

In the Matter Of:

Town of Sullivans Island v
In Re: Design Review Board

Sullivans Island Design Review Board Mtg.
April 20, 2016

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TOWN OF SULLIVAN'S ISLAND
DESIGN REVIEW BOARD

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11 MEETING BEFORE: DUKE WRIGHT, CHAIRPERSON
12 DATE: April 20, 2016
13 TIME: 6:00 PM
14 LOCATION: Sullivan's Island Town Hall
15 2050-B Middle Street
16 Sullivan's Island, SC
17 REPORTED BY: LORA L. McDANIEL,
18 Registered Professional Reporter

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1 APPEARANCES :

2 DUKE WRIGHT, CHAIRPERSON
3 BILLY CRAVER, BOARD MEMBER
4 BEVERLY BOHAN, BOARD MEMBER
5 DONNA WEBB, BOARD MEMBER
6 RHONDA SANDERS, BOARD MEMBER
7 JOE HENDERSON, ZONING OFFICIAL
8 KAT KENYON, PERMIT TECHNICIAN
9 RANDY ROBINSON, BUILDING OFFICIAL

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16 (INDEX AT REAR OF TRANSCRIPT)
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1 THE CHAIRPERSON: It's 6:00, April 20th.
2 This meeting of the Sullivan's Island Design Review
3 Board is called to order. Members present are Billy
4 Craver, Rhonda Sanders, Donna Webb, Beverly Bohan,
5 and Duke Wright.

6 The Freedom of Information Requirements
7 have been met for this meeting. And the items on
8 tonight's agenda are, the first one 3117

9 MR. CRAVER: You have to approve the
10 minutes.

11 THE CHAIRPERSON: I'm sorry. I was not
12 here on the last meeting. The minutes of the March
13 meeting.

14 MR. CRAVER: I move for approval.

15 MS. SANDERS: Second.

16 THE CHAIRPERSON: All in favor?

17 (All Board members stated aye.)

18 THE CHAIRPERSON: So moved.

19 3117 MARSHALL BOULEVARD

20 THE CHAIRPERSON: The first item is as I
21 said, 3117 Marshall. I must recuse myself from that.
22 Mr. Craver will assume command of this meeting while
23 I'm gone.

24 (Mr. Wright exited the room.)

25 MR. CRAVER: Joe.

1 MR. HENDERSON: Yes, sir.

2 MR. CRAVER: Conservation easement.

3 Present the application, if you would.

4 MR. HENDERSON: Yes, sir. This is agenda
5 item C1. It's a special exception request for
6 property at 3117 Marshall Boulevard. The applicants
7 are requesting design review and approval for the
8 conservation easement structure.

9 This is in accordance with Zoning
10 Ordinance Section 21-20 C(5). What I'd like to do
11 first is orient you to the property, the placement of
12 the structure and also give you a little history on
13 this.

14 The location is on the 3100 block of
15 Marshall Boulevard, two parcels away from the breach
16 inlet, far eastern side of the island. As you can
17 see here, the private property lines are much smaller
18 than the adjacent ones here.

19 To give you a little background on it, in
20 2015 the Town, through the planning commission study
21 and also town council, approved a new special
22 exception designation. This is a new land use
23 allowed through the zoning ordinance and approved by
24 the Board of Zoning Appeals.

25 This special exception is deemed a

1 conservation easement use special exception because
2 it's allowed on environmentally sensitive properties.
3 Those that have a high rate of erosion or in some
4 danger of encroachment of the ocean or marsh area.
5 It essentially allows the removal of the
6 single-family home or structure of the principal
7 building and the placement of an accessory structure
8 for storage use and for recreational use.

9 Previously, the ordinance would not allow
10 this kind of structure unless you had a house; thus,
11 the accessory use. So the Board of Zoning Appeals
12 during their last meeting on April 14th approved
13 unanimously the special exception and went through
14 the statutory standards for granting special
15 exceptions. That's stated in 21-178 of the zoning
16 ordinance, and also reauthorized a front setback
17 variance to allow this property -- this structure to
18 be placed within five feet of the front property
19 line. So that's a ten-foot variance that was
20 granted.

21 So the Board's charge tonight is a very
22 simple one. It is to ensure that the design of this
23 structure, the placement of the structure, the way
24 it's sited on the lot is in meeting or is compatible
25 with the surrounding neighborhood.

1 We are to ensure that the design of the
2 structure is environmentally sensitive. It has a low
3 scale design which maximizes public view corridors.
4 And we are not permitted to grant any increases in
5 square footage.

6 What I'd like to do, Mr. Chairman, is to
7 defer to you-all for any questions on what's
8 submitted in the application and then defer to the
9 applicant's presentation on the design of the
10 structure. And I also have the elevations for the
11 structure on the projector.

12 MR. CRAVER: Joe, you've gone through the
13 requirements in here. Is it staff's recommendation
14 that this structure has met the requirements?

15 MR. HENDERSON: It has. It's met all of
16 the requirements of the zoning ordinance, 21-20 C(5).
17 Those are all the conditions of use.

18 And I can go through those as well, if you
19 like.

20 MR. CRAVER: Do y'all want him to go
21 through those or y'all want to hear from the
22 applicant?

23 MS. SANDERS: I've read through them. I'm
24 good.

25 MR. CRAVER: We'll hear from the

1 applicant.

2 MR. DUNCAN: Do you need a board or is
3 this good enough?

4 Let me show this anyway.

5 I'm Ian Duncan. I've revised since this
6 submission I believe is on the screen because we had
7 a lower structural member that was below -- it was at
8 18 feet, now we have it at 19, which meets the FEMA
9 requirements.

10 We separated the deck structure from the
11 roof structure, which also meets the lowest
12 horizontal member requirement.

13 In essence, the families just want a
14 structure across from their home -- they live
15 directly adjacent -- to store their beach equipment
16 and have a place to stay on the beach across the
17 street, and open up their views. It's very low
18 profile; just a cabana really.

19 We plan on revegetating the site in a
20 natural state and hoping to stabilize the dunes.
21 Stabilize the dune structure with native vegetation
22 and pretty minimal coverage of the site.

23 The one request that is not shown here,
24 which the applicant has made, is the ability to
25 secure this with some roll-down screens to secure the

1 entire 450, so that they can leave that furnished and
2 not have to pack everything away every night.

3 Right now -- this came up in the BZA. It
4 looks almost like a public lean-to that anyone could
5 walk up and get into. If they could secure it, I
6 think that would -- it would benefit the applicants
7 as well as make this not appear to be a public
8 structure.

9 MR. CRAVER: That's a new request that
10 hasn't been in any --

11 MR. DUNCAN: It is, correct. I just spoke
12 with them this week. It came up in BZA: What's to
13 keep anybody from walking up here and camping out?
14 We didn't really have a good answer.

15 MR. HENDERSON: By definition, this
16 structure should be open air. It's an open air
17 structure. It allows 30 percent of the approved area
18 of it to be storage. That's where you have to store
19 all of the things -- all the recreation items and
20 furniture inside that you want to.

21 MR. DUNCAN: It's required to break it
22 down every night or bolted down.

23 MR. HENDERSON: Required to be open air.

24 MS. SANDERS: Like bolted down benches.

25 MR. HENDERSON: Or bench underneath it.

1 We'll take a look at that.

2 MR. DUNCAN: We're at 130 square feet
3 enclosed here for storage with a shower stall and the
4 rest is just covered gazebo.

5 MR. CRAVER: You can store everything in
6 there.

7 MR. DUNCAN: They're going to do kayaks
8 and paddle boards, stuff like that. If they do want
9 pretty swanky sitting arrangement, that would make it
10 little more difficult to break that down every day.

11 MR. CRAVER: That isn't what the exception
12 allows. Anyway.

13 Anything else?

14 MR. DUNCAN: No, sir. I guess the one
15 thing is the roof material. We're going to try to go
16 with natural material, maybe a thatch or sweet grass
17 or palm leaf, some natural material. We haven't
18 decided on that yet. We're very preliminary. We
19 just got the zoning approval last week.

20 MR. CRAVER: Anything else?

21 MR. DUNCAN: That's it.

22 MR. CRAVER: Public comment. Anybody in
23 the public got anything they want to add?

24 MR. BENNETT: Mr. Bennett, 3124 Marshall
25 Boulevard, neighbor right there. Been working with

1 Mr. Walldorf in the last year-and-a-half to get this
2 through the various things. And just neighbor in
3 support of the project.

4 MR. CRAVER: Great. Good. Anybody else?
5 Going one, going twice. Public comment is closed.

6 Joe, do you have any more to say?

7 MR. HENDERSON: No, sir.

8 MR. CRAVER: The application is for what
9 we've got.

10 MR. HENDERSON: As submitted. Yes, sir.

11 MR. DUNCAN: The request from the
12 applicant was made a couple days ago.

13 MR. CRAVER: Rhonda.

14 MS. SANDERS: I think it's a nice
15 solution. I think the roll-down is not going to
16 work, whatever. It isn't our purview. And it will
17 be inhabited by many.

18 MR. DUNCAN: In that case, we may do a
19 railing, which would still be open air; something to
20 make it seem a little more private.

21 MS. SANDERS: Wildlife camera.

22 MR. CRAVER: Or two.

23 MS. SANDERS: Surprised what you'll see.

24 MS. WEBB: I was curious about that, too.

25 Would there be any kind of signage or anything that

1 designates this as private property?

2 MR. HENDERSON: The Board of Zoning
3 Appeals brought that up. The signage would be
4 appropriate; no trespass-type signage. That's, of
5 course, allowed without any kind of permit. I think
6 that would be wise if you guys put it up.

7 MS. BOHAN: I think the signage plus the
8 vegetation and how you put the hedging with the
9 foliage and planting around will also deter public.

10 MR. DUNCAN: We plan on nestling this in,
11 hopefully getting the dune back, getting some height,
12 setting this down so it blends in with the landscape.

13 MR. CRAVER: I'm fine with it. Joe, can
14 you build a fence around?

15 MR. HENDERSON: You can. That's actually
16 a by-right use for the zoning ordinance. It doesn't
17 require any kind of DRB approval or BZA. You can put
18 up a fence on this lot.

19 MR. CRAVER: I would think about it. I
20 think it's good. Anybody want to make a motion?

21 MS. SANDERS: Motion to approve as is.

22 MR. CRAVER: Second?

23 MS. WEBB: Second.

24 MR. CRAVER: Any more discussion? All in
25 favor say aye.

1 (All Board members stated aye.)

2 MR. CRAVER: No nays. You got it.

3 (Mr. Wright entered the room.)

4 2668 GOLDBUG AVENUE

5 THE CHAIRPERSON: Next item on the agenda,
6 2668 Goldbug Avenue.

7 Before we start, let me remind everyone we
8 have ten items on the agenda tonight. We're going to
9 stick by the rules on length of time for presentation
10 and discussion; likewise, we'll be here all night.

11 MS. EUDY: What is the time?

12 THE CHAIRPERSON: Ten minutes on the
13 presentation, applicant presentation. And five
14 minutes for Joe's presentation.

15 MR. HENDERSON: Members of the board.

16 MS. WEBB: I need to recuse myself on this
17 one.

18 (Ms. Webb exited the room.)

19 MR. HENDERSON: This is agenda item C2,
20 it's another special exception for property at 2668
21 Goldbug Avenue. The applicant, Allen Porter, is
22 requesting preliminary or final review and approval
23 for historic designation. This is through Section
24 21-94.

25 And also preliminary final approval for

1 the RS district special exception. This is in
2 accordance with 21-20 C(2) of the zoning ordinance.

3 Just to give you a little history on this
4 request, the DRB first heard this on December 16,
5 2015. The Board granted conditional approval to
6 designate the cottage under certain conditions. And
7 that is that the cottage be restored and re-establish
8 certain architectural elements of the original
9 construction, and that is re-establishing the front
10 porch. The non-original addition on the rear be
11 removed. The vinyl siding be removed, and
12 Hardi-plank or wood be re-established. Period
13 windows be placed in the structure. The chimney be
14 maintained and restored. The metal roof design be
15 kept, not the exact design but some type of metal
16 roof. And also the DRB requested that the BZA
17 consider the positioning of the new construction and
18 consider the build-to-line for this block.

19 And we looked during our last meeting at
20 the two adjacent structures, two adjacent properties
21 that received dimensional variances in the past.

22 So the charge of the Board is two-fold
23 during this meeting. The first is to review the two
24 options for historic designation, and the second is
25 to review the siting of the new construction for

1 final approval.

2 The BZA did review this as well during
3 their March 2016 meeting and, although the
4 application was withdrawn during that meeting, they
5 made some recommendations for the siting of the new
6 construction, the new house.

7 Initially the Board approved the special
8 exception with the house moved back 30 feet. Then
9 they changed that to --

10 MS. EUDY: Made a motion to approve.

11 MR. HENDERSON: They made a motion to
12 approve it with 30 feet and then changed that to 20
13 feet; is that right?

14 MS. EUDY: Right.

15 MR. HENDERSON: The applicants then
16 withdrew the application from consideration. And so
17 they have not re-presented that to the BZA. Instead,
18 they followed the sequence of review and brought it
19 before the DRB today.

20 So with that, I'll defer to the Board for
21 any questions and also the presentation from the
22 applicant. I can show you some of the renderings for
23 the historic restoration and also the siting of the
24 house.

25 THE CHAIRPERSON: So we'll do the historic

1 designation first; correct?

2 MR. HENDERSON: Yes, sir.

3 MS. EUDY: The historic designation first,
4 then the placement.

5 MR. HENDERSON: I would prefer to handle
6 it that way.

7 MS. EUDY: It's kind of complicated and
8 contentious. That may be good.

9 My name is Summer Eudy. I'm here on
10 behalf of Allen Porter and 2668 Goldbug Avenue.
11 Allen apologizes, and I have a letter that I want to
12 read from him for not being here. He worked in North
13 Carolina during the week.

14 And actually we were supposed to come in
15 front of you guys at the February meeting. We wanted
16 to get back in front of the DRB before going to the
17 BZA and, unfortunately, the sign-up that advertises
18 it in front of the house didn't get up within the
19 ten-day time frame.

20 And so the meeting -- our portion of the
21 meeting had to be cancelled. The neighbors had
22 brought up the fact that the sign wasn't up enough.
23 Allen was going to be present at that meeting. He
24 was taking off the week -- he had taken off the week
25 to be here, and he just could not get coverage for

1 his patients this week, and so he's not here.

