

Sullivan's Island Design Review Board Meeting March 16, 2005

Pat Ilderton called the meeting to order at 6:00 on March 16, 2005.

Members Attending: Pat Ilderton, Steve Herlong, Betty Harmon, Michael Daly and Duke Wright. Also attending were Kat Kenyon, Kent Prause and Randy Robinson.

Pat Ilderton asked for approval of the DRB special meeting minutes of February 3, 2005 and also the regular February 16, 2005 meeting.

Steve Herlong made a motion to approve the minutes.

Betty Bragg Harmon seconded the motion. A vote for approval was unanimous.

Pat Ilderton called for the first application

Skipper Shaffer Homes, LLC

1014 Middle Street

Submittal for a swimming Pool and fence enclosure for a Historical Structure

The proposed project documents were well organized and clear.

Duke Wright stated that although this was listed as a Traditional Island Resource there was a new house on the lot. The only reason the project has to come before the DRB is that the property is in a historic district.

Steve Herlong stated that it is for an in ground pool in the rear yard and that it looked appropriate and is well designed. He made a motion to approve the pool and the fence. Duke Wright seconded the motion. The vote was unanimous to approve.

Pat Ilderton called for the second application

Timothy J. Cook

2708 Goldbug

Submittal for relocation of  
a Historical Structure

Pat Ilderton asked the applicant precisely what he was seeking approval to do.

Tim cook stated he was seeking approval to relocate the historic house on the lot but did not want to begin design on a new house to go on the same lot until he knew that could be done.

Pat Ilderton stated that an ordinance under consideration by town council would allow two structures on one lot but it had not been ratified? At this time the DRB could only consider relocation of the existing structure and not construction of a second house on the lot.

Steve Herlong stated that the DRB could approve a Certificate of Appropriateness only to relocate the existing historical house on the same lot. If the exact site was not known at this time they would have to come back for approval when that was determined.

Pat Ilderton stated that if two structures on one lot are eventually allowed the DRB would also have to review plans for the new structure.

Michael Daly said that relocating the existing house definitely impacts the traditional island character we are trying to preserve. We also need to see and approve the exact location of the new house.

Betty Bragg Harmon agreed.

Tim Cook said that the placement will tie in with the location of the new house. Pat Ilderton said the question is, do we allow historic houses to be moved in certain circumstances?

Steve Herlong said it should be on a case-by-case basis. In this case it seems okay to relocate the house but we need further review before deciding.

Pat Ilderton said that issues related to lot coverage are covered by zoning and that may or may not come under our jurisdiction.

Kent Prause said that this application has been submitted prematurely. At this time the ordinance says that you cannot have two houses on one lot. If the ordinance allowing two houses on a lot doesn't pass you could still request DRB approval to demolish the house or relocate it as well as renovate or add on.

Steve Herlong asked whether it would be inappropriate to approve a Certificate of Appropriateness to relocate it but not approve a location until the applicant comes back with a specific site.

Kent Prause said he would advise against that.

Betty Bragg Harmon said that this is a premature request.

Kent Prause agreed. This proposal implies two houses on one lot and the current zoning doesn't allow that.

Pat Ilderton said that both sites proposed seem to be inappropriate for this lot.

Kent Prause said that proposed siting may violate setbacks. If so, the owner would need a variance.

Duke Wright made a motion to defer this until the council passes the new ordinance.

Michael Daly seconded the motion.

Pat Ilderton said that we have a letter from a neighbor expressing concern regarding the impact of the proposed project on lot coverage and neighborhood compatibility. Lot coverage is going to have to be covered by the ordinance. If you exceed lot coverage limitations you will have to get a variance. There is a concern with neighbors on both sides of this property about size of the new house and how it relates to the neighborhood. If the town passes the two house ordinance the DRB would have to review it.

Steve Herlong asked what was the motion.

Pat Ilderton said the motion was to defer action until the town acts on the new ordinance and the motion had been seconded.

Tim Cook asked if the DRB would review architectural designs?

