

**TOWN OF SULLIVAN’S ISLAND, SOUTH CAROLINA  
PLANNING COMMISSION  
REGULAR MEETING MINUTES  
Wednesday, September 14, 2016**

A regular meeting was held at 6:00PM, this date, at Town Hall, 2050-B Middle Street, all requirements of the Freedom of Information Act satisfied. Present: Commissioners Gary Visser (Chair), Sydney Cook (Vice-Chair), Hal Currey, Carlsen Huey and Manda Poletti. Staff members present: Zoning Administrator Henderson, Asst. to Administrator Darrow and Building Official Robinson.

**Call to Order.** Chair Visser called the meeting to order, stated press and public were duly notified pursuant to state law and quorum was present (Charlie Cole and Carl Hubbard had excused absences); approximately ten (10) audience members (no media) present.

**I. Approval of Agenda – Commission approved agenda with no changes**

**II. Approval of Minutes**

**MOTION: Mr. Huey moved to approve the September 14, 2016 minutes; seconded by Ms. Poletti; MOTION UNANIMOUSLY PASSED.**

**III. Items for Consideration**

**1. Historic Design Guidelines: Text amendment to modify Zoning Ordinance Section 21-97C. (5) (Criteria for Certificate of Appropriateness) by requiring compliance with the *Secretary of Interior’s Standards for the Treatment of Historic Properties: Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings.***

**Staff Report (Zoning Administrator Henderson)**

The Land Use & Natural Resources Committee and Town Council have discussed the topic of historic design guidelines and, at the August 1, 2016 Council Workshop, asked the Commission to study design guidelines and offer recommendations to Council. This topic is continued from August 10, 2016 Planning Commission meeting.

Staff reviewed Zoning Ordinance Section 21-97 C. (5): Subsection of the Secretary of Interior’s Standards for Rehabilitation:

Currently, Section 21-97 C. (5) outlines the ten *Standards for Rehabilitation*, however, Town Council believes the Zoning Ordinance could be more clear when requiring all projects to meet SIS Guidelines. Clarifying this language could help to improve the level of staff and DRB review in the following ways:

- Ensure all projects are conducted in accordance with national preservation standards;
- Provide illustrations and diagrams to property owners, project managers, and staff to better explain the standards for historic preservation;

- Show “recommended” and “not recommended” treatments;
- Determine the level of treatment (preservation, rehabilitation, restoration, reconstruction), and prescribed method for retaining the greatest amount of historic fabric.

**Staff Recommendation:**

Staff recommends adding the entire title of the document entitled *Secretary of Interior’s Standards for the Treatment of Historic Properties: Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings* (SIS Guidelines and begin a dialog for potential modification of §21-97 C. (5) (Criteria for Certificate of Appropriateness).

1. Review the standards online at <https://www.nps.gov/tps/standards/four-treatments/treatment-guidelines.pdf>
2. Determine how to best incorporate the guidelines into the town’s regulations
3. Make the guidelines binding to all historic design review projects (both DRB and staff level maintenance related permits)

**Commission Questions to Staff:**

Q. Who reviews and regulates the City of Charleston Policy Statement

A. DRB/ARB staff forwards rules from DRB/ARB to City County for review and approval

Q. How often does City of Charleston change the Policy Statement?

A. Quantity is uncertain; assumes changing Policy Statement can be as flexible

Q. Is the City of Charleston Policy Statement legally binding?

A. Yes – has been in effect for some length of time

Q. Who crafts the City of Charleston Policy Statement?

A. Charleston DRB/BAR crafts the Policy Statement, but City Council approves any changes

**Public Questions to Staff:**

DRB members were invited to attend this meeting and offer feedback. DRB members present include Bill Craver, Steve Herlong, Beverly Bohan and Duke Wright. Staff noted Ms. Bohan, Mr. Herlong and Mr. Craver were on a DRB study group that studied/reviewed this matter.

Bill Craver (Design Review Board):

- Where did the request for these historic guidelines derive? Is it related to a specific house that was approved by DRB?
- DRB has studied/discussed this concept and it is his understanding that the DRB rejected this concept wholeheartedly
- Requested Town not rewrite law for a specific property/problem
- Raised issue of providing a special exception for historic homes at 1200sf to build an accessory structure home on the lot. Submitted this concept was supported by the DRB

**Staff Comments:**

Zoning Administrator Henderson:

- Staff can and should improve efforts to connect projects before the DRB with NPS documents, such as the aforementioned Interior of Secretary Principles and Guidelines
- Recommended specifically including reference to the NPS/Secretary of Interior published guidelines in the Town’s ordinance by making the following Zoning Ordinance amendment:

Text amendment to Section 21-97 C. (5) (Criteria for Certificate of Appropriateness) by requiring compliance with the *Secretary of Interior’s Standards for the Treatment of Historic Properties: Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings* (hereinafter “Secretary of Interior’s Publication”)

**Commission Questions to Staff:**

Q. How does DRB decide design standards?

A. DRB and Staff refer to itemized design standards in Section 21-97 C. (5) (a)-(j). These guidelines are taken directing from the aforementioned Secretary of Interior’s Publication of standards and guidelines. The Zoning Ordinance refers to only one section of the Secretary of Interior’s publication.