2 But I have -- so we submitted for the
3 proposed renovations to the cottage two plans; one
4 plan proposes to put a screened porch on the front,
5 and then one proposes to keep the front similar to
6 what it is now, change the windows and doors around a
7 little bit.

8 And I actually have a third proposal.
9 It's on the second page. This keeps the windows and
10 doors in the actual same location they're in. You
11 may not have even caught that one proposal that did
12 not have the screened porch changed the location of
13 the windows and doors.

14 This option that I'm throwing out right
15 now would be cheaper in that the whole front wall
16 would not have to be rebuilt. Kind of getting it all
17 backwards; doing historic stuff before the placement.
18 Joe is pulling it up.

19 This is the house as it sits now. Allen
20 bought the house in 2012 from a fellow who owned it
21 about two years. He bought it from the Brown family,
22 who had been here since 1951. That's where it is.
23 It's on the marsh on Goldbug.

24 Mr. Brown, he moved in there when his
25 father bought the house in 1951. Actually brought us

1 the deed. He paid \$7,500 and financed it for \$75 a
2 month. I thought that was kind of neat.

3 This is a picture -- unfortunately, it's
4 got that black line. This picture is from December
5 1960. Mr. Brown tells us the house looked like this
6 when they moved in, in 1951. It's essentially the
7 same as it is now except there's a front deck on
8 there and the windows had been changed out to more
9 modern windows. There was vinyl siding put on. The
10 structure of the house is that structure.

11 The proposal that I just handed out would
12 be keeping those, basically putting those paned
13 windows back in where they were and keeping
14 everything the same. We would have to widen the door
15 just a little bit because you literally can't get
16 anything through that door; fridge, couch, nothing.

17 We had to take the big window -- if you
18 looked at the house, it's got like big ugly windows.
19 Had to take the windows out to get the couch and
20 refrigerator in there originally.

21 I point this out to say that, while we
22 definitely took heed to the Board's comments before
23 about maybe putting a screened porch on the front and
24 it's an option that we're willing to consider. We
25 don't have any evidence that this house actually had

1 a screened porch. Since 1951 it's been like this. I
2 think it would probably be cuter from the street with
3 a screened porch.

4 With that being said, if we're trying to
5 keep it as original as we know it to be, probably
6 option -- the two options where we don't put the
7 screen porch would be better.

8 The front deck that's on there right now
9 will be modified to be smaller. It's really deep.
10 Mr. Brown built it himself. It will be more of a
11 normal 12-foot deck.

12 These are pictures that I previously put
13 in the presentation for the DRB. The Brown family,
14 over the years at the house, you can see here the
15 windows were changed out. And of note, on all of
16 those plans it shows four-pane windows. Those are
17 going to be 12-paned; six on the top, six on the
18 bottom. The engineers couldn't get it in his plans.
19 Our architect is also our engineer.

20 I had some photos of what the interior
21 looked like in 2012 and the exterior. It was a mess.
22 And, honestly, Allen had -- that was the room before.
23 That's what it looks like now. Sorry, these pictures
24 are dark. It really looks better than that.

25 You can see the kitchen there. Allen

1 didn't really have the vision to keep this house. I
2 talked to him a lot about that, tried to convince him
3 to do it. He did, and we renovated the interior.

4 This house is not protected. It can be
5 torn down. It has been sitting, based on our
6 information, been sitting in the same place on
7 Goldbug since around 1925. We want to keep it as
8 genuine and original as we can. Keeping it sitting
9 in the place that it sits. We don't plan to move it.

10 And based on the plans we've given to you,
11 bringing it back in line to what it should've been
12 with real wood. We'll preserve the chimney. The
13 roof will be compatible as to the metal standing
14 seam. All those things we plan to do.

15 These are just other pictures. That was
16 the back bedroom.

17 The back deck -- I don't think I have a
18 picture of that. The back deck will be removed. We
19 do have a proposal to put a small deck on the back
20 where you could have a grill. It's not covered.
21 What Mr. Brown built there, big circular thing on the
22 back, all that will be removed.

23 What we wanted to talk to you about with
24 regard to the historic designation and the
25 renovation, if you guys had a preference on which

1 option. I think as long as we meet all the standards
2 and qualifications for the historic renovation and
3 the special exception designation, it would be my
4 position that the owner could choose any of these
5 options. And I hope that any of them would be okay
6 with you for him to choose. If the Board prefers one
7 over the other, we would like that.

8 THE CHAIRPERSON: Thank you. Rhonda.

9 MS. SANDERS: Joe, can you please remind
10 whatever motion was this historic issue came before
11 us before. Can you remind us.

12 MR. HENDERSON: That's right. Sure. So
13 during the December 16th meeting, the DRB requested
14 that some of the architectural elements be brought
15 back from its original design and it was -- although
16 we looked at some of these historic pictures --

17 MS. EUDY: We didn't have the pictures.

18 MR. HENDERSON: We didn't have the
19 historic pictures.

20 MS. EUDY: I wasn't at that meeting
21 presenting. We didn't have the pictures. We
22 actually didn't even have renderings as to how the
23 historic renovation would be done.

24 I think what they did is come in front of
25 you guys to see if you like the idea because,

1 obviously, right now the house can be moved, torn
2 down, whatever. If we do this, it will be put on the
3 protected list. We wanted to see, you know, if the
4 Board even liked this option before we did all that.
5 The Board, I think, says yes, we do, we would love to
6 see this restored, bring us back some options for
7 restoring.

8 And somebody mentioned -- it might've been
9 Mr. Herlong, that it looks like it could've had a
10 screened porch on the front. Maybe that would be a
11 good option. That's where this stuff came from.

12 MR. HENDERSON: We didn't have any
13 historic pictures. It wasn't clear to us whether it
14 actually had a front porch on it. We have a picture
15 from 1960. And also the previous owner mentioned in
16 1951, it was -- it had open rafters but it wasn't a
17 screened-in porch.

18 MS. EUDY: It was just like it is now.

19 If we do create the screened porch, it
20 takes a lot of functionality out of this house. You
21 don't have any kind of entry-way to walk in right
22 now. You walk into a little entry-way. Right beside
23 it is a bedroom. All of that will have to come off.
24 It will go from being a two-bedroom -- three-bedroom
25 one bath to a two-bedroom one bath.

1 We did propose, if we're adding the
2 screened porch and taking all that square footage off
3 the front, adding just a bathroom on the back. The
4 only bathroom in this house is literally connected to
5 the living room; it is not very private.

6 MS. SANDERS: Can I re-ask the question.
7 Can you go back to December 16th.

8 MR. HENDERSON: The Board requested that
9 the front porch be restored, but there were some
10 other things that I don't think the owner has an
11 issue with; maintaining the metal roof design,
12 putting period windows in the entire house, restoring
13 the chimney, adding wood or Hardi-Plank siding,
14 removing the non-original addition on the rear.

15 And those were all requested in addition
16 to the porch. I think the only point of contention
17 here is the front porch issue. I think you're in
18 agreement with the rest of the issue.

19 MS. EUDY: Yes.

20 MS. SANDERS: My question was, that was
21 long time ago for me, December 16th. We were
22 prepared to designate that as historic?

23 MR. HENDERSON: Yes. Those were the
24 conditions that needed to be incorporated to the
25 final elevation renderings. In order for the special

1 exception to be granted, this group needed to see
2 that was being presented.

3 MS. SANDERS: No other historical data or
4 whatever. If you're good with it.

5 MS. HENDERSON: That's it. What's been
6 shown to us, what's fairly new information is the
7 historic picture from 1960; also the testimony of the
8 previous owners.

9 MS. SANDERS: And it's less than 1,200
10 square feet when you take off the addition?

11 MR. HENDERSON: Yes, those measurements
12 have been certified by their engineer on the
13 submittal.

14 MS. SANDERS: That's all I have.

15 THE CHAIRPERSON: Donna -- I'm sorry.
16 Bev.

17 MS. BOHAN: The difference between option
18 one, two, and three is just the facade?

19 MS. EUDY: Correct. One option has a
20 screened porch. The other two keep it as is; one
21 moves the windows and doors; one leaves them the
22 same.

23 MS. BOHAN: Exactly. Option three, do you
24 feel like that -- are you presenting that option
25 because you feel like it is more historically

1 correct?

2 MS. EUDY: I personally do. The
3 engineer-architect came up with the option, what I
4 call option two, the one where the windows and doors
5 look kind of like they're in the same place but
6 they're moved. I think more for the functionality of
7 the inside.

8 And he also put the column, he put faux
9 column to try to make it look like a porch. I like
10 that option, too. It's good. In a lot of ways it's
11 better.

12 I asked him to do this option because, I
13 mean, it's more consistent with what's there. And it
14 will be a lot cheaper because this is going to be --
15 you know, we've already got money into the interior
16 of the project. We tried to be careful with that
17 before we knew if this would be able to go forward.

18 Doing all this to the exterior is going to
19 be expensive. Option one and two require rebuilding
20 the whole front wall. Option three would just
21 require replacing the windows and the siding and all
22 that. And making the door slightly wider.

23 MR. HENDERSON: Summer, would you mind if
24 we took a look at the historic picture of the front?

25 MS. EUDY: Yeah.

1 MR. HENDERSON: We have this open rafter
2 detail. I think it's just one landing going up.

3 MS. EUDY: Right. We do propose to leave
4 the porch as Mr. Brown built it across the front of
5 the house but much smaller than it is now. I mean,
6 it's probably like almost 20 feet wide now.

7 That, again, shows the windows have been
8 changed out. It shows exactly what it looked like,
9 which is what it looks like now. That probably
10 would've been maybe '65-ish. I can't remember.

11 MS. BOHAN: Can you verify the width of
12 the porch? I know the existing is being removed.
13 There's no dimension on this. You said it was --

14 MS. EUDY: It would go down to 12 feet.

15 MS. BOHAN: You said 12.

16 MS. EUDY: We can even take it down to
17 ten. 12 is pretty standard. And it will be all new,
18 that porch. Other than -- what's there is a little
19 bit rickety.

20 MS. BOHAN: It shows eight-foot-six on
21 this plan.

22 MS. EUDY: This is the one with the
23 screened porch.

24 MS. BOHAN: If you did the screened porch.

25 MS. EUDY: Then it puts the steps right up

1 at the screened porch.

2 MS. BOHAN: Okay.

3 MS. EUDY: I think the screened porch
4 would be whatever the dimension is of the rooms that
5 are there now. And we won't be able to keep it on
6 the front of the house because the door has to be
7 widened. The door that was on there in 1960 picture
8 is still there, which I think is kind of neat.

9 MS. BOHAN: Okay.

10 THE CHAIRPERSON: Thank you, Bev.

11 Bill.

12 MR. CRAVER: I think you could probably do
13 any one of the three. I kind of like one better just
14 'cause it seems to make it look like a nicer looking
15 cottage.

16 MS. EUDY: I don't disagree with that.

17 MR. CRAVER: I really don't have -- I
18 don't have a problem with option one, two, or three.
19 Whatever the owner wants to do with it. I'm sure
20 that's a surprise.

21 THE CHAIRPERSON: Is it my turn?

22 MR. CRAVER: Yeah.

23 THE CHAIRPERSON: I personally prefer
24 option one. I think it brings it back to
25 cottage-type dwelling with screened porch on it.

1 I could go with option three over two, I
2 believe. I think you've done a good job of
3 presenting it. Unless there's any further
4 discussion. Do I hear a motion?

5 MS. SANDERS: I'm sorry. I have a
6 question, if I can. The existing cottage is 1,184
7 square foot. Is that this whole space? Are we
8 taking away the addition? Is that included in these
9 numbers? I'm not real clear.

10 Is this 1,184 right here?

11 MS. EUDY: The whole thing.

12 MS. SANDERS: The whole thing is 1,184?

13 MS. EUDY: Except for not the front deck.

14 MS. SANDERS: The addition is being
15 removed or not? Is that part of this?

16 MR. CRAVER: I'm assuming this stuff is
17 the addition. That's what's being --

18 MS. EUDY: It's this covered deck on the
19 back, and it goes all the way down and comes across
20 and then has this extension with circular type thing.

21 MS. SANDERS: Heated square space is still
22 1,184?

23 MS. EUDY: Yes. The only option where
24 we're removing square footage, like a huge chunk of
25 square footage is the option one with the screened

1 porch. The back bedroom and the sitting room will
2 come up and then we added a little bit of square
3 footage only on that option.

4 MS. SANDERS: That's included in these
5 numbers?

6 MS. EUDY: Right.

7 MS. SANDERS: These numbers on the total
8 principal building square footage, these numbers are
9 all included? This is historic exception, which is
10 like a third page.

11 MS. EUDY: I'm not sure on that.

12 MS. SANDERS: Are you following me?

13 MS. EUDY: It all comes out to about the
14 same. I get what you're asking. Max, the engineer,
15 he had another meeting like this he had to go to, so
16 he couldn't be here.

17 MS. SANDERS: It's probably fine. It
18 can't come out the same if it's 1,200 square footage.
19 You see what I'm saying?

20 MR. HENDERSON: On the accessory building,
21 it's noted as 1,191. I think that is --

22 MS. EUDY: What it would be, if we add the
23 bathroom.

24 MR. HENDERSON: I think so.

25 MS. EUDY: He did it as being the biggest

1 option.

2 MR. HENDERSON: Either way, you're below
3 that 1,200 square feet.

4 MS. SANDERS: That's not the question.
5 Total building square footage.

6 MR. HENDERSON: The total building square
7 footage would be inclusive of the historic structure.

8 MS. SANDERS: 5,003 -- 5,300 includes the
9 cottage?

10 MR. HENDERSON: Yes.

11 MS. EUDY: Both houses. Sorry, I didn't
12 understand your question at first.

13 MS. SANDERS: Thank you. I'm good.

14 THE CHAIRPERSON: Do I hear a motion?

15 MR. BARR: Public comment.

16 THE CHAIRPERSON: Yes, okay. Make it
17 short.

18 MR. BARR: I represent the Browders next
19 door to this property. I really don't object to the
20 historic designation of this house as long as the
21 historic designation of this house doesn't become a
22 subterfuge to move the main house forward, closer to
23 the barge, which is a big issue.