Pat Ilderton said that nothing has been decided on that issue.

Kent Prause said that is correct and he didn't know how it was going to turn out.

Currently, if a new house outside a historic district meet standards only a building permit is required. Since the existing house is listed as historic property the DRB would have to review new construction on the lot or any other action regarding the existing house. The lot as well as the house has been designated historical property. The question of how to deal with approval of what is built back on a lot where a historic house once stood hasn't been addressed yet.

Betty Bragg Harmon asked wouldn't that fall under neighborhood compatibility?

Kent Prause said that it would.

Randy Robinson said that before the applicant comes back he may want to get with me and a surveyor to determine elevations. The elevations are currently okay but if the house is moved down the hill it may have to be raised to eight feet. If this is done it also loses its character.

Tim Cook asked if he would have to come to the DRB to enclose the eight by six porch on the house.

Pat Ilderton said yes but we are trying to make arrangements so that Randy and Kent could approve minor applications such as that.

Steve Herlong said that enclosing a porch may be more than minor work on a historic house and that you should check with Randy.

Mr. Jimmy Hiers in the audience asked to be heard. He said that he lives next door to the property and understood that the proposed new house was going to be in the range of 8,000 SF. This would be in addition to the existing 1,000 SF house. He wasn't sure what the owner was asking for and that we need to see what guidance the new town ordinance provides.

Pat Ilderton recommended a vote to defer the action. The vote was unanimous in favor.

Pat Ilderton called for the next application.

John & Alison Ferguson  
1918 Central Avenue  
Addition to a Historic Structure

Elizabeth Allen introduced herself as the architect for the owners. She said that the property is in a historic district and listed as historical (#23) but the original house is gone and a new house was constructed about a year and a half ago. The owners want to put an addition on each side of the existing house. The front elevation, roof treatment and rooflines would be very similar to what is there now.

Duke Wright said that he was confused about the side setback on station 20 and asked if it conformed to current zoning requirements.

Elizabeth Allen said yes. We have taken the required thirty feet and split it in half and set back fifteen feet from each property line. The existing house is centered on the lot.

Steve Herlong said that something does not look correct on the left elevation roof line. There are some roofline questions because of the shed dormer. There are going to be some unusual breaks somewhere.

Elizabeth Allen said that she was in the process of working that framing out now. Pat Ilderton asked if we could approve the application based on making those adjustments?

Elizabeth Allen asked if they had to return to the DRB after making those adjustments?

Duke Wright made a motion that we approve the application contingent on making adjustments.

Betty Bragg Harmon seconded the motion. The vote to approve was unanimous.

Pat Ilderton called for the next application

Robert H. Graves  
1514 Middle Street  
Addition on a Historic Structure

David Boatwright, architect for Robert Graves, presented the application. He said that they recognized the historic value of the property and minimized changes on the Middle Street elevation with most work on the backside of the house. He reviewed the plans and elevations and said that he knew the proposed tower would be a subject of interest and discussion.

Michael Daly asked if the tower was just a staircase leading to a lookout?

David Boatwright said that the two main additions are a classic Sullivan Island kitchen house that will be connected by a wide corridor with a breakfast nook and cabinetry. It will have a low profile gable or curved slate roof.

Pat Ilderton observed that the tower would take some wind bracing.

David Boatwright said that it took some serious engineering. It is a slatted form with some gaps.

Kent Prause said that the tower height would be limited to 38 feet.

David Boatwright noted that he was aware of that 38 foot height limit with an allowance for 60 square feet above that height. The handrail is 37 1/2 feet.

Kent Prause said that the 60 feet square cupola has to be part of the main house, it could not be a separate structure.

Steve Herlong asked if it was linked to the house.

David Boatwright said there is a second story breezeway.

Kent Prause said it is not a cupola and cannot be done as shown.

Pat Ilderton said that the DRB doesn't have any control over the zoning ordinance and that to get it approved would probably have to be considered a hardship.