**Public Comments/Questions:**

Bill Craver, Design Review Board

- Submitted the Town intentionally included, and excluded, historic guidelines texts in the Town’s ordinance, years ago.
- Submitted it would be an incorrect to assume the non-inclusion of design guidelines was an oversight by previous Councils.
- Does not support the text amendment change concept.

**Commission Comments:**

Mr. Currey:

- The Town has apparently not attempted, at present, to modify the Secretary of Interior’s guidelines to fit Sullivan’s Island.
- Asked what makes Sullivan’s Island special? Submitted the Town’s historic properties are the difference between Sullivan’s Island and many other coastal communities.
- Submitted it is incredibly important to systemize the way the Town looks at historic preservation and put this approach/guideline in writing for future generations.

Zoning Administrator Henderson – reviewed Staff options:

### 1. Administrative Approach

Administrative change alternative Staff could make to the application process:

- Change application form and process
- Application could be required to provide a narrative of the project scope that comports with the documents and plans provided to Staff for DRB review
- Applicant would have to specifically identify how the proposed project complies with federal guidelines and standards articulated (or referenced) in the Town’s Zoning Ordinance (i.e. Secretary of Interior’s Publication of standards and guidelines)
- Staff would offer DRB a solid recommendation on whether an application complies with or violates “guidelines.”

2. Aforementioned option of developing a Policy Statement similar to City of Charleston Board of Architectural Review (BAR), developed by DRB and approved by Town Council, and formally incorporated in the DRB rules.

### 3. Develop stand-alone local historic guidelines

Staff recommends:

(1) Zoning Ordinance text amendment to Section 21-97 C. (5) (Criteria for Certificate of Appropriateness) by incorporating the entire title of the SIS guidelines entitled *Secretary of Interior’s Standards for the Treatment of Historic Properties: Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings* (“Secretary of Interior’s Publication”)

(2) Aforementioned administrative review and Staff recommendation process

Applicants usually re-submit a revised application if denied DRB approval. Circuit court is the avenue of relief for applicants denied approval by the DRB.

Mr. Huey: Noted the Town should look at special exceptions to incentivize preservation of historic properties.

It was clarified historic guidelines refer to the exterior of historic structures, not the interior.

Ms. Poletti:

- Noted she has two historic projects with Sullivan’s Island and City of Charleston utilizing the SCHPO tax incentive program.
- Noted the process to comply with SCHPO standards for the tax incentive is tedious, but following the SCHPO procedure provides the best opportunity for true preservation of historic properties.

Zoning Administrator Henderson noted SCHPO uses the same guidelines and standards as recommended in the Secretary of Interior Publication.

**Public Comments:**

Mr. Herlong, DRB

- Submits there is not a need for stand-alone Island historic guidelines
- The Secretary of Interior Publication is sufficient

Eddie Fava, 2424 Myrtle Avenue

- Supports amending Section 21-97 C(5) to be consistent with the intent of the Secretary of Interior’s guidelines

**MOTION: Mr. Currey moved to recommend to Council conceptual approval to consider incorporation of text amendment language to Zoning Ordinance Section 21-97 (C) 5 by incorporating the entire title of the Secretary of Interior Standards document entitled *Secretary of Interior’s Standards for the Treatment of Historic Properties: Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings* (“Secretary of Interior’s Publication”) in tandem with an enhanced Staff administrative review and recommendations of DRB applications for compliance with the Secretary of Interior’s standards and guidelines. Further Commission does not feel it is appropriate, at this time, to pursue developing stand-alone historic guidelines; Seconded by Ms. Cook. MOTION UNANIMOUSLY APPROVED.**

**2. Standards for Elevating Historic Structures: Consideration of Design Review Board recommendations relating to potential text amendment to the Zoning Ordinance to regulate elevating of historic structures.**

**Staff Report (Zoning Administrator Henderson)**

Council directed Commission to study DRB recommendations related to elevating historic structures (**Exhibit A**).

**Background:**

Because Sullivan’s Island is located in the floodplain, the DRB receives regular requests to elevate historic structures to comply with FEMA regulations (to reduce flood insurance premiums). However, elevating historic structures present several problems from a preservation perspective:

- It removes the historic perspective of the home, altering the streetscape;
- It alters the historic massing and materials of the home;
- Alters landscape and other site features (vistas and views of surrounding properties);
- Alters traditional access points (addition of porches and stairs);
- May adversely affect the historic district.

To conserve the character of designated historic properties and surrounding neighborhoods, the DRB has recommended that an integrated design approach be taken when considering elevation of designated historic structures (Sullivan's Island Landmarks and Traditional Island Resources). These guidelines were derived from the *Mississippi Elevation Design Guidelines*: [http://www.nj.gov/dep/hpo/hrrcn\\_sandy\\_pdf%20files/mississippi.pdf](http://www.nj.gov/dep/hpo/hrrcn_sandy_pdf%20files/mississippi.pdf)

The objective of the attached text amendment would be to require any proposed elevation or change to an existing historic structure to carefully consider existing site conditions (site elevations and topography), parcel access, type of architecture, composition and scale, and location of adjoining historic properties.