24 MS. EUDY: I think we haven't addressed
25 that one yet.

1 MR. BARR: I think you need to understand
2 that this is a conditional application for a historic
3 structure. You can't get both, they don't want
4 anything, they're just going to tear it down.

5 MR. HENDERSON: I think that what we could
6 do is to agree upon this option before making a
7 formal motion. Agree upon this option, and then move
8 forward to the new construction element.

9 MS. SANDERS: And come back to it.

10 MR. HENDERSON: Agree upon that and make
11 one motion approving the entire special exception.

12 THE CHAIRPERSON: That makes sense.

13 MS. EUDY: Either way, we still have to
14 get the BZA approval for the whole thing to work
15 anyway.

16 MR. HENDERSON: Trying to compartmentalize
17 this discussion a little bit.

18 MR. CRAVER: Let's talk about the new
19 building.

20 THE CHAIRPERSON: Are you going to present
21 the second part as well?

22 MS. EUDY: I am. Did you have a
23 presentation on this part, Joe?

24 MR. HENDERSON: No, I would just draw your
25 attention to page 2 of the staff report where I

1 outlined the discussion of the BZA discussion during
2 their March 10th meeting.

3 MS. EUDY: If anybody needs a bigger plan,
4 I have a big site plan. I'm going to pass out a
5 couple things that may be helpful in this discussion
6 before I start.

7 This thing I'm going to pass out is an
8 overhead aerial of the properties. The yellow is the
9 Porter property. To the right, the pink is the
10 Browder, which Mr. Barr represents. And the blue to
11 the left is the McNaughtons, who are under
12 construction right now.

13 Also, y'all have the site plan that I
14 color coded this version to just kind of help pick up
15 the lines. I'll talk about -- everything else is in
16 there. You already have. I can explain the lines
17 real quick before I start. That might make it
18 easier.

19 On this one, the red line is the Porter
20 property line on the marsh side. The blue line is
21 the McNaughton property line on the marsh side. And
22 then the pink line is the Browder property line on
23 the marsh side. The yellow is the critical line.
24 And it's not highlighted but that Dotted line that
25 matches the critical line is the 30-foot setback that

1 is in the RC2 district. It just shows that setback.

2 And then the little orange line is the
3 variance the Browders got; that's where they built
4 to. The green line is the variance the McNaughton
5 property got. And the pink line is the original,
6 what we call the build-to line. It's set by
7 ordinance. It's basically to keep all the houses in
8 line on a block.

9 We have that ordinance in the RC2 marsh
10 district and RC1 district. And the two properties
11 sandwiching the Porter property received that
12 dimensional variance from that pink build-to line.
13 One was the orange for the Browder and two was the
14 green for the McNaughton property.

15 I'll just go ahead and address those
16 variances. I want to be clear before I do that and
17 state that, while I'm going to talk about our
18 property in relation to the variances, we're not
19 technically asking the BZA for a variance because the
20 special exception designation that's given by you
21 guys and the BZA in conjunction basically create its
22 own zoning districts.

23 When it's approved and it's approved based
24 on whatever conditions that the Board asks us to
25 agree to and we agree to, then you've got your own

1 little special zoning district basically.

2 That build-to line doesn't technically
3 apply. We're going to talk about where we would be
4 in front of that build-to line as it relates to the
5 neighbors.

6 That being said, the first variance was
7 the McNaughton property to the left, 2662 Goldbug.
8 You can see the dark shaded area. That's their
9 proposed construction that is actually underway right
10 now. If you go back there, they've already got the
11 pilings in the ground.

12 Their's was granted a little bit
13 different. I can't remember the exact numbers but
14 they are that much further in front of the build-to
15 line. They're within the RC2 30-foot setback from
16 the critical line, as are the Browders and as would
17 be the Porter property. There's no setbacks that
18 would be implicated in building in front of the
19 build-to line.

20 You can see that the McNaughton property
21 is the furthest forward. And what we did after our
22 original submittals is we moved that Porter property
23 to be in line with the McNaughton property.

24 Technically the way the ordinance reads is
25 the house further towards the marsh sets the build-to

1 boundary. That being said, when the BZA granted
2 these two variances, there's a condition in there
3 these are not precedents; you can't come in and
4 argue, well, they got it then we should to. We are
5 not necessarily doing that, but I think that the way
6 the ordinance reads, if it went up to a higher court,
7 that could become an issue.

8 The Browders has a 28-foot variance in
9 front of that build-to line and that's where they
10 built. That build-to line is any structure over
11 four-and-a-half feet. Like you'll see, their pool is
12 in front of the build-to. They didn't get a variance
13 for that. That's standard. As long as they're
14 within 30 feet of the critical line or the property
15 line, whichever is further landward, you're okay.

16 And that's what makes these properties
17 different. You can see that the Porter property goes
18 out into the marsh significantly, and it's
19 significantly better than the other two properties;
20 it's basically 60 feet longer.

21 The Browder's RC2 30-foot setback is from
22 their property line. It's further towards the street
23 than the critical line.

24 It goes back and forth with the McNaughton
25 property because the critical line comes in past

1 their property line a little bit.

2 And for the Porter property, the 30-foot
3 setback is from the critical line, not the property
4 line. Again, you can see that with that dotted line.

5 We are significantly further back than
6 that line. But anyway we put the house in line with
7 the McNaughton house as far as that green line goes.
8 That green line is diagonal. We're really about five
9 feet behind the McNauhton house.

10 It is out in front of the Browder house.
11 The extension that comes out in front of the Browder
12 house, which is that L-shape, it's one story. When I
13 say one story, it is one story elevated. It's not
14 going to have an attic.

15 And I actually got the engineer to send me
16 the numbers. It's 25.5 feet from ground to roof.
17 The floor is about -- it's nine something off the
18 ground.

19 When the Browders got their variance, I
20 actually sat on the Board of Zoning. I recused. I
21 knew we were going to be working on a similar type
22 project. But I was present at the meeting and also
23 listened to the tape of the meeting.

24 And they made some representations to the
25 Board --

1 MR. BARR: I would object. I presented
2 the case for the Browders. This is not relevant for
3 this consideration.

4 MR. CRAVER: We can hear whatever we want
5 to hear.

6 MS. EUDY: It definitely is relevant.

7 Anyway, when the Browders presented their
8 variance, their lawyer and Ms. Browder herself made
9 some representations to the Board of Zoning Appeals
10 that this structure that is towards the marsh, that
11 portion in front of that build-to line would be one
12 story. It's not one story in my opinion. It's about
13 a story-and-a-half. There's an attic. There's a one
14 story porch, and there's like a kitchen-living area,
15 and there's an attic above that.

16 At some point they mentioned apparently
17 they had an office up there. The Town did not let
18 them have an office; they did get to have their
19 attic.

20 Again, I listened to the meeting minutes
21 and I think why this is most relevant is, at that
22 meeting, Ms. Browder talked about it would be one
23 story. And the reason it would be one story is to
24 have less impact on the neighbors, which is the
25 thought behind what we're trying to do; that portion

1 being one story.

2 In the meeting, and I listened again to
3 the tape today, she states that she didn't feel like
4 one story would impact the neighbors, and we don't
5 feel like our one story would impact the neighbors in
6 this situation.

7 THE CHAIRPERSON: You have to move on
8 quick.

9 MS. EUDY: Sorry, it's kind of a
10 complicated issue.

11 THE CHAIRPERSON: It is.

12 MS. EUDY: Anyway, in front of the BZA
13 when this came up, there were two new board members
14 and one fairly new, and two others that had been on
15 the board for a long time. One of the very new
16 boards members who mentioned that they had not walked
17 the property -- I think when you walk the property
18 this makes a lot of sense -- made a motion for an
19 approval of the site plan moving the house forward 30
20 feet. He then amended that to ten -- I mean to 20.
21 We offered ten. He would not amend his motion.

22 There was other indication from board
23 members, it's in the meeting minutes, that they would
24 have been agreeable to ten. I didn't let it go to a
25 vote because I didn't want to get in a position where

1 we had to potentially appeal it when it was clear
2 some board members were agreeable to ten.

3 I think the biggest reason this is
4 important is that we have a small structure on the
5 front of this lot, and we're putting a big structure
6 behind it. If you put them too close together, it's
7 going to defeat the whole purpose of trying to
8 preserve this structure separately as a cottage
9 because you won't see this big structure behind it.
10 We want them to be as far apart as possible.

11 That being said, we could go another 12
12 feet towards the marsh technically and not be within
13 the setbacks. There are nine historic special
14 exceptions on the island right now. Most of them are
15 on lots that are 210 feet long. This lot is 307 feet
16 long on one side and 296 on the other. It's
17 significantly bigger.

18 If you look at all those special
19 exceptions -- unfortunately, I got all the plans.
20 None of them state how far the houses are
21 specifically one from the other. From the ones I
22 could figure out, it averaged out between -- there
23 was about 50 feet and 70 foot difference. If you
24 look at all of them, they're as far part as they can
25 be on the lot.

1 And that's what we're trying to do here;
2 to keep the two structures distinct and separate and
3 keep the character of the small structure.

4 Understand the Browders' concerns. They
5 stated them. They don't want to lose the privacy in
6 their backyard. They don't want to lose their view
7 through Allen's property.

8 And my main point on that, when they
9 bought this lot, they knew they were buying a lot
10 that the Town owned the marsh-front property in front
11 of them. It's a really complicated issue.

12 THE CHAIRPERSON: Question, please. I'm a
13 little bit confused on the distances. 81 feet, which
14 was your initial proposal. And then the BZA brought
15 it back 20 feet; is that correct?

16 MS. EUDY: The BZA, one member made a
17 motion.

18 THE CHAIRPERSON: There was no vote.

19 MS. EUDY: There was no vote.

20 THE CHAIRPERSON: Where on that drawing,
21 which location is that? Is that the original 81
22 feet?

23 MS. EUDY: This is what was submitted to
24 the BZA. This site plan.

25 THE CHAIRPERSON: That's 81 feet from the

1 property line on the street.

2 MR. HENDERSON: This is the original site
3 plan presented. This line, you can hardly see it,
4 that's the build-to line. The 81 feet goes from the
5 build-to line to the leading edge of the one story
6 element closest to the marsh.

7 When the BZA made the motion to bring this
8 back 20 feet, it would bring it back to about here.
9 This is the 81 feet.

10 MS. EUDY: If you can see the round circle
11 kind of in the middle between the two houses, there's
12 a pecan tree right there. That pecan tree is just
13 under ten feet forward. It would basically bring it
14 double that distance towards the small house.

15 I don't know if anybody had a chance to
16 walk it. It's not a lot of room when you're out
17 there physically when you're talking about putting
18 structures on top of structures.

19 I didn't find historic special exception
20 that I could calculate that was less than 50 feet,
21 other than there's a couple properties that the lot
22 goes the other way and they could offset the two
23 structures. That's not possible on a given lot like
24 this.

25 THE CHAIRPERSON: Would everybody be

1 happy -- Mr. Barr, are you listening -- if we'll
2 settled at 71?

3 MR. BARR: No, sir. 71, that just brings
4 it back ten feet, which is what they offered to the
5 BZA. The BZA refused to amend their motion to 20.
6 And so they withdraw it, hoping for a better deal
7 before y'all.

8 MS. EUDY: Actually if I would've let the
9 motion go forward, I think it would've failed. And
10 then there would've been another motion for the ten
11 feet. I think it would've passed based on the
12 comments that the board made. I didn't do that
13 because it was potentially going to create an
14 appealable issue. I didn't want to do that and have
15 to be in circuit court and cause the Town and
16 everybody a bunch of money.

17 I pulled the application to kind of
18 resubmit and start on that. We're willing to give
19 the ten feet. We're not willing to give the 20. I
20 don't have authority from the property owner on the
21 20.

22 Again, this house is not protected. I
23 mean, you know. If we can't get it developed in a
24 reasonable way, it could lead to kind of a restart on
25 the whole project. If this is all approved, this

1 house will be protected. The owner that owned the
2 property between Mr. Porter and the Browns was going
3 to tear it down.

4 MS. SANDERS: Any public comment?

5 THE CHAIRPERSON: You're talking about the
6 cottage.

7 MS. SANDERS: Public comment. It's time.

8 THE CHAIRPERSON: Okay, public comment.

9 MR. BARR: Couple issues. The build-to
10 line is provided in Section 21-23 E, paragraph B. It
11 is a setback in the RC2 district.

12 What's different about this property with
13 other special exception similar to this, this
14 property has basically several setbacks. It has
15 front setbacks, side setbacks and build-to line
16 setback.

17 There's a copy of a hand-drawn property
18 that I prepared that shows the Browder line, the
19 build-to line, and it does not show the structure on
20 there because --

21 MR. HENDERSON: Mr. Barr, can I get a copy
22 of that for the record?

23 MR. BARR: Snatch one from them. I didn't
24 know how many to make.

25 MS. SANDERS: We'll share.

1 MR. BARR: The yellow area that I have
2 highlighted on my sketch there is basically the
3 buildable area on this lot based upon the setbacks,
4 25 feet from the side, 15 feet from the other side,
5 and 25 feet from the street out to the build-to line.
6 That's it. That's where he can build.

7 Essentially by tearing down this old
8 historic structure, he's going to take the new
9 structure, move it 81 feet out so it is parallel to
10 the new structure over on to the left or to the west
11 there.

12 MS. EUDY: We're not tearing it down.

13 MR. BARR: Your're not tearing it down

14 MS. EUDY: No.

15 MR. BARR: There is plenty of room on that
16 lot to provide what they want to do. 81 feet --
17 they're basically asking for 81-foot variance.

18 The next door neighbor was given 28-foot
19 variance. We would be content, that is, the Browders
20 would be content to bring the front of the house back
21 to the front of the Browder's house. That would
22 bring it right in line with the Browders.

23 There would be no impact upon Mr. Porter,
24 and there would be no impact upon the Browders by
25 bringing it back to what I refer to in that sketch as

1 the Browder line.

2 THE CHAIRPERSON: How many feet back is
3 that from the 81?

4 MR. BARR: That would be 28 minus 81. It
5 would be about 40 feet back.

6 THE CHAIRPERSON: About half.

7 MR. BARR: At least half. Halfway back.

8 Essentially my point is, one, a special
9 exception doesn't create a special zoning district
10 under the codes. You don't have a special exception
11 and then you ignore setback. And because this
12 property has all of these setbacks, all of these
13 setbacks need to be met.