Michael Daly it would have to be connected by heated space.

Kent Prause said no and that if it is going to be that tall it has to be a cupola attached to the main house.

Pat Ilderton said that he understood it could go to seven feet above the highest ridgeline, which is 38 feet.

Kent Prause said that if this is approved we will start seeing a lot of requests for 44-foot towers.

Pat Ilderton that we can't approve it as proposed.

Steve Herlong said he didn't see why we can't comment and approve what we see with conditions even though the zoning administrator may have his own issues with it.

David Boatwright suggested that the tower portion of the application be set aside so we could deal with other questions so they can begin renovations on everything else.

Steve Herlong said he had a couple of questions. The structure down the street has dormers are they double or single window dormers?

David Boatwright said they were double window dormers, but they look to be over scaled.

Steve Herlong said he noticed that they are attractive from the streetscape and almost gives you the feeling that they are set back from the wall space. Here they are drawn on the face and look more like a second story gable than a dormer. Maybe you could set them back. Are you changing the window patterns?

David Boatwright said they have set up a rhythm on an eight-foot setup that suits the house.

Steve Herlong said that you have done a good job on the back side of the house linking the additions so you're not getting into roofline and dormer issues.

Steve Herlong said that last month we adopted the Secretary of the Interior standards of Rehabilitation of Historic Structures as a guide and that you have conformed well with item number nine of the standard. This item states that new addition, exterior alterations, or related new construction shall not destroy historic materials that characterize the property and that new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

Pat Ilderton suggested that we approve everything except the tower.

Kent Prause said that the section of the town ordinance that deals with towers is Section 21-109 F, 6. If the DRB finds any application inconsistent with one or more of the zoning ordinance standards which it does not have the power to modify the DRB shall either deny the application accompanied by suggested changes or variances that might be sought that would make the application more appropriate and consistent with the zoning ordinance, or approve the application subject to a variance being granted by the Board of Zoning Appeals modifying the current standards.

Michael Daly said that in this instance the second item seems more appropriate. We could approve everything except the tower. The applicant would have to go before the BZA for a variance regarding the tower.

Betty Bragg Harmon noted that if the applicant decides to restructure or redraw the plans he would not need a variance.

Steve Herlong said that his interpretation of what Kent Prause just read is that we could approve the request as submitted but that he would still have to get a variance for the tower.

Kent Prause noted that it says that if one or more items in the zoning ordinance standards are inconsistent and the DRB doesn't have the authority to modify that standard the applicant has one of two choices that I previously mentioned. I don't think that it means to deny the application in its entirety. You could approve the elements of design that you

feel comfortable approving and suggest different treatment or a variance. If you like it as submitted you can approve it subject to a variance being granted.

Michael Daly said that if the tower were reduced to 38 feet a variance would not be required.

Kent Prause said no, that is not the case.

Steve Herlong said that it was a detached structure.

Kent Prause said yes but if they put a deed restriction on it that it would not be rented out it could be attached by a deck.

Steve Herlong noted that it is not habitable space.

Kent Prause said that it may well work here but what about the 40-foot pillboxes around the island. You will start seeing 44-foot towers all over the island.

Pat Ilderton said that we have to make decisions of appropriateness for each application on a case by case basis.

Bill Barr from the audience said that he thought what Kent is saying is that the DRB does not have jurisdiction over every house on the Island. You are only going to have jurisdiction over houses on the historic properties list and in the historic districts.

Kent Prause said that once a zoning standard is relaxed you get into problems. There is no hardship in this case to exceed the height limits.

Michael Daly asked couldn't we just approve the tower if it were brought down to 38 feet?

Kent Prause said yes.

Steve Herlong said that it seems that the DRB 's approval doesn't mean they necessarily get zoning approval. There may be zoning issues that we don't have.

Kent Prause said that the BZA has standards that are tough regarding hardships. The DRB is more concerned with impacts on neighborhood compatibility and historic preservation which may be easier to meet than a zoning standard. I see no reason to grant a relief on a height variance because someone wants to go that high just to get a view.