**Staff Recommendation:**

Staff recommends consideration and discussion of the potential text amendment and review of the *Mississippi Elevation Design Guidelines*.

Steve Herlong, DRB

- Noted that DRB study group reviewed the elevation of historic homes as part of an overall strategy for historic properties below FEMA base flood elevation.
- Noted the study group included consideration for special exceptions to build accessory structures on the properties of historic homes (remove a maximum historic home square footage restriction or relax it from 1200 sf to a larger size)
- Intention is to incentive historic home owners to not elevate historic structures but build a second/separate home structure on the lot.
- If the Town allows for elevation of historic structures, the Town should restrict how much of the existing house and/or a new addition should be elevated.
- He submitted the text amendments in Exhibit A give the DRB something specific to address with the applicant.

**MOTION: Ms. Poletti recommended to Council conceptual approval for potential text amendments to the Zoning Ordinance to regulate elevating of historic structures as recommended by the Design Review Board and articulated in Exhibit A herein; seconded by Ms. Cook. MOTION UNANIMOUSLY PASSED.**

**Next steps (Zoning Administrator Henderson):**

Planning Commission has made recommendations to Council regarding the concepts of historic guidelines and elevation of historic homes, as articulated herein. Council will likely refer this matter to the Land Use & Natural Resources Committee of Council. Council has the latitude to study these matters at Council level or refer back to Planning Commission.

**It was noted that no text amendments to the Zoning Ordinance can or will be made without a properly, legally advertised public hearing held by the Planning Commission in the future.**

#### **IV. Miscellaneous**

Chair Visser noted the Commission would soon begin the 10-year review of the Town's Comprehensive Plan for re-write before the end of 2018.

##### **Town Comprehensive Plan (10 Year Update)**

The Town's strategic long-range comprehensive plan is due for completed rewrite in 2017-2018. Commission briefly discussed the process and timeline:

- Chair Visser asked Commissioners to begin dialogue with residents for thoughts now
- Zoning Administrator Henderson reviewed the timeline
  - Kick-off meeting for rewrite will be Spring 2017 for adoption in 2018
  - Staff is currently assessing and identifying technical needs to support this project, and a budget, in coordination with Town Council (Land Use & Natural Resources Committee of Council)

There being no further business, the meeting adjourned at approximately 8:03PM (Mr. Huey motioned; Mr. Hubbard seconded; unanimously passed).

Respectfully submitted,  
Lisa Darrow  
Asst. to Administrator

Approved at the November 9, 2016 Planning Commission Meeting

September 14, 2016 Planning Commission  
Exhibit A

The DRB made several modifications to the below text. Language in “red” indicates modifications by DRB study group on May 31, 2016.

**Section 21-44. Elevating Historic Buildings.**

**A. Purpose.**

To conserve the character of designated historic properties and surrounding neighborhoods, an integrated design approach shall be taken when elevating Sullivan’s Island Landmarks and Traditional Island Resources.

**B. Design Guidelines.**

Any proposed elevation or change to an existing historic structure shall carefully consider existing site conditions (site elevations and topography), parcel access, type of architecture, composition and scale, and location of adjoining historic properties.

- (1) Height: To minimize the height of elevating historic structures, the finished floor elevation (FFE) shall not exceed 75% of the existing height from average adjacent grade. ~~(example: 3’ existing FFE would allow 2.25’ elevation or 5.25’ from average adjacent grade) (DRB increase 6.6’ from grade)~~ the FEMA base flood elevation.
- (2) Composition and Scale: To maintain an historic building’s visual character and design compatibility with the surrounding neighborhood, an elevation design plan shall be submitted to illustrate the composition and scale of the building’s principal architectural features are being maintained and will remain proportional to the elevated foundation. ~~the elevated foundation shall not exceed 50% of the front or side porch height. (example: 9’ porch height may not exceed an elevation of 4.5’ FFE from average adjacent grade) (DRB increase 5.6’ from grade).~~
- (3) Perspective and Orientation: Any proposed elevation or relocation ~~must~~ should maintain the building’s historic perspective from the principal right-of-way. All historic architectural elements ~~visible from pedestrian perspective when standing in the right of way, pre-elevation,~~ should be maintained after elevation or relocation.

- (4) Scale Minimization and Architectural Screening: Appropriate measures should be introduced into the site design to reduce or eliminate negative visual effects from the elevation of a historic structure. These elements include fencing, landscaping (foundation plantings), stair configuration and any other site considerations ~~listed in the Louisiana and Mississippi Elevation Design Guidelines for Historic Buildings~~, noted by the Design Review Board.

~~Design Review Board may increase by no more than 25% the maximum permitted elevation increase if this or other modifications achieve greater neighborhood compatibility as described in ARTICLE XII.~~