14 I disagree with Joe, Joe's interpretation
15 that a variance is not required. I think that the
16 Board of Zoning Appeals needs to grant a variance to
17 allow this house to move that far forward and,
18 therefore, the applicant would have to show a
19 hardship to do that.

20 If it was permissible, I have the minutes
21 of the BZA meeting, which I would like to introduce
22 into the record. I know you're not going to read
23 them. I would like to introduce them into the
24 record.

25 In this record, there are objections by

1 Ozzie Peter and Billy Richardson, who objected to the
2 placement of this structure as being incompatible
3 with what has been done on this island forever; that
4 is, to keep everything in line.

5 The purpose of this build-to line in this
6 particular statute was to prevent leapfrogging.

7 That's what's going on here, leapfrogging. What I'm
8 afraid of, although I can't prove it, essentially the
9 old structure is being used as a subtefuge to get the
10 big house up front adjacent to the house on the
11 corner.

12 That variance was granted long before I
13 believe any of you were on this -- well, wrong
14 board -- on the BZA. The BZA granted that variance
15 which created this entire mess. Mr. Fava is back
16 there.

17 MR. CRAVER: It really did, Bill. If that
18 house weren't there, it would be pretty easy to look
19 at the house on the right and say, well you know,
20 that shouldn't go any further forward than that
21 house.

22 But, you know, as a BZA or any damn board
23 get to say, we're going to give an exception, it
24 doesn't create a precedent. You don't get to say
25 that; it does create a precedent and a problem.

1 MR. BARR: I point to Mr. Fava back there
2 because I know he represents --

3 MR. FAVA: Now I'm going to speak to it,

4 MR. BARR: You are?

5 MR. FAVA: When you're done.

6 MR. BARR: That's good. We can't do
7 anything about Mr. Fava's thing. That was done back
8 in 1980. It was carried forward as a result of the
9 state legislature that basically put everything in
10 abeyance.

11 MR. CRAVER: I hear you.

12 MR. BARR: Our point is I don't think that
13 the house should be allowed to be situated and a,
14 quote unquote, 81-foot variance be granted for this.
15 I think it would be proper for the Porters,
16 Mr. Porter, to be granted the same effect that the
17 Browders were and move him up to the Browder line,
18 which would then be compatible with at least two of
19 the properties on the lot. I'll rest. I'll hand
20 those to you.

21 THE CHAIRPERSON: Any public comment?

22 Eddie Fava.

23 MR. FAVA: Eddie Fava, I had no intention
24 on speaking on this, but since I've been --

25 Joe, can I have that plan up, the one that

1 shows all three of them next to each other.

2 A client of mine, whatever date that was
3 ago, years ago, purchased this property and had
4 looked to put a house on it and got a variance from
5 the BZA board because of an extraordinary and
6 exceptional condition of this mound of beautiful live
7 oak trees. That did not apply to anything else. In
8 my opinion, it doesn't warrant -- it does not
9 establish a precedent.

10 If this goes forward getting a historic
11 exception, then sure, that does that. This in no
12 way, shape or form should've established any
13 precedent for anything along this property unless
14 that property had an extraordinary condition.
15 Anybody going by sees there's no way to build other
16 than around or either side of that, and they couldn't
17 work within the setbacks at that time.

18 They didn't at all establish a precedent.
19 It shouldn't be used as a precedent for anything
20 along that line.

21 THE CHAIRPERSON: When did that go to BZA?

22 MS. EUDY: 2008.

23 MR. HENDERSON: 2008.

24 MS. SANDERS: The one with the oak trees?

25 There's no where else to put the house. You can't do

1 anything. You got to love them.

2 MR. CRAVER: You can put it on the back of
3 the lot.

4 MS. SANDERS: Can't see anything.

5 MR. HENDERSON: Variance was issued.

6 THE CHAIRPERSON: It's there.

7 MR. CRAVER: No, no, it's there. The
8 issue that you have, yeah, the oak trees created the
9 condition, okay. But when you have a build-to line,
10 and it says nobody gets to go in front of the
11 build-to line, when you put a house that big in front
12 of it, you change the conditions. You change the
13 conditions for the other houses that are right there.

14 I understand you're saying that it doesn't
15 create a precedent. It creates another physical
16 condition that creates a reason for an exception for
17 the other houses that are there. You don't ignore
18 that house way in front of the build-to line.

19 Whether you say it creates a precedent or
20 another physical condition that warrants
21 consideration, it's something. It's there. It
22 blocks views that, if you lived up to the build-to
23 line, wouldn't be there. So it's an issue.

24 MS. SANDERS: The oak trees in front of
25 the one with the pilings going in. The trees in

1 front of it, they already create that blocking of
2 view.

3 MR. CRAVER: I get that. It's still an
4 issue.

5 MS. SANDERS: I think there has to be some
6 kind of happy medium.

7 MS. EUDY: If I can address that real
8 quick.

9 MS. WILSON: Can I say something. I
10 inherited that variance that Mr. Fava worked on. I
11 just want to point out a few things about it. I'm
12 Heather Wilson, architect. It's a very tiny
13 footprint. No pool. No garage. No right to build
14 in front of the mound. It's surrounded by live oaks.
15 So the view was obstructed. And they paid a price
16 for it.

17 They have a very, very limited piece of
18 property. It's a tiny 2,400 square foot footprint.
19 I think that's worth considering there was
20 give-and-take from them, too. They did give
21 something back in order to get that frontage.

22 And likewise, the Browders, I worked on
23 that house as well. It's a one story room on the
24 back. The piece that goes back is two stories, and I
25 needed the ridge a little bit high to receive that.

1 It's not vaulted. That was the intent. We needed it
2 for air handlers. It's full of air handlers.
3 There's no conspiracy as far as a second story room
4 back there.

5 And we were really, really careful. We
6 asked for the absolute bare minimum. There was a lot
7 of care for the trees and the trees of the
8 McNaughtons. I think that is worth thinking about.

9 My last comment, I have worked on two
10 special exceptions on other parts of the island; one
11 was -- the houses were 25 teeth apart; the other was
12 30 feet. I don't think you need 70 feet between the
13 two structures to have a successful union between a
14 new structure and a historic one.

15 THE CHAIRPERSON: Thank you.

16 MS. SANDERS: Thank you.

17 MR. CRAVER: For the court reporter,
18 that's Heather Wilson.

19 MR. HENDERSON: I would like to address
20 one item brought up by Mr. Barr, if I could.
21 Relating to special exceptions and how they can be
22 issued. He mentioned that a variance or varying from
23 the regulations under the zoning ordinance can be
24 done by the Board of Zoning Appeals and that a
25 separate variance would need to be issued under

1 Section 21-178.

2 Special exceptions, I quote from the
3 ordinance: In approving a special exception, the
4 Board of Zoning Appeals may attach to it such
5 reasonable terms and conditions as it may consider
6 necessary to accomplish the intent of the article and
7 it's zoning ordinance as it relates to this special
8 exception.

9 If in granting a new construction on this
10 lot, you have to encoach beyond an existing build-to
11 line, whether one inch or feet, that falls under the
12 purview of the Board of Zoning Appeals and this group
13 here. That's staff's interpretation of the zoning
14 ordinance.

15 I believe you'll find that supported in
16 South Carolina state law as well. Just wanted to
17 clarify that.

18 MR. BARR: However, in Section 21-20,
19 which is under the historical, 1,200-foot exception,
20 it also states: When necessary, to achieve such
21 appropriateness and compatibility, the Design Review
22 Board may impose stricter limits, stricter imits on
23 height, setback, size and coverage. Stricter limits,
24 not more liberal limits.

25 If the issue is that you have authority to

1 apply liberal setback limits to the build back line,
2 that's not what the statute says.

3 MR. HENDERSON: You wouldn't be able to
4 build a house on it.

5 THE CHAIRPERSON: Can we take away all
6 this smoke and reach some compromise to get this
7 project moving forward?

8 MS. EUDY: Sure. Like I said, we're
9 willing to move the house back ten feet from where it
10 is. That one story structure would come back ten
11 feet. It wouldn't end up being -- there would be a
12 small one story portion past the Browder house.

13 And I'd just like to say that, in rebuttal
14 real quick, if we did have to get a variance, the
15 hardship would be saving the historic cottage.
16 That's our hardship.

17 While it's an advantage to the property,
18 it's also a disadvantage to the property. We're not
19 trying to get anything that anybody else didn't get.

20 And I don't know why the Browders and
21 their attorney think that now they should just set
22 the line. Their variance was based on an oak tree
23 that's -- basically, that house is built around the
24 oak trees. The oak tree is to the right of that
25 house.

1 And I would state, and I think there's
2 people with the Town that would agree that both of
3 these properties were technically buildable on the
4 front of them. And so the oak trees arguably were
5 not a hardship.

6 Now, the BZA granted it based on those
7 hardships, that's fine. This historic structure
8 would also be a hardship. If we're going to put it
9 on the historic protected list and pay to restore it,
10 otherwise we could, you know, do anything we wanted
11 with the property within the setbacks.

12 Also the BZA never -- and there's other
13 meeting minutes. They don't count the build-to line
14 as a setback. The build-to line is not defined under
15 the setbacks. It is something that, you know,
16 generally you have to go by.

17 And I think even -- I'll tell you this. I
18 think even if this historic structure was torn down,
19 I think this is kind of sort of where Mr. Craver was
20 going, you would have a hard time saying this
21 property owner couldn't build further back than that
22 build-to line when he's sandwiched between two
23 properties that got variances based on these
24 hardships that, technically, were not hardships
25 because these lots are buildable on the front. You

1 could've put structures on the front.

2 We will give the ten feet as a compromise.
3 Like I said, I think that would've passed the BZA.
4 Their comments in the minutes of certain board
5 members stating that they were in agreement with
6 that.

7 THE CHAIRPERSON: Again, is there any way
8 that we can reach a compromise on this project?

9 (Discussion off the record.)

10 THE COURT REPORTER: Excuse me.

11 MR. BARR: This is what they want, okay.
12 That's what they want. 80 feet right there. Ten
13 feet would be like that. That's no compromise.

14 MR. CRAVER: Let me see your house there,
15 Bill. What about right there?

16 MR. BARR: Where's that? That's the
17 Browder line. I'd love that.

18 MR. CRAVER: This is my line right here.

19 MR. BARR: It's the diagonal line.

20 MR. CRAVER: It's the diagonal line
21 connecting that to that because that's the view.

22 (Discussion off the record.)

23 THE COURT REPORTER: Excuse me. Excuse
24 me. One at a time, please. Little bit louder.

25 MR. CRAVER: I think that might be a good

1 motion. Let's do a little talking first.

2 Bill, you missed your calling. Architect.

3 Jim, hire him.

4 THE CHAIRPERSON: Where are they going to
5 put them?

6 MR. CRAVER: That gives them options. I
7 guess our options, the build-to line. First option
8 is do we designate that house historic? I mean,
9 well, I won't comment yet.

10 THE CHAIRPERSON: Where was Bill's line?

11 MR. CRAVER: Bill's line was right here.
12 What he calls the Browder line.

13 MS. EUDY: It's the orange on the color
14 coded.

15 MR. CRAVER: I'm saying to you, if you did
16 a diagonal, if that's the line of sight, neither one
17 of them are going to like it particularly. It's at
18 least moving the line of site for all of them to the
19 same spot.

20 THE CHAIRPERSON: I agree. Everybody is
21 never going to like a compromise.

22 MR. CRAVER: No.

23 THE CHAIRPERSON: We're going to have to
24 reach some compromise to get a solution. Rhonda.

25 MS. SANDERS: I'm ready to make a motion

1 whenever y'all are.

2 THE CHAIRPERSON: We could be here
3 forever.

4 MS. SANDERS: Yeah, I mean, really. I
5 think we're kind of swimming in circles.

6 THE CHAIRPERSON: What is the motion?

7 MS. SANDERS: I propose to make a motion
8 to defer, and give the neighbors and professionals
9 time to revisit, figure it out when all parties can
10 be involved. Your client is not here. We have Board
11 members not here. This is going around and around in
12 circles for over an hour. It's preliminary anyway.
13 That's what I recommend.

14 THE CHAIRPERSON: Is that a motion?

15 MS. SANDERS: That was a motion. Motion
16 to defer and give neighbors and professionals time to
17 revisit when all parties can be present.

18 THE CHAIRPERSON: Discussion?

19 MR. CRAVER: I'll second the motion.

20 THE CHAIRPERSON: Discussion? No
21 discussion. All in favor?

22 (All Board members stated aye.)

23 THE CHAIRPERSON: So moved.

24 (Ms. Webb entered the room).

25 MR. HENDERSON: Mr. Chairman, we have to

1 keep the meeting moving.

2 THE CHAIRPERSON: Thank you.

3 (Ms. Sanders exited the room.)

4 2019 MIDDLE STREET

5 THE CHAIRPERSON: Next item on the agenda,
6 2019 Middle Street.

7 MR. HENDERSON: Yes, sir. Thank you.

8 This is agenda item D1, it's a commercial design
9 review at 2019 Middle Street, Brown & Glaws
10 Construction. The applicant is requesting approval
11 to make some facade modifications.

12 This is a multi-tenant commercial space
13 that houses Sullivan's Restaurant, Almost Pink, and
14 co-op.

15 Mr. Jay Brown is requesting approval and
16 new signage, some new lighting treatment to the front
17 facade, removal of some exterior electrical conduit,
18 adding cedar shake siding over the existing awning
19 structure or is it replacement of the entire awning?
20 I think it's the existing awning.

21 MR. BROWN: Existing awning which is right
22 there with potential of going to the rest of the
23 building.

24 MR. HENDERSON: Hardi-board siding on the
25 lower facade, mahogany doors, painting band board on

1 lower facade.

2 MR. BROWN: Stucco upper.

3 MR. HENDERSON: Stucco over the concrete
4 masonry units on the upper facade. I'll defer to the
5 applicant for presentation if you have no questions.

6 THE CHAIRPERSON: No questions.

7 MR. BROWN: He basically spelled it out.
8 Other than that, in addition, we're also asking
9 for -- we're deeply involved with the cycling
10 community here in Charleston, Charleston Moves,
11 Battery Beat. We're also requesting to add like a
12 site parking, kind of like a bicycle pump for the
13 community, repair station in front of it.