Michael Daly noted that for this applicant to get a permit they would have to solve the height issue for the tower. It would be to their advantage for the tower to be lowered to 38 feet.

Steve Herlong said that they might want to study some options for the tower. At this time we could approve everything but the tower or approve the entire application if the tower were lowered to 38 feet. Do you have a preference?

Robert Graves said he would like to have the option to get started and further study the tower problem.

Steve Herlong noted that the floor area of the tower could be larger than 60 sq feet if it is less than 38 feet high.

Randy Robinson cautioned that you still cannot have two structures on one lot. Steve Herlong made a motion to approve the submittal with the tower as proposed with a height of 38 feet. In this case it meets item nine in the Standards for Rehabilitation.

Michael Daly seconded the motion. The vote to approve was unanimous.

Pat Ilderton called for the next application.

Jerald Scheer  
Application deferred from previous meetings. Removal of Historical Structures

Bill Barr, speaking for the owner, presented a set of photos and documents to be made a part of the DRB record.

He said that some of the photographs are of houses on the list of historic properties similar to the houses Jerald Scheer would like demolished and that some are different.

Steve Herlong interjected and rescued himself he is associated with the proposed project.

Bill Barr asked if the new adopted Secretary of the Interior standards have anything to do with removal or demolition of property.

Pat Ilderton answered yes

Bill Barr said that he would like to discuss a proposition to exchange a house at 2202 Middle Street not on the historic property list that is owned by Mr. Scheer for the property on Station 18 that is on the historic list. This would include demolishing the small marsh side secondary structure on the Station 18 property. Mr. Barr said that the title on the house on Middle Street dated back to 1905 in its present location.

Betty Bragg Harmon asked Kent Prause if this was possible. He said that under Section 21-94 C the DRB determines whether a property should be designated a historic property or not. Under Section 21-95 B the Town Council, the Planning Commission, the DRB or owners of one or more properties may propose the creation or modification of an HP Overlay District. If initiated by the property owners, the application should be made on forms or pursuant to standards set by the DRB. The DRB can make recommendations regarding additions or deletions but I believe the Town Council has final authority.

Pat Ilderton said that if that is the way it is written he was sure that is not the intent. The DRB was created to make those kinds of judgments.

Bill Barr read Section 21-92 A as follows: “In accordance with SC Title 6, Chapter 29-870, local governments that enact a Zoning Ordinance which makes specific provision for the preservation and protection of historic and architecturally valuable districts and neighborhoods by means of restriction and conditions governing the right to erect, demolish, remove in whole or part, or alter the exterior appearance of all buildings or structures within the areas, may provide for appointment of a board to oversee these responsibilities.” He said the council adopted the South Carolina code, which means you’re designated to oversee the responsibilities of the island resources. If you issue a Certificate of Appropriateness after hearing the applicant and any interested persons that want to speak you should take some action like placing conditions on an application and approve it in a Conditional Certificate of Appropriateness.

Kent Prause said that if you are proposing to add another house to the list you have to follow procedures in Section 21-94 A, Owner Notification. This is an ordinance requirement that is mandatory, not discretionary. Mr. Barr essentially gave you another house that should be on the list. You should now follow procedures to have it added to the list.

Pat Ilderton said that may be the procedure that needs to be followed to do what you propose to do.

Michael Daly said that he thought it is important for us to see what would be constructed on the Station 18 lot. If we permitted demolition of both houses the historical value is gone. Maybe the DRB doesn’t have a say regarding what is built to replace them.

Pat Ilderton said that the entire property was worthy of consideration.

Bill Barr said that they wanted to move the larger house toward Marshall Stiths and locate it 10 feet off Stith’s property line. This would give us more property on the rest of the lot for construction.

Michael Daly said that he thought you would want to preserve the view in the back and wondered why you would not consider removing the addition to the rear of the original house.

Jerald Scheer asked that if they allow two houses on a lot are they going to allow more lot coverage.

