprint any. They're enclosing an  
5 existing porch. I'll let the applicant go ahead and  
6 present.

7           MR. HEINLEN: Rodd Heinlen with Steve's  
8 office. Like Randy said, we were here last November.  
9 And because of the configuration of the house, it's  
10 pretty spread out. We asked for the maximum that was  
11 allowed for the principal building coverage. At that  
12 time, we asked for 92 percent of the heated square  
13 footage.

14           We enclosed the bottom part of this porch  
15 at that time. And what we'd like to do now is take  
16 the upper porch and enclose it as part of the master  
17 suite, which would add 150 or so square feet.

18           And we're asking for that additional 8  
19 percent. It won't change the elevation. It won't  
20 change the arch. It's just an enclosure on that top  
21 part.

22           The other thing that we'd like to change  
23 is to go from a cable railing system to a glass or a  
24 plexiglass handrail. Not only to block the wind near  
25 the beach but also so they can see through it.

1 in it. I know this house is existing; it does not  
2 conform to the front setback. I mean, I guess that's  
3 not really an issue since it's existing. We went  
4 into this discussion before when we looked at this  
5 house. Something about the 20 foot.

6 MR. HEINLEN: We determined that handrail  
7 was back far enough that, when you went up to the 20  
8 feet and back on 45, I think we may have even moved  
9 it maybe six inches to clear that.

10 MS. MESSIER: I guess my question is:  
11 When you enclose this top portion, does that change  
12 that -- I mean, it changes that whole thing now.  
13 Isn't it a solid wall now?

14 I guess it's glass.

15 MR. HEINLEN: I guess you could call it  
16 that.

17 MS. SANDERS: The purpose is not to  
18 have -- I don't know.

19 MS. MESSIER: The purpose of that  
20 ordinance is to have houses that sort of go back.  
21 And I guess my question is now --

22 MS. SANDERS: You're talking about this  
23 part.

24 MS. MESSIER: That's the front part. Now  
25 it's going to be like that, I think. I don't know.

1 an issue.

2 MR. ROBINSON: That's what I'm saying.  
3 Since it's roofed.

4 MS. MESSIER: Since it's already  
5 pre-existing.

6 MR. ROBINSON: Existing nonconformity.

7 MS. MESSIER: It's just going to be  
8 another nonconforming existing.

9 MR. CHAVER: Really aren't impacting the  
10 nonconformance aspect of at all.

11 MS. MESSIER: We're making the house with  
12 these additions of these decks more nonconforming.  
13 We're increasing the nonconformity.

14 MR. HEINLEN: Not for this application.

15 MS. MESSIER: It was already approved,  
16 correct.

17 MR. CHAVER: I don't have any problem with  
18 it.

19 MS. SANDERS: This application now is not  
20 increasing nonconformity.

21 MS. MESSIER: No.

22 MS. SANDERS: The one before was.

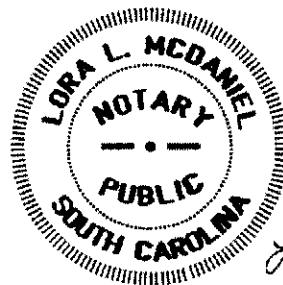
23 MS. MESSIER: This one is just saying,  
24 instead of a porch, closed in with that window, which  
25 I'm fine with. I guess change this from cable to

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*Lora McDaniel*

21 Lora L. McDaniel,  
22 Registered Professional Reporter  
23 My Commission expires:  
24 September 18, 2016  
25

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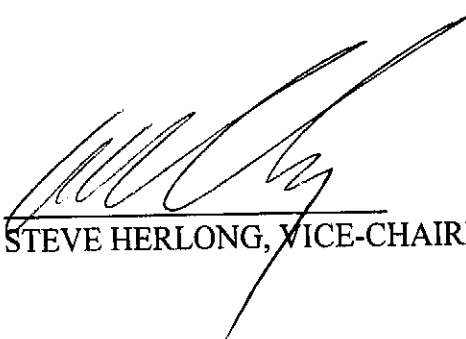
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THE DECISIONS OF THE DESIGN REVIEW BOARD SHALL BE EFFECTIVE IMMEDIATELY UPON THE APPROVAL OF THE CERTIFICATE OF APPROPRIATENESS. THESE MINUTES WILL BE USED AS AN OFFICIAL RECORD TO THE DECISIONS MADE UPON RATIFICATION.

SIGNED, SEALED AND DELIVERED THIS DAY OF AUGUST, 2012

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PATRICK ILBERTON, CHAIRMAN



STEVE HERLONG, VICE-CHAIRMAN