14 THE CHAIRPERSON: Is that your
15 presentation?

16 MR. BROWN: That's about it.

17 THE CHAIRPERSON: That's good. I like
18 that.

19 MR. BROWN: Just making it little pretty.
20 It's adding community involvement things.

21 THE CHAIRPERSON: Any public comment?
22 Joe.

23 MR. HENDERSON: I would point out one
24 thing here. This is the front window for Almost
25 Pink; correct?

1 MR. BROWN: Correct.

2 MR. HENDERSON: It has a different facade
3 design and color to it. I think you're working
4 with --

5 MR. BROWN: There's an awning here with
6 next door. So to delineate this, we're kind of
7 working with those guys next door to continue that
8 all the way down. It's just going to do nothing but
9 help improve the facade of the building.

10 THE CHAIRPERSON: Discussion? Donna.

11 MS. WEBB: I think it looks great. I
12 think it will add a lot to that. It needed some
13 attention for a while. I love the bike idea.

14 MS. BAHON: Agree.

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

16 THE CHAIRPERSON: I'm good with it. I
17 hope that you can convince the other occupants to
18 change to that facade down there. At least down to
19 Sullivan's, to that end of the building, but I'm okay
20 with it.

21 MR. HENDERSON: If we could upack this a
22 little bit more so that staff knows how we're going
23 to issue building permits for this restoration
24 project. We have two awnings here. One here, Almost
25 Pink goes all the way down to the co-op; correct?

1 So, Jay, would the cedar shake awning go
2 all the way down and stop here?

3 MR. BROWN: What we're going for right now
4 is just us, which is right here. As Pretty in Pink,
5 if they agree to it with the landlord, we can
6 continue that to the whole facade of the building. I
7 guess that would be another agenda for them.

8 THE CHAIRPERSON: Are you saying that you
9 will do that facade?

10 MR. BROWN: We will do it if they will
11 agree to it.

12 THE CHAIRPERSON: If they will agree to
13 it.

14 MR. BROWN: We're just trying to jazz up
15 the whole.

16 THE CHAIRPERSON: That's not pertinent to
17 do what we're doing now.

18 MR. HENDERSON: Phase one -- I think we
19 are requesting approval. Phase one, if they do not
20 agree to making those modifications, it will stop
21 right here. Your sign will go up here and your goose
22 neck light will come down, shine down on it.

23 MR. BROWN: We'll take away all this
24 existing conduit and wood.

25 MR. HENDERSON: If they don't want to make

1 those changes, it's just going to be this cedar shake
2 siding. If so, if they agree with it, it will go all
3 the way down.

4 THE CHAIRPERSON: We cannot direct those
5 changes on the other portion of the building. Can
6 you?

7 MR. HENDERSON: I think that you can grant
8 approval of the entire project, phase one and two, if
9 you would like to do that.

10 THE CHAIRPERSON: Nobody is making an
11 application to change that facade on the other
12 portion of the building. I would like to see it
13 done. I think we all would. How do we get there?

14 MR. HENDERSON: I would ask you to, if you
15 agree with that work, to go ahead and approve it so
16 that they don't have to come back and make
17 presentation to that effect.

18 THE CHAIRPERSON: Do I hear a motion to
19 that effect?

20 MR. CRAVER: I think all we can do is
21 approve what's been applied for. Am I missing
22 something?

23 THE CHAIRPERSON: I'm confused. I don't
24 think we can direct or approve that it's contingent
25 on. Can we?

1 MR. HENDERSON: I think so. I think
2 that's part of what's they're showing here is
3 continuation of the --

4 MS. BOHAN: Precedent. Setting a
5 precedent.

6 MR. HENDERSON: He's presenting the
7 continuation of the siding of the band board and also
8 the awning going all the way down. That's the
9 request.

10 THE CHAIRPERSON: He's requesting that the
11 awning be replaced with the design on his end of the
12 building. Right?

13 MR. HENDERSON: No.

14 THE CHAIRPERSON: The owner of the
15 building would have to agree to that.

16 MR. HENDERSON: The owner of the building
17 has agreed to this. It's one parcel.

18 THE CHAIRPERSON: You didn't say that.

19 MR. CRAVER: I didn't hear that. Has the
20 owner also applied?

21 MR. HENDERSON: Yes. The owner of the
22 property has to sign-off on any application to this
23 Board. If there's a tenant moving into a tenant
24 space, the owner of the property has to authorize
25 what he's requesting.

1 I want a little clarification on
2 whether --

3 THE CHAIRPERSON: I hate to keep whipping
4 this horse. Has the applicant requesting that
5 facade, that awning to be extended all the way down
6 to replace what's there now?

7 MR. BROWN: Not at this time. I'm
8 requesting to just repair this. But I think what Joe
9 is trying to say is we would like to continue this
10 all the way down. If that needs to be phase two,
11 fine.

12 MR. CRAVER: There is no phase two.
13 There's no application for anything other than what
14 you've requested unless I'm missing something. Show
15 me on here where it says that the owner has applied
16 for the whole facade to be changed, Joe.

17 MR. BROWN: No.

18 MR. HENDERSON: I was unclear on this
19 presentation because the renderings show that a
20 treatment was being given to a portion of Almost
21 Pink.

22 That's what I'm trying to clarify here.
23 If that's not part of your request, if your request
24 is stopping right here, then that's fine.

25 THE CHAIRPERSON: That's what we will

1 approve.

2 MR. HENDERSON: I'm clear on that now.

3 MR. BROWN: Sorry.

4 MR. HENDERSON: That's fine.

5 THE CHAIRPERSON: Do I hear a motion?

6 MR. CRAVER: I move we give -- one thing
7 says conceptual; another thing says final.

8 MR. HENDERSON: This is conceptual unless
9 you deem it final.

10 MR. CRAVER: I move to give final approval
11 to the project that he requested. And staff make the
12 appropriate decisions on what it needs to make.

13 THE CHAIRPERSON: Second?

14 MS. BOHAN: I second.

15 THE CHAIRPERSON: Discussion? All in
16 favor?

17 (All Board members stated aye.)

18 THE CHAIRPERSON: So moved. I would add
19 if -- would staff have -- I would give staff
20 authority to approve extending the awning all the way
21 down, if you can work that with the owner.

22 MR. CRAVER: If it's something that has to
23 come to us, if it's something that's supposed to come
24 to us, we don't have an application for it, so it's
25 got to come to us. If it doesn't have to come to us,

1 then you approve it. If under the zoning ordinances
2 it's got to come to us, there needs to be an
3 application to ask for it and needs to come to us.

4 MR. HENDERSON: That's right. That's what
5 I was trying to clarify exactly what the extent of
6 the request was. Thank you for that. I'm clear on
7 it now.

8 THE CHAIRPERSON: Thank you. Next item.
9 (Ms. Sanders entered the room.)

10 2114 I'ON AVENUE

11 MR. HENDERSON: Agenda item E1 is a
12 certificate of appropriateness request for historic
13 property, 2114 I'on Avenue. The applicants, Herlong
14 and Associates are making this request.

15 It's a conceptual review for exterior
16 modification. This is a Sullivan's Island landmark
17 structure. The applicants are not requesting any
18 relief.

19 I'll defer to their presentation to
20 explain their design.

21 MS. LURKIN: I'm Bronwyn Lurkin with
22 Herlong and Associates. I'm representing Jeff and
23 Lisa Valko on this property. Mr. Valko is here with
24 me tonight.

25 The Valkos really fell in love with this

1 property because of the historical character. And
2 they came to us wanting to update the residence but
3 really maintain its footprint and it's building
4 character without having to make an addition.

5 Our design challenge was to bring it to
6 today's living standards and find a way to make an
7 adequate master suite space.

8 So there's four areas of improvements that
9 we're looking to do, main areas; one is to remove the
10 archways on the ground floor that were added in about
11 1970.

12 We also are doing a porch in-fill on the
13 rear. And that faces -- I forgot to mention on the
14 north property line, it backs up to Marsh Winds
15 commercial building. They don't have any exposure
16 to -- they don't have any sort of rear property. And
17 it's not exposed to Middle Street like it once was.

18 The property stands between 21st and 22nd
19 Stations. We're also trying to repair the roof eave
20 details and bring them up to a better quality.
21 There's been a lot of repairs. You can see from this
22 historical photograph after Hugo, the north facing
23 porch had completely deteriorated.

24 We have exposed chimney flues that we want
25 to repair and then add some windows on the porch

1 in-fill on the north property line.

2 In addition to that, we're also trying to
3 place a dormer on the north and south property
4 between the existing dormers for proper head room up
5 on the attic space. You can see here from this
6 building section that the vertical height is only at
7 seven feet, so it's really not an adequate space by
8 today's standards.

9 By adding the dormer in-fill between the
10 existing dormers, that would allow for some
11 additional head room to make that space more useable.
12 And that would be serving as that master suite space
13 so that we would not have to do any type of building
14 addition to the property so that we can maintain that
15 footprint and maintain that massing.

16 When you look at the historical surveys
17 and the post-Hugo report, what is significant about
18 this structure historically and what is constantly
19 noted is that these gazebos on the north end of the
20 property are really what's noted as the classical
21 island architecture at the turn of the century.

22 It is -- unfortunately, that elevation
23 faces Marsh Winds; it's not viewed by many,
24 unfortunately. But you'll also notice from old
25 photographs that the stairs and the railings have

1 changed quite a bit over time.

2 And so as we've been collecting some of
3 this data and finding historical photos, we have
4 found that there has been a lot of changes over time.
5 There's been an outhouse that was attached on the
6 east end of the house. There was another porch
7 in-fill over here. The house has been raised, I
8 believe, twice.

9 You can see in this old photograph the
10 stairs were once straight on the south elevation, and
11 they've turned. They were station on the north
12 elevation and they also have been replaced.

13 So there's been a lot of modifications
14 over time, and we're trying to clean up the house,
15 make it look better. Take out some of the really bad
16 in-fill corrections that have occurred over time as
17 well and really try to maintain the massing and the
18 footprint.

19 THE CHAIRPERSON: Thank you. Any public
20 comment?

21 MR. VALKO: If I may, my name is Jim
22 Valko. My wife and I purchased this property just
23 about 90 days ago. Our primary residence is in
24 southern California. We're planning on using this
25 home as our second home on Sullivan's.

1 As history would have it, we have a little
2 bit of history in South Carolina. We lived up in
3 Georgetown for five years, back in the late '90s. We
4 did renovate a historic house in the historic
5 district of Georgetown. It was fun.

6 Our philosophy then was to preserve the
7 historical nature of the house to the best of our
8 ability. The only compromise would be, as Bronwyn
9 would say, making it functional and useable by
10 today's standard.

11 When we saw this home, we really fell in
12 love with it. We think it's awesome. We asked the
13 Herlong group to come up with design options for us.

14 One of the options was to put an addition
15 off the left side of the master bedroom and extend
16 the kitchen with an addition off to the right side.

17 We looked at that quickly, said that
18 changes the whole character of the house. We've lost
19 the historical nature of this. We quickly opted not
20 to do that. And as Bronwyn said, keep it within the
21 existing footprint and maintain the existing
22 integrity of the design.

23 That's what we are planning on doing here.
24 Our primary goal is to make that top floor more
25 functional, not remove those existing doors but

1 filling the space in between so we can get some head
2 room.

3 I thank you for your consideration.

4 THE CHAIRPERSON: Thank you.

5 MS. LURKIN: Here's some additional
6 photographs with notes so you can really see some of
7 the old features with how it exists today.

8 MR. VALKO: Nor do we want to introduce
9 anything that's out of character with other design
10 elements that we've seen on the island.

11 THE CHAIRPERSON: Rhonda, start us.

12 MS. SANDERS: I think it looks -- what do
13 you do with the ground floor? Just don't have
14 furniture? Exemption.

15 MS. LURKIN: It's under an exemption
16 because of the historic.

17 MS. SANDERS: I think it's awesome.

18 MR. HENDERSON: It's nonconforming.
19 They've chosen to keep it and expand by adding little
20 square footage to the back.

21 MS. LURKIN: The in-fill at the porch
22 helps with circulation. Again, a lot of this has all
23 been repaired over time. Some very bad repairs as
24 you can see right there.

25 It would help -- there's also an interior

1 photo that will be in circulation that shows an
2 interior stair. That's just placed completely in the
3 middle of the space, making the interior really a
4 little dysfunctional.

5 And so the exterior stair on the in-fill
6 would really help with the interior space and
7 bringing it back to what it would've been.

8 MS. SANDERS: I'm good. Anything that
9 could be done to that house would be great.

10 THE CHAIRPERSON: Donna.

11 MS. WEBB: That's a challenging house. I
12 love what's happening. I love taking out the arches,
13 rebuilding the chimney to make it feel and look like
14 it probably was at one time.

15 The dormers, I know you propose an
16 optional and then a preferred one. I haven't seen
17 those before. That's the only question that -- I
18 haven't seen the in-fill dormers. But the overall
19 look is lovely.

20 MS. BOHAN: Conceptually I think it's
21 good. I agree.

22 THE CHAIRPERSON: This is conceptual
23 application not a final?

24 MR. BROWN: It is. We would love final,
25 if possible. We still have to work through pricing

1 with builders and working through that 50 percent
2 rule.

3 THE CHAIRPERSON: Billy.

4 MR. CRAVER: I like it. I'm glad to see
5 what you're doing to this house. I've known this
6 house my whole life. Good job.

7 THE CHAIRPERSON: Okay?

8 MR. CRAVER: I'm done.

9 THE CHAIRPERSON: I'm okay with it. I
10 initially, when I looked at this, studying the front
11 elevation, saw some considerable change to the
12 historic structure. But I think the way it's being
13 done is good.

14 Certainly I'm in agreement with the rear
15 of the structure that's backed up to the commercial
16 building. It's a wonderful elevation and facade.
17 It's out of view. You're doing okay back there as
18 well.

19 Do I hear a motion?

20 MR. CRAVER: I make a motion we give final
21 approval as submitted.

22 THE CHAIRPERSON: Second?

23 MS. WEBB: Second.

24 THE CHAIRPERSON: Discussion?

25 All in favor?

1 (All Board members stated aye.)

2 1023 MIDDLE STREET

3 MR. HENDERSON: Agenda item E2 is a COA
4 request for a historic property at 1023 Middle
5 Street. Mr. Eddie Fava is requesting conceptual or
6 preliminary final approval to enclose an existing
7 screened porch, replace windows and relocate, modify
8 the stairway entrance for this property.