Pat Ilderton said that it may possibly be only 5% more with the new ordinance allows.

Michael Daly asked if we could ask Steve questions even though he recused himself.

Kent Prause said that he couldn’t speak because he was recused.

Michael Daly said it might solve the problem if you left the house where it is, removed the addition and built the new house designed by Steve.

Bill Barr said that he didn't know where the house sits in relationship to Marshall Stith's property line but that to maximize the rest of the lot if the swap doesn't work we would want to slide the house 10 feet towards the property line. We would then be faced with the 50% rule.

Randy Robinson said that when you move a house you have to comply with all current ordinances. In order to meet flood requirements it would probably have to be elevated five feet compared to about two feet now.

Michael Daly suggested the application be deferred again in order for you to look at the possibility of removing the addition while leaving the house where it is to determine if you comply with the lot coverage.

Bill Barr said that the problem with that is that we still don't know what the town council is going to do. We have already been delayed four or five months. We're just trying to find a solution that the town can live with short of going to court on this issue.

Pat Ilderton said that Kent is telling us that we can't add the structure you propose to the historic list.

Kent Prause said that under Section 21-94 B the DRB can recommend that it be put on the historic properties list. The Town Council, the Planning Commission, the Design Review Board or owners of one or more Lots of land may propose additions to or deletions from the list of designated historic properties. If initiated by the property owners, the application shall be made upon forms or pursuant to standards set by the Design Review Board for this purpose. The section further states that the DRB shall determine whether a property shall be designated an historic property or shall no longer be considered an historic property and that in determining whether a property should be designated an historic property it should be considered whether the property meets one of the eight criteria.

As the Zoning Administrator advising the DRB I am saying that it is essential that if any of the properties on the list meet any of the eight criteria they should not be taken off the list. The DRB or the Town Council can remove them from the list only if you make specific findings that the house meets none of those criteria. To add a house the DRB would have to make a finding or findings that it meets at least one of the criteria. You would then make a recommendation to the Town Council that it be added to the list. The owner is then notified and has thirty days to appear and object on procedural nonconformities of the designation process or on the misapplication of criteria. The owner would present his case before the DRB and then you would make a recommendation to the Town Council.

Pat Ilderton asked if the DRB could recommend that the Middle Street house be added to the list and the Station 18 house be moved to another location.

Kent Prause said that there are two houses on the property now and they both are on the historic properties list. He suggested that if the DRB believes one or both are not appropriately on the list that the board make some findings to justify their removal or demolition. If you decide that one should remain then ask the owner to apply for a Certificate of Appropriateness to relocate it on the lot. This is similar to what Mr. Cook has asked to do. The owner can also apply to modify the house.

Betty Bragg Harmon asked if we could go through the eight criteria.

Kent Prause said yes and that the DRB should go through each criteria and document findings. If there is not a critical evaluation everyone will be asking to simply have their house taken off the list. There are eight criteria and if a house meets just one it should be on the list.

Pat Ilderton asked if the DRB could approve relocating the primary house on the lot and demolishing the secondary structure if it was determined not to be historical.

Kent Prause said that he thought the application was to get the houses off the list. Bill Barr said it is to either remove the houses from the list or get a certificate to demolish them.

Kent Prause said that if they meet the eight criteria the DRB could approve a Certificate of Appropriateness to demolish one or both houses. Section 21-98 deals with demolition. You should make findings to support your approval or disapproval for demolition of one or both houses. It is essential that proper findings be made and documented.

Duke Wright suggested that the DRB address the smaller house separately.

Kent Prause said that in the review process you need to note why a house doesn't meet criteria in each of the eight items.

Note: Comments on each item are from Kent Prause.

*1) Has significant inherent character, interest, or value as part of the development or heritage of the town, state, or nation.* There is nothing in the record that relates to inherent character, interest or value to the state or nation so that would leave the town. At the last meeting when Mr. Barr presented pictures the house appeared to have a concrete block foundation with reasonable evidence that it was not more than fifty years old. In fact it appears to be a garage building not originally intended to be a residence but converted to a residence. I would say because of that it is not of character value.

*2) Is the site of an event significant in history.* There has nothing that has come forth that has shown it is significant in history.

*3) Is associated with a person or persons who contributed significantly to the culture and development of the town, state or nation.* I would say that there has been no evidence to support that.

4) *Exemplifies the cultural, political, economical, social, ethnic, or historic heritage of the town, state, or nation.* The other house on the lot was built in the thirties and is over fifty years old. It appears that the older house may exemplify some economical or social historic value. These houses were known as bonus houses because they were built by veterans returning from WW II who received bonuses to build homes.

Bill Barr said that he wanted an objection for the record because there was no evidence of this.

Duke Wright interjected and said that we were talking about the smaller house, not the larger one.

5) *Individually, or as a collection of resources, embodies distinguishing characteristics of a type, style, period, or specimen in architecture or engineering.* There is no evidence so far that would demonstrate that.

6) *Contains elements of design, detail, materials, or craftsmanship, which represent a significant innovation.* I wouldn't think so.

7) *Represents an established and familiar visual feature of a neighborhood or the town.* It was mentioned in the previous discussion that the house was quite prominent as one comes over the causeway. You would have to make a determination if that house is an established feature of the neighborhood and the town that would warrant it being kept on the list.

Duke Wright interjected asking if we needed to discuss that point now since Kent said it was quite prominent.

8) *Has yielded, or may be likely to yield, information important in pre-history or history.* There is nothing in our records that suggests that it would meet that requirement.

Duke Wright said that he had taken pictures from the causeway and didn't feel that the house adds to the character of Sullivan's Island and asked if the DRB had authority to approve removal or demolition.

Kent Prause said that Larry Dodds suggested to him that he feels the DRB has authority to remove properties from the list. As Zoning Administrator I don't agree. If you have the ultimate authority to remove this house from the historic resource designation study list I recommend that you do so. If you don't then based on your findings you must recommend the action to the Town Council or the appropriate authority.

Duke Wright said that he was confused and asked whether the DRB had the authority to approve demolition or not.

Betty Bragg Harmon followed with the same question.

Bill Barr said that his client has asked for relief in terms of an alternative to removing the property from the list. This means you have to go through the eight criteria in Section 21-

98. Mr. Barr then note the three criteria from Section 21-98 regarding demolition or removal of a property:

- 1) *The contribution which the structure makes to the historic and architectural nature of the town individually and/or in its relation to other structures and properties in the area.* I submit that the small structure doesn't look like anything around.
- 2) *The condition of the structure from the standpoint of structural integrity and the extent of work necessary to stabilize the structure.* I submit this house is in poor condition.
- 3) *The economically viable alternatives available to the demolition.* I submit that those are the three criteria that you take into consideration for demolition of the structure. I also disagree with Kent that you do not have the authority to remove. My proposal is to either determine whether the house is historic using the eight criteria in Section 21-94 or demolish it using the three criteria in Section 21-98. My position is that the DRB has authority to do either and the town attorney says you have the right to do both. I would ask that you grant approval to either demolish or remove it.

Betty Bragg Harmon made a motion to approve a Certificate of Appropriateness to for demolition of the one house.

Duke Wright seconded the motion.

Kent Prause suggested that the DRB document findings for the record that the house meets the requirements (criteria) and that you agreed with Mr. Barr's statement. Kent further stated that since it appears the DRB is satisfied that the house isn't historic and there is no apparent historic or architectural contribution to the town individually or in relation to other structures there is no need to preserve the property. With regard to the other two criteria Mr. Prause stated that it would be more difficult to meet them because both houses on the property have been used as rentals which works against the economically viable alternative and there has been no creditable evidence that either can't be fixed up and used.

Pat Ilderton stated that the DRB finding is that the house (the smaller unit by the marsh) makes no historic contribution and is not architecturally significant to the town individually or in relation to other structures.