9 This is a Sullivan's Island landmark
10 structure by way of survey card 319. There have been
11 some modifications to what you have in your packets
12 here. I think Mr. Fava is here to explain some of
13 those changes.

14 And I do have photographs here to
15 reference as well as the plans.

16 THE CHAIRPERSON: Okay. Mr. Fava.

17 MR. FAVA: Thank you. I have these
18 boards, but it might actually be easier to see --
19 it's a super house. And I think everybody here is
20 familiar with it. It was the old Barnwell house on
21 the front beach.

22 My client has owned it for maybe ten years
23 or so, not quite. What he's looking to do when he
24 first came to us was essentially a couple of things.
25 All of them were basically to preserve what the

1 interior is, which I know isn't in your purview.
2 It's old wood panelling. It's not even painted or
3 varnished or anything. It's just worn and sandy
4 floors. Kept it all like that.

5 Rather than get in there and try to work
6 within some of these existing spaces that are so
7 wonderful, what the thought was, that the existing
8 screen porch and beach side is here. This is
9 existing screen porch, and this is existing screen
10 porch.

11 He was looking what if I just glaze those
12 in, have windows there and still maintain that
13 footprint.

14 And the other item he wanted to do is look
15 at adding a staircase. This is street side to the
16 front here and coming up in this location.

17 So the request was to grant all of this as
18 casement windows, which we've done at Bee Street for
19 Ann Parker's house, historic home. And this area
20 here but the facade remains clean.

21 Since the application, what he's done and
22 asked me to request of you-all, if this is pulled
23 back, in effect a little bit, that the area here that
24 he was looking at glazing, he would no longer do
25 that. It would just come across at this side on the

1 opposite side. That whole element remains pretty
2 much like it is presently. I can show you that. I
3 can show you that here.

4 By way of comparison, this would remain
5 screened porch. And the only section that becomes
6 glazed is off the side and side, which is existing
7 screen porch of the house presently. We feel like
8 little less impact.

9 The facade from the beach side remains
10 exactly the same. The only thing he kind of toyed
11 with a little bit and discussed was, if there's no
12 objection from the Board, the staircase that he had
13 originally kind of wanted in this area, which we
14 weren't huge fans of, there's one on the other side.
15 It's just a little more difficult to get to.

16 Pulling to the side. It's an area that
17 has a nonhistoric window. It comes off the side.
18 Not visible from the street view. Vegetation not
19 visible from the beach view.

20 Pretty much that view is maintained, this
21 view is maintained. There's a public beach path
22 along the side. Minimal visibility here.

23 And then I can show you, I think you have
24 in your elevation packet, the existing and proposed
25 which, again, without the vegetation.

1 You see the side staircase there from the
2 beach side. Existing and proposed. All you see is
3 the change of the additional side stair, which
4 matches the old historic one.

5 And lastly, existing and proposed. The
6 screen porch, beach side and along the facade remain
7 the same. Just have casement windows going in each
8 opposite side.

9 Two things that I had discussed with Joe
10 as well. I have them listed on this. I don't know
11 if it's technical requirement. I know he's chatting
12 with the contractor, Mr. Jones, on the house. The
13 beach path has a fence presently and that may be in
14 one of the photos easier to see. Here.

15 If you're heading from the beach towards
16 Middle Street, the right side property owner has a
17 fence, Charleston green fence, about five-and-a-half
18 feet tall along that side. Mr. Jones has some
19 chicken wire stuff that's been there ever since the
20 Barnwells. He would like to do something similar on
21 his side.

22 And I think the reason we would ask
23 you-all, he would like to do it at that similar
24 height, five-and-a-half feet, as the other side. I
25 think he can do it without your approval at a little

1 lesser height but he was hoping to kind of at least
2 get it same height, so there's some symmetry going
3 down that path. Offers him a little bit more
4 privacy.

5 It's essentially those three items; the
6 addition of a staircase; enclosure of two of the side
7 porches with the glazing; leaving all the front the
8 same; street side the same. And comments as they may
9 pertain to the beach path or if Joe has suggestion.

10 MR. HENDERSON: No increases are being
11 requested.

12 MR. FAVA: No increases in the footprint
13 or anything like that. All within the existing
14 footprint.

15 MR. HENDERSON: Just a historic design
16 review?

17 MR. FAVA: Yes, sir. Happy to answer any
18 questions, if you have them.

19 THE CHAIRPERSON: Thank you.

20 Donna, would you like to start.

21 MS. WEBB: Question about the fence. Will
22 it go along the side of the property or will it come
23 around to the front?

24 MR. FAVA: Only the side. Joe, I'll defer
25 to you. I know that's more of a height issue. I

1 think your code requirement only allows it at a
2 certain height.

3 That's on the opposite property and your
4 side.

5 MR. HENDERSON: There's a public access
6 easement. Where you install a fence adjacent to a
7 public right-of-way or beach path, if you're within a
8 ten-foot setback, it has to be four feet in height.

9 If you set that back ten feet, then you
10 can go up to five feet. They're opting to bring that
11 all the way to the property line?

12 MR. FAVA: Yes, sir. If I can keep it to
13 that property line. What's deceiving about it now,
14 if you go down that beach path, where the fence is,
15 that property owner -- I don't know if it's Barnwell
16 or not -- kind of claimed some of the beach. The
17 beach path, when he actually puts the fence up will
18 be a lot wider than what is shown. He would like to
19 do it at his property line; otherwise, leave what's
20 there.

21 MR. HENDERSON: The critical line, he
22 couldn't extend that even if the property line came
23 out.

24 MR. FAVA: Correct.

25 MR. HENDERSON: He couldn't put that fence

1 past.

2 MR. FAVA: Where it all falls down.

3 MR. HENDERSON: It will be a living fence?

4 MR. FAVA: What they would like to do,
5 wood fence like what's across the way. Just kind of
6 mirror what's on the opposite side.

7 MR. HENDERSON: That's a solid fence.
8 That's a not conforming fence. You would need to
9 meet the 25 percent open requirement and require a
10 void in between those slats. That's an ordinance
11 requirement.

12 THE CHAIRPERSON: Okay. Donna.

13 MS. WEBB: That said, I'd like that
14 there's not a lot of changes going on from the front
15 or the back. I would just, you know, recommend that
16 the materials be, you know, keeping in the historic
17 feel.

18 With the windows, I'm not sure exactly how
19 that will turn out. At least it's not visible from
20 the front or the beach side.

21 MR. FAVA: There's an example of it. I
22 don't want to belabor, I know y'all have a lot of
23 applications. This is a house we just finished on
24 Bee Street. Those were shutters. That was porch
25 side that had windows on the side and the front.

1 Wound up being on the porch.

2 This is obviously a lot more visible than
3 this one; felt like it was kind of similar treatment
4 that was sensitive. Above the rail height, still
5 glass and transparent. Below it would be solid.

6 THE CHAIRPERSON: Okay. Bev.

7 MS. BOHAN: In your application you really
8 can't match the neighbor's fence in effect and keep
9 the ordinance; correct?

10 MR. HENDERSON: That's correct. From what
11 I understand, it's a stockade-style fence at five
12 feet in height.

13 MR. FAVA: It varies, depending on the
14 slope. Median height is about five-and-a-half feet;
15 just about eye level.

16 MR. HENDERSON: I think that may be a
17 non-conforming fence. They could install one right
18 on the property line, be limited to four feet in
19 height and have to meet the requirements for being
20 open.

21 MR. FAVA: That's fine.

22 MS. BOHAN: I think you preserved with
23 your application the historic preservation. I think
24 it's going to be nice.

25 MR. FAVA: Thank you.

1 THE CHAIRPERSON: Billy.

2 MR. CRAVER: As always, well done, Eddie.

3 MR. FAVA: Thank you.

4 MR. CRAVER: I like it. I think that
5 you've added a lot of functionality without trying to
6 change a whole lot. I don't have a problem with the
7 version that you have with going up into the porch
8 with the side where the kitchen is. I don't think it
9 will detract at all. I'm good with it.

10 THE CHAIRPERSON: I agree. I'm fine with
11 it. I think it's a wonderful way to preserve a great
12 cottage. Thank you.

13 Rhonda.

14 MS. SANDERS: I think it looks great. I
15 prefer the windows just on the side. I think it
16 looks great. Good job.

17 THE CHAIRPERSON: Do I hear a motion?

18 MR. CRAVER: Move for final approval.

19 THE CHAIRPERSON: Second?

20 MS. SANDERS: Second.

21 THE CHAIRPERSON: Discussion?

22 All in favor?

23 (All Board members stated aye.)

24 209 STATION 17

25 THE CHAIRPERSON: Next item, Joe.

1 MR. HENDERSON: This is agenda item F1.
2 It's a COA request for a nonhistoric property. This
3 is at 209 Station 17. Mr. Ron Denton is requesting
4 final approval for this new construction. This is
5 the fourth or so presentation we've seen with this
6 one.

7 During our last meeting, the Board made
8 several recommendations, clarification of the
9 application. So the Board recommended that the
10 applicant clarify the request for relief in zoning
11 standards, that the site plan boundaries be
12 clarified, elevation renderings be modified.

13 And also an analysis or design
14 compatibility with the surrounding structures be made
15 and presented to you. Also, some recommendations for
16 the pool fence be changed. And also clarify the
17 request for the second story side setback.

18 I believe I hit on all those from the last
19 meeting. So what's requested for this meeting is an
20 increase in principal building square footage of 21.7
21 or 22 percent principal building coverage; increase
22 of 2 percent.

23 Side setback relief of 25 percent.

24 And the second story side setback relief
25 of 100 percent. I'll defer to any questions or

1 presentation of the applicant.

2 THE CHAIRPERSON: Go ahead.

3 MR. DENTON: I don't know, maybe Joe can
4 get some of -- my first page didn't really print that
5 well.

6 This house, we've worked with now several
7 months. Our initial presentation was a
8 re-orientation application so that the street address
9 would be Poe Avenue and the side yard then would be
10 Station 17. And that gave us some flexibility in the
11 location of the house and the shape of the house on
12 the property, allowing for the house to extend in the
13 long fashion that was similar to the fabric that's in
14 the area.

15 And we moved along with the design
16 believing that we had made our setback requirements.
17 It being a side yard and with the front yard being on
18 Poe, the front yard setback of 30 feet is met; 15
19 feet on the side, we thought was all we needed and
20 then ten feet on the back. That was our mistake.

21 We've asked for at our last meeting the
22 same variance request. Bearing in mind we've got
23 more than 30 feet or so away from the adjacent
24 structure behind us.

25 And, again, the side facing Station 17

1 primarily is the porch side of the house. Previously
2 we were asked to consider the fabric across the
3 street, the officer's quarters, which are heavily
4 balcony, porched. It has some elements that we
5 actually brought forth in this house, which we didn't
6 make clear in previous presentations.

7 One of the things that we got hung up
8 with, that 100 percent second floor setback. We've
9 got a porch, a second floor porch that extends over
10 open space. And that's the 100 percent request. We
11 didn't know how else to deal with it.

12 There was a little concern last month
13 about that kind of element. But, of course, right
14 across the street at the officer's quarters is that
15 same treatment of porches over -- excuse me, enclosed
16 area over porches. In many ways, we're really just
17 replicating what we're seeing across the street and
18 keeping with the fabric of the local architecture and
19 just doing that.

20 Some adjustments we've made is to actually
21 refer to it even further by adding a row of handrails
22 and pickets to make it feel like a filled-in porch.
23 This is the side that actually would be 15 feet from
24 the property line on Station 17. That's a relief
25 we're asking for there.

1 The size of the house, of course,
2 predicated by the the program. We tried to get the
3 house to conform as much as possible. In our very
4 first meeting when we were going for the site
5 re-orientation, the Board did offer variance request
6 floor area. I had made some miscalculations in that
7 area. Essentially the size of the house has not
8 really changed over time; we've tweaked some things
9 here and there, trying to make sure the house was in
10 conformance with the majority of the ordinance.

11 That's basically where we stand now. Did
12 I catch everything, Joe?

13 Mr. HENDERSON: I think so. From our plan
14 review, they meet all of the zoning ordinance
15 standards and their request for relief fall in your
16 purview for granting.

17 THE CHAIRPERSON: Bev.

18 MS. BOHAN: I think you've covered
19 everything and circled back again. You've made a lot
20 of improvements that I think are softening to the
21 project. I think it's well done.

22 MR. DENTON: Thank you.

23 THE CHAIRPERSON: Donna.

24 MS. WEBB: I'm still curious as to how
25 it's going to look like dead on to the left with the

1 open --

2 MR. DENTION: Which left?

3 MS. WEBB: When you're staring at the
4 front door. Just the open space underneath.

5 The historic house, I feel, is very
6 different because it almost feels like it's an
7 interpretation of struggle between modern style. I
8 don't know if that adding the pickets to that upper
9 part, I don't know. I don't know if that really
10 helps with all the rest of it being horizontal
11 railing.

12 MR. DENTON: It was more of a fear factor
13 because it was such an issue last month that we
14 might've overcompensated. I tend to agree. I think
15 it almost looks a little trite. This isn't I'on
16 neighborhood where we try to kind of recreate
17 historical in fake. Certainly can't get away with it
18 in downtown Charleston. I don't know that you can
19 really get away with it here in Sullivan's.

20 We're trying to really relate to the
21 building across the street. Maybe it is unnecessary.
22 What we're trying to really show is that it's
23 happening on the street. It's really part of the
24 vernacular of Station 17 and not a big anomaly.

25 MS. WEBB: I like the way the side street,

1 sidescape has turned out. That all seems very
2 fitting. I'm just concerned, if you were standing in
3 front of the door, how is that left piece going to
4 look?

5 My recommendation would be to take it
6 away, give it its own personality, which is a little
7 bit contemporary. It's a contemporary style.

8 MR. DENTON: It is certainly contemporary,
9 but trying to fit into the context of the island.

10 MS. WEBB: And the asymmetry could be also
11 enhanced with landscaping in that area.

12 MR. DENTON: Certainly.

13 THE CHAIRPERSON: Rhonda.

14 MS. SANDERS: Are we talking about this
15 lattice you don't like?

16 MS. WEBB: That I don't like. I didn't
17 mention it. I don't like the pickets up there.

18 MS. SANDERS: Joe said the numbers work so
19 I'm good. I'm not crazy about all the horizontal
20 lines and then the lattice kind of stuff.

21 MR. DENTON: It was kind of themematic
22 thing. We can certainly tone it down. We tried a
23 little bit. We also added some base plantings, which
24 was one of the suggestions that also was brought
25 forth.

1 We actually inserted the real house in
2 model form on the actual site and to scale. We had
3 to use Photoshop to add the additional planting.
4 That tree is there. And all the large fixtures.
5 Some of the ground base plantings are Photoshopped.

6 THE CHAIRPERSON: Bill.

7 MR. CRAVER: I think I'm good with it.
8 I'm not sure I would have the railing upstairs.
9 That's just personal preference. That's not a matter
10 of whether you complied with the requirements of the
11 ordinance to get the relief. That's up to the owners
12 to decide whether they want that.

13 I'm good with what you've done to the
14 plans to get within the ordinance.

15 THE CHAIRPERSON: This is the fourth time
16 you've been here. We appreciate your patience and
17 your working with us to try to get it to the right
18 spot. I think you have. I'm okay with it.

19 Do I hear a motion?

20 MR. CRAVER: I move that we give final
21 approval as submitted this time.

22 THE CHAIRPERSON: Discussion? Second?

23 MS. BOHAN: I second.

24 THE CHAIRPERSON: Discussion? All in
25 favor?

1 (All board members stated aye.)

2 THE CHAIRPERSON: Thank you.

3 MR. DENTON: Thank you all very much.

4 Appreciate it.

5 6 CONQUEST AVENUE

6 MR. HENDERSON: Agenda item F2 is a COA
7 request for a nonhistoric property at 6 Conquest
8 Avenue. Sandlapper Design Group is requesting
9 approval to enclose an existing front porch, add an
10 in-ground pool and spa on the marsh side of this
11 property.

12 They're requesting modification of zoning
13 standards for principal building coverage of 5
14 percent.

15 And principal building square footage for
16 11 percent.

17 This property received a review from the
18 Design Review Board in 2010 where they granted an
19 increase in principal building square footage for an
20 attached addition. That's the portion of this house
21 that's being modified.

22 I'll defer to you for any questions and
23 the applicant's presentation.

24 MR. HENSHAW: Jim Henshaw with Sandlapper
25 Design Group, representing Chris McCrae, who is here

1 in front row and his wife Ally.

2 And as Joe said, this project came before
3 the Board in 2010, and they were asking to enclose
4 this whole porch of the addition. This is an
5 addition that was done in about 2004. But in 2010
6 they asked to enclose the whole thing.

7 The one comment that came out of that
8 meeting, which did receive approval was from Duke. I
9 think you said, why don't they leave a corner of that
10 porch open so it has a little character on the
11 street. So that's what we're doing with this.

12 THE CHAIRPERSON: You expect me to
13 remember what I said?

14 MR. HENSHAW: I got a transcript, if you
15 need to look at it.

16 THE CHAIRPERSON: Okay, thank you.

17 MR. HENSHAW: That was the only real
18 comment in approving that submittal.

19 The other part of the application, on the
20 water side of the property where they're going to add
21 an in-ground pool and redo the deck on the backside.
22 Right now, you come out of the house, come down four
23 steps to a large open deck. So it renders the space
24 underneath that deck pretty much unuseable as far as
25 just hanging out down there.

1 And with the addition of this pool, we'd
2 like to have some space just a little bit higher up
3 there so they can be in the shade while they're
4 around the pool.

5 I have images here from the street where
6 you can see that porch. It's down Conquest. Gravel
7 road. Can't really see the house.

8 If you have any questions, I'll be glad to
9 answer them. Chris, did you have anything?

10 MR. McCRAE: I would point out that
11 original DRB application in 2010 was before we
12 purchased the house. That was for a prospective
13 buyer back at that time.

14 This is my first time for bringing
15 anything up, I guess.

16 MR. HENSHAW: I think the people that
17 built the addition on to the house wanted those two
18 spaces to be separate. They wanted those bedrooms
19 and that media room to be separate from the primary
20 space. That works with a certain type of family.

21 Chris has two very young kids and one on
22 the way. They need space to be connected so they
23 don't have to go outside to get to somebody's
24 bedroom.

25 THE CHAIRPERSON: I do remember this now.

1 Is that it, Jim?

2 MR. HENSHAW: That's it.

3 THE CHAIRPERSON: Rhonda.

4 MS. SANDERS: Makes sense to me. I'm
5 good.

6 MS. WEBB: I'm good with it, too.

7 MS. BOHAN: I'm good with it.

8 THE CHAIRPERSON: I'm fine with it.

9 MR. CRAVER: I'm good.

10 THE CHAIRPERSON: Do I hear a motion?

11 MR. HENSHAW: I would like -- we applied
12 for preliminary, I guess.

13 MS. SANDERS: Motion to approve final.

14 MR. CRAVER: Second.

15 MR. HENSHAW: Got a baby on the way.

16 Thank you very much

17 THE CHAIRPERSON: Where were we?

18 We haven't voted yet.

19 MR. CRAVER: No, we have to vote.

20 MS. SANDERS: Motion to approve as final.

21 MR. CRAVER: I seconded it.

22 THE CHAIRPERSON: Discussion?

23 All in favor?

24 (All Board members stated aye).

25 2816 MARSHALL BOULEVARD

1 MR. HENDERSON: This is agenda item F3,
2 COA request; again, a nonhistoric property at 2816
3 Marshall Boulevard. Sammy Rhodes, the applicant,
4 requesting modification to the zoning standards for
5 principal building square footage.

6 This is a new construction. The applicant
7 submitted building permits for approval, all meeting
8 the standards of the ordinance.

9 We approved the building permit and now
10 they're requesting to convert some space inside this
11 new build. That's where this request is coming from.
12 It's an increase of 12 percent, 475 feet of heated
13 square footage. Defer to you for any questions.

14 THE CHAIRPERSON: Any presentation?

15 MR. RHODES: Yes, I'm Sammy Rhodes. We
16 built this house, and we have a couple that's looking
17 to purchase the house. We don't have a contract or
18 anything. They have a handicapped child. We're
19 trying to put a master bedroom upstairs for them so
20 they can be close to their child. We don't have a
21 contract yet. I don't want y'all think we're trying
22 to get this -- it's a done deal.

23 We're not changing the exterior of the
24 house at all. We are actually taking attic space and
25 putting a bedroom in it. The exterior of the house

1 will look exactly the same. All we're asking for is
2 12 percent of heated square foot.

3 THE CHAIRPERSON: Thank you. Discussion.
4 Rhonda. Start with you again.

5 MS. SANDERS: I think it's reasonable.
6 Did you get caught or you just showed up?

7 MR. RHODES: No, I didn't.

8 MS. SANDERS: I'm just kidding. I think
9 it's reasonable. I was just kidding.

10 MS. WEBB: I think the space is there,
11 make it useable.

12 MS. BOHAN: Agree.

13 MR. CRAVER: I don't have a problem with
14 it.

15 THE CHAIRPERSON: I'm okay with it.
16 Do I hear a motion?

17 MS. SANDERS: Motion to approve, final.

18 THE CHAIRPERSON: Second?

19 MR. CRAVER: Second.

20 THE CHAIRPERSON: Discussion? All in
21 favor?

22 (All Board members stated aye.)

23 THE CHAIRPERSON: So moved. Thank you.

24 3003 BROWNELL AVENUE

25 MR. HENDERSON: Agenda Item F4 is a COA

1 request for a nonhistoric property at 3003 Brownell
2 Avenue. Level Properties, LLC, the applicants,
3 requesting approval for a new construction. They
4 will move forward with the demolition of an existing
5 home there that's prefirm, noncompliant.

6 In its place, will build a house.
7 Requesting 17.3 or 18 percent increase in principal
8 building square footage.

9 11 percent in principal building coverage.
10 And relief for the -- excuse me.

11 This project has changed. I would ask the
12 applicant to distribute the correct packet.

13 Up until today, we were going back and
14 forth on some modifications.

15 MR. CLARKE: Joe asked me to clarify a few
16 things. This is a new set that has the clarified
17 items, so you can understand some of the variance
18 we're requesting. Little bit more clear.

19 THE COURT REPORTER: Can I have your name.

20 MR. CLARKE: Phil Clarke with Clarke
21 Design Group.

22 MR. HENDERSON: What Phil is distributing
23 is a revised request. 100 percent relief is
24 requested for the second story side setback on the
25 side elevations.

1 Principal building coverage relief of
2 15.7.

3 And principal building square footage of
4 23 percent.

5 THE CHAIRPERSON: Okay, you're on.

6 MR. CLARKE: Again, my name is Phil Clarke
7 with Clarke Design Group. We have designed a new
8 home to fit within the setbacks. It's a unique kind
9 of island style architecture with some protruding
10 balconies, in-fill balconies, large porch along the
11 back.

12 If you kind of flip through it on the
13 different elevations, I tried to call out which
14 specific variances we were asking for. And probably
15 the ones that you see a lot are certainly the size.
16 It's up to 4,182 square feet, which is within the
17 amount that you're allowed to grant. We're asking
18 for that as well as building coverage up to the
19 amount you're allowed to grant.

20 And probably the biggest one is certainly
21 the second story setback. What we've done, we've
22 actually done a change of material along the second
23 level to break up that large mass. It's not too
24 large as far as the two-story section.

25 A lot of it is one story. But the

1 two-story section on the side, you need to keep it
2 two-story. We broke up the siding, have two
3 different types of materials; again, to not make it
4 feel like too large of a -- just a big mass, if that
5 helps.

6 Happy to answer any questions.

7 THE CHAIRPERSON: Joe, what do you have up
8 there on the screen?

9 MR. HENDERSON: This was the previous
10 application. Sorry about that.

11 THE CHAIRPERSON: Go through the setback
12 relief request again, please.

13 MR. CLARKE: Not a setback relief. The
14 only setback would be the two-story section where
15 it's a two-foot step in.

16 THE CHAIRPERSON: That's the step-in.

17 MR. CLARKE: Yes, sir, just that little
18 section right there that you see.

19 MR. HENDERSON: That would be reflected on
20 A-204, 202 and 204. Both of the side elevations are
21 requesting 100 percent relief on the second-story
22 side setback.

23 MR. CLARKE: Correct.

24 THE CHAIRPERSON: Billy. This is a
25 conceptual --

1 MR. CLARKE: Yes, sir.

2 THE CHAIRPERSON: -- application?

3 MR. CRAVER: Right. I'm having a little
4 problem with that second floor side setback relief.
5 We've really been zeroing in on this lately because
6 of the massing issue. And that's a real issue. The
7 side looks pretty stark to me.

8 The rear elevation has some character to
9 it. It's not a boxy thing. And the front, when you
10 look at the side elevations, the front looks fine.
11 I'm trying to see how the -- is this a side porch
12 over here?

13 MR. CLARKE: Yes, sir, that's actually,
14 when you're looking from the right-hand side, that's
15 of course on the other side. There will be a pool
16 and a yard in front of it.

17 THE CHAIRPERSON: That's the west
18 elevation.

19 MR. CLARKE: What you're looking at there,
20 that's looking across towards the porch. When
21 you're looking from the side across, that's the porch
22 that you are seeing when you look from the left-hand
23 side. It's kind of an L-shape wrapped porch.

24 THE CHAIRPERSON: Is your concern related
25 to the front elevation?

1 MR. CRAVER: No. When you're on the --
2 maybe I'm looking at it wrong. When I'm on the side
3 and I'm looking at the front, the front is broken up.
4 Or it looks like it is. Those are the stairs and
5 this breaks up that front elevation fairly
6 significantly.

7 I'm trying to understand how you get any
8 kind of break.

9 THE CHAIRPERSON: This is the west
10 elevation; right?

11 MR. CLARKE: Yes, sir.

12 THE CHAIRPERSON: From Station 30.

13 MR. CLARKE: Correct.

14 MR. CRAVER: That's the front.

15 THE CHAIRPERSON: That faces Brownell.

16 MR. CRAVER: Right. Again, I'm having a
17 hard time.

18 MR. CLARKE: What were you pointing to is
19 this piece that comes out.

20 MR. CRAVER: It's that long?

21 MR. CLARKE: It is that long; setback
22 along the east side of the property.

23 MR. CRAVER: I may be getting happier
24 about this. Bare with me a second. This is broken
25 up. That's inset.

1 MR. CRAVER: Yes, sir, just I have no
2 imagination. So the element that is -- the element
3 without a setback is this one wall right here.

4 MR. CLARKE: Second floor of that.

5 MR. CRAVER: The rest of that, do y'all
6 see?

7 THE CHAIRPERSON: L-shape. You're looking
8 at this elevation.

9 MR. CLARKE: 30-foot length that we're
10 requesting, not 100 percent setback; just for 30
11 foot.

12 MR. CRAVER: Then on the left side.

13 THE CHAIRPERSON: East elevation is?

14 MR. CLARKE: It is similar.

15 MR. CRAVER: All right. Now I'm happy. I
16 get it.

17 THE CHAIRPERSON: Do you?

18 MR. CRAVER: Yeah, I didn't get it before.
19 I got it now. Ten after 8:00.

20 THE CHAIRPERSON: Appreciate your
21 question. Very good. Rhonda.

22 MS. SANDERS: The reason you're like
23 hesitating is because we were not able to grant
24 relief for a similar request for religious reasons;
25 right?

1 MR. CRAVER: Right.

2 MS. SANDERS: I think this is a much
3 better design, much better broken up. On the same
4 token, you do have 15,000 square feet of property. I
5 would think you might could maybe break up that
6 second floor, that wall on the 30 feet pretty easily
7 and inexpensively. So I would consider it. That's
8 my input.

9 THE CHAIRPERSON: Donna.

10 MS. WEBB: I have the same kind of overall
11 feel. The front has potential shutter treatments and
12 whatever. And the side, you know. I know the
13 drawing is limited.

14 I feel like there's probably more depth
15 here than what we can see from this preliminary
16 sketch. Just avoid it being too much of a mass. Too
17 much roof in one place.

18 THE CHAIRPERSON: Excuse me, Donna. What
19 can you do to mitigate that?

20 MR. CLARKE: Unless there's an option of a
21 setback relief to allow us to maybe just do a
22 two-foot balcony or something like that. Is there an
23 opportunity for some kind of a balcony that can be
24 placed off of that side? Down the side property
25 line.