Michael Daly seconded Betty's motion to approve demolition. The vote was unanimous.

Randy Robinson stated for clarification to be sure we are talking about structure #393.

Pat Ilderton said that we are talking about the little house, #393.

Randy Robinson said that the owner could go to the Board of Adjustment and ask to change the primary structure.

Bill Barr said they could not start building a new house because of the current zoning ordinance.

Betty Bragg Harmon said that she was confused as to why you want to remove the house on the street.

Bill Barr said that because they have 6/10<sup>th</sup> of an acre lot that cost \$800,000 that was arbitrarily placed on the historic properties list without going through the orderly procedure just described by Kent Prause. In order to save three properties the town condemned three hundred.

Betty Bragg Harmon said that you did not answer my question.

Bill Barr said that the owner bought this property three years ago with the intent to take both structures down and build a large house. He has spent \$30,000 over the past two years working on the plans with Steve Herlong. It was always his intent to take the two structures down.

Mr. Jerald Scheer said that the house on the street has seven-foot interior ceilings and asbestos siding and that two years ago he did not think that the house was redeemable and had he sought approval to demolish them before the DRB was created he probably would have gotten permission to take the house down. Plans for the new house were ready to go when the ordinance was enacted.

Bill Barr said that the criteria for a property to be on the list of historic properties was developed by island residents. Everett Presson made a point at the first DRB meeting regarding brick houses down the road that are pushing fifty years old. Are they going to be worthy of preservation?

The town council did not follow the recommendations of David Schneider. If you look at the original ordinance, there was to be a board appointed to look at David Schneider's list and recommend that if properties were to be put on the list, the property owner would receive notification and there would be hearing to present evidence as to why it should or shouldn't be on the list. Simply because David Schneider rode by this house one day and said that is a neat house to put on the list it was put on the list. That is why I showed you the pictures. There are similar ones that are not on the list.

There is a September 2003 map that shows this house as altered. But it is on the list as a traditional island resource. If it was an altered resource we would not be here before the DRB.

Michael Daly said that you had two and one-half years to apply for a permit.

Jerald Scheer said that he did not realize the urgency. His concern was lot coverage, not that there would be a problem with demolition. He said he believed in historical integrity but didn't think that there was any historical integrity in this particular house. The proposed new house is where I am going to live so I was taking time to design it

.

Michael Daly said there are exceptions to all rules regarding what is fair and what is unfair. I find it hard that you can't take off the addition to the rear and still get the house that you want on the lot.

Pat Ilderton said that the house could be moved, modified and adjusted.

Michael Daly said that if we make one exception every owner will want an exception.

Bill Barr said that we have a 1936 or 1937 asbestos sided house here. If you ride through North Charleston you will see all kinds of those houses. Another argument that I have put in my brief for the purpose of appeal is that the ordinance is unconstitutionally vague it does not express the criteria for designated property architecturally, culturally and historically significant to the town.

Betty Bragg Harmon said that she thought the larger house is historically significant to the island.

Pat Ilderton said that we would be willing to allow modification to the newer structure because we have approved the smaller house for demolition and are not going to grant demolition for the larger structure. It could be attached to the new structure or moved to a different location on the lot or remain where it is you remove the back addition as Michael suggested. The board is not in favor of demolition of this structure.

Bill Barr said that he felt they were in the same position as Mr. Cook.

Jerald Scheer asked if the proposed ordinance to be read in April will allow two structures on one lot.

Pat Ilderton said that it had not been ratified but it is going that way. There will be some large modifications and adjustments but nothing has passed.

Bill Barr asked whether the DRB would allow them to move it to another lot on the island

Duke Wright said he didn't see why that would not be a feasible alternative.

Betty Bragg Harmon said that we need to be careful how we deal with these old houses and that if we aren't careful the integrity of the island will be lost.

Jerald Scheer said that he would like to defer this application one more time.

Pat Ilderton agreed.