1 MR. HENDERSON: In the zoning ordinance,
2 you can provide a second floor side facade balcony
3 four feet in depth to offset this regulation. You
4 can provide a balcony in the center of that
5 elevation.

6 MR. CLARKE: At the upper level?

7 MR. HENDERSON: Yes.

8 MR. CLARKE: Or at the main level?

9 MR. HENDERSON: On the elevated, the
10 second floor.

11 MR. CLARKE: Second floor, we could do
12 four-foot deep balcony to alleviate that. That would
13 go over the setback.

14 Randy, are you saying that you feel like
15 that's going in the wrong direction? Almost should
16 have a balcony on the main level?

17 MR. ROBINSON: On the first floor.

18 MR. CLARKE: On the first floor, so that
19 the second floor sets in, which would make more
20 sense, I do believe. I think we would welcome the
21 opportunity to do a side open balcony perhaps along
22 that side.

23 THE CHAIRPERSON: Randy, you had a
24 comment?

25 MR. ROBINSON: I've just never seen it

1 done that way. Not having the ordinance sitting in
2 front of me, not considering that, I don't know. I
3 just have to study that.

4 MR. CLARKE: Joe, when you were reading
5 that, were you thinking it meant ground level and
6 next level is second, perhaps?

7 MR. HENDERSON: The regulation reads: If
8 a principal building second floor side facade has an
9 unenclosed porch with a minimum depth of four feet,
10 the side facade encompassed by the porch shall not be
11 subject to the two-foot setback requirement.

12 MS. SANDERS: It might look silly.

13 MR. HENDERSON: That provides the break.

14 MS. SANDERS: It has a couple eyebrows.

15 MR. CLARKE: And main level. Those
16 bracketed roofs would go over 25-foot setback if that
17 could be granted. Could do that for sure.

18 MS. SANDERS: Just trying to break up that
19 30-foot wall.

20 MS. BOHAN: I agree.

21 MR. HENDERSON: I'm really sorry. It's
22 four feet from that facade setback. Four feet in
23 depth. I'm sorry.

24 THE CHAIRPERSON: On the second floor?

25 MR. HENDERSON: On the second floor.

1 MS. SANDERS: Inverted balcony.

2 MR. HENDERSON: Not projecting out.

3 MR. CLARKE: We would prefer not to do
4 that.

5 Y'all brought up perhaps a bracketed roof
6 over those windows on the main level; just a
7 bracketed shed roof to mimic the front cantilever.
8 No flooring, just a roof covering to break up that
9 mass perhaps. If that roof covering could be allowed
10 to encroach the 25-foot side setback.

11 MS. SANDERS: I think there's a relief
12 there from the side setback. You were asking for
13 that.

14 THE CHAIRPERSON: This is conceptual
15 application. I know you're probably anxious to get
16 started.

17 MR. HENDERSON: So you're referring to a
18 shed roof on the -- I'm sorry.

19 THE CHAIRPERSON: Go ahead.

20 MR. HENDERSON: Just a shed roof coming
21 off that side facade on the first floor?

22 MR. CLARKE: Take those windows that are
23 on the main level and do a bracketed shed roof,
24 projecting off the house by two or three feet.

25 Again, the style of it can mimic those front in-fill

1 balconies. The style can mimic that. Just something
2 over the roof and then the brackets come back down on
3 either side of the window. Just something to break
4 that up, perhaps.

5 MS. BOHAN: Much like you did on A-204.

6 MR. CLARKE: Yeah, that's actually a true
7 balcony that bumps out a little bit. Something like
8 that could happen. If y'all would grant a setback
9 from that 25-foot going over the side setback, we
10 could do that.

11 MS. BOHAN: I also have a question on
12 A-202. If you can add more interest to that side
13 wall. Again, the windows.

14 MR. CLARKE: Perhaps more windows.

15 MS. BOHAN: Perhaps more windows or just a
16 projection. Maybe a two-foot projection that would
17 go up that wall that you could maybe change the
18 direction of the Hardiplank. Maybe to incorporate
19 more of a vertical member.

20 MR. HENDERSON: I think that what he's
21 requesting would provide some architectural detail
22 visually. You would still need to request the 100
23 percent relief in that requirement. I think the two
24 feet is an actual two-foot setback of the massing of
25 the structure. Or that porch coming four feet back

1 into that massing to break it up. That may be a
2 detail that you would be -- that the Board may be
3 willing to accept.

4 MR. CLARKE: Bracketed roof detail over
5 the windows could suffice architecturally to allow a
6 reason to grant the variance.

7 THE CHAIRPERSON: I'm not sure I
8 understand what you're going to end up with.

9 MR. HENDERSON: Maybe you can kind of
10 sketch on what you presented.

11 THE CHAIRPERSON: That would help.

12 MR. CLARKE: If we added another window
13 here, perhaps one of these types of roofs over the
14 top of these windows, just to break it up.

15 THE CHAIRPERSON: Just an eyebrow kind of
16 a thing? Is that what you're talking about?

17 MR. CLARKE: Yes, sir. That's right.
18 Could have bracket over, something like that. That
19 makes it feel like there's something breaking up so
20 the first floor feels a little bit deeper than the
21 second floor. But we would not be crossing that side
22 setback with heated space. It would just be a
23 decorative element, if that's an option. I could
24 show you that very quickly.

25 THE CHAIRPERSON: Do you see what he's

1 saying?

2 MS. BOHAN: I do.

3 MR. CRAVER: Yeah.

4 THE CHAIRPERSON: I have a question on the
5 north elevation. That's a long wall there. Is there
6 any setback requirement there?

7 MR. HENDERSON: Yes, sir. It would apply.
8 The setback would apply to both side elevations.

9 THE CHAIRPERSON: We have had a long
10 discussion on that type before.

11 MR. HENDERSON: With that eyebrow detail,
12 they would still have to request that 100 percent
13 relief.

14 MR. CLARKE: I have a picture if it helps.
15 I'll do a little more character. That idea.

16 THE CHAIRPERSON: How about on the north
17 elevation? The same type eyebrow?

18 MR. CLARKE: On the north or east?

19 THE CHAIRPERSON: I'm sorry, east. Which
20 is a long --

21 MR. CRAVER: I think one of the things
22 here, maybe it's the software package, you don't get
23 a sense of the -- you don't get a three-dimensional
24 sense on this drawing at all. If you look at the
25 floor plans, even on that left elevation, it's not a

1 big -- that one little sort of rectangular doesn't
2 have a setback. That's a fairly broken up mass
3 there.

4 And actually the same is true on 202.
5 That's an L shape. There isn't anything flat about
6 it. It's very broken up.

7 I think the issue here is the software
8 package isn't doing your design any favors as far
9 as --

10 MR. CLARKE: It might be helpful to show
11 you a 3-D model.

12 MR. CRAVER: -- the three-dimensional
13 aspect of what you've done here. It makes that one
14 area where the two windows are look flat against the
15 rest when you're not.

16 MR. CLARKE: Where it's just a small piece
17 of the wall.

18 MR. CRAVER: Right. It's significantly
19 less than 50 percent of the length of that side. It
20 isn't even close to the other issue that we had that
21 was a box.

22 THE CHAIRPERSON: Are you okay?

23 MR. CRAVER: I actually am. I sort of
24 come around after studying the interior drawings and
25 matching up what the exterior looks like. It's

1 broken up a lot more then -- again, the drawings
2 don't really seem to do it, the justice. If you look
3 at the interior and then it's just not a whole lot to
4 the second floor.

5 When you look at the second floor, okay,
6 so the outside, it matches to the second. The shape
7 of the exterior of the building matches to the first.
8 And the second floor is all broken up. I don't have
9 the massing issue I was originally --

10 THE CHAIRPERSON: How about on the east
11 wall? Is that okay? Are you okay with that?

12 MR. CRAVER: That's the right elevation.
13 That's the L.

14 THE CHAIRPERSON: That's the west
15 elevation.

16 MR. CRAVER: This right here, that's all
17 open area right here, so this is significantly
18 indented.

19 THE CHAIRPERSON: You're looking from the
20 west, Station 30. The other elevation is the east
21 elevation.

22 MR. CRAVER: This is broken up. This is a
23 different roof that's slanted in.

24 THE CHAIRPERSON: You're okay with that?

25 MR. CRAVER: I'm okay with that.

1 MR. HENDERSON: So both elevations, the
2 east and west elevations have 30 linear feet of
3 unbroken plane on those elevations. That's the
4 distance.

5 MR. CLARKE: 30 feet max.

6 MR. CRAVER: You know, the whole structure
7 is buried enough that I don't get that big boxy, fill
8 the building envelope since I've gotten from other
9 ones, when they're built you go: Oh, my God, look at
10 that big-ass box. That was a legal term.

11 THE CHAIRPERSON: Do I hear a motion?

12 MR. CRAVER: Yeah, I would move to give
13 conceptual approval to this. I'd like to see more
14 developed drawings. I'm brought around to it.

15 MS. SANDERS: Second.

16 THE CHAIRPERSON: Discussion?

17 All in favor?

18 (All Board members stated aye.)

19 1319 THOMPSON AVENUE

20 MR. HENDERSON: Our final one. Agenda
21 item F5. This is a COA request, nonhistoric property
22 located at 1319 Thompson.

23 Mr. Carl Berry is the applicant. He's
24 requesting conceptual approval for new home
25 construction and relief of principal building

1 coverage of 17 percent.

2 This is a very small lot. The applicant
3 is requesting to build a modest size home and so he
4 doesn't want to build up; he wants to build out.
5 That's where the 17 percent is coming from. Lots of
6 trees on the lot.

7 Mr. Berry, I'll let you present your
8 application.

9 THE CHAIRPERSON: We apologize for you
10 being last with a very simple application.

11 MR. BERRY: Y'all done a great job keeping
12 it going after that one long presentation. I was
13 dark haired. I'll keep it short and sweet.

14 What you have in front of you, like Joe
15 said, it's a small lot; only 90 by 94 feet. We kept
16 everything in the guidelines. We asked for -- we
17 tried to break up the vernacular; basically raised up
18 one story house.

19 The second floor is within the roof line
20 with some dormers. We tried to keep it very clean
21 and simple, yet have a little vernacular of ins and
22 outs as you see it.

23 The only thing we are requesting is the
24 principal building coverage, which only allows 1,647
25 square feet. You're allowed to give us up to 330.

1 We're asking for 282, which is 82 percent.

2 The other thing I would like to ask, we
3 were actually hoping for a final approval on this,
4 not just conceptual. Short and sweet.

5 THE CHAIRPERSON: Thank you. Joe.

6 MR. HENDERSON: Nothing to add, sir.

7 THE CHAIRPERSON: Bev.

8 MS. BOHAN: I don't have any problem with
9 it at first glance. I do have a couple of questions
10 on the -- so it's ten and nine? Ten foot on the
11 first floor, nine on the second?

12 MR. BERRY: Yes, correct.

13 MS. BOHAN: Asking for final. The
14 materials? Hardiplank?

15 MR. BERRY: Yes, Hardi.

16 MS. BOHAN: The typical?

17 MR. BERRY: Correct.

18 MS. BOHAN: I'm done with the questions.
19 That's all I have.

20 THE CHAIRPERSON: Donna.

21 MS. WEBB: I'm good with it. I think
22 it's -- that lot is, you know, tricky. It's pretty
23 cool that you can come in through the back and have
24 your parking back there and still have both frontages
25 to have curb appeal versus parking. And I think it's

1 a modest size home. And I have no problems granting
2 that 17 percent.

3 THE CHAIRPERSON: Rhonda.

4 MS. SANDERS: Left side, if you're facing
5 the house, is the one that has the porch the
6 entrance; is that correct?

7 MR. BERRY: Yes.

8 MS. SANDERS: And the right side is
9 adjacent to your neighbor?

10 MR. BERRY: Correct.

11 MS. SANDERS: Which has a bunch of trees,
12 so it's not a big deal. Yeah, I think it looks good.
13 I think as long as y'all are okay -- the application
14 is not complete, like you said, with materials, et
15 cetera.

16 MR. HENDERSON: This was a
17 very challenging -- I'm sorry. You're still
18 commenting.

19 MS. SANDERS: As long as you're okay with
20 that, I think the design is nice.

21 MR. HENDERSON: This was third or fourth
22 go around, trying to squeeze this structure to meet
23 the setbacks on this property. Postage stamp lot.
24 There's some access issues. Heavily treed lot.
25 We've worked extensively.

1 MS. SANDERS: I have no problem with the
2 variance request. I am sure the materials will be
3 fine.

4 MR. ROBINSON: The first architect worked
5 on it, he just couldn't make it work. They actually
6 let him go and hired Carl to come in and do a plan.
7 Actually, we were like: Wow, this is great.
8 Everything is going to fit.

9 Then, uh-oh, lot coverage. It is mostly
10 on that first floor.

11 MS. SANDERS: I think it's a reasonable
12 request.

13 MR. HENDERSON: The other issue, the
14 trees. It's so heavily canopied out there, the
15 gentleman that lived out there before had this
16 barricade; allowed all these trees to grow. The
17 gentleman has to cut down all these trees and
18 mitigate the site with all these inches. The
19 challenge continues with the landscape plan.

20 THE CHAIRPERSON: Bill.

21 MR. CRAVER: I'm good with it. Looks
22 great.

23 THE CHAIRPERSON: Certainly an improvement
24 of what was there. I'm okay with it.

25 MR. CRAVER: Make a motion, final approval

1 as submitted.

2 MS. WEBB: Second.

3 MS. SANDERS: Third.

4 THE CHAIRPERSON: All in favor?

5 (All Board members stated aye.)

6 THE CHAIRPERSON: So approved.

7 Meeting is adjourned.

8 (The meeting was concluded at 8:30 p.m.)

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CERTIFICATE OF REPORTER

I, Lora McDaniel, Registered Professional Reporter and Notary Public for the State of South Carolina at Large, do hereby certify that the foregoing transcript is a true, accurate, and complete record.

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

Witness my hand, I have hereunto affixed my official seal this 6th day of May, 2016 at Charleston, Charleston County, South Carolina.



Lora McDaniel

Lora L. McDaniel,
Registered Professional Reporter
My Commission expires:
September 18, 2016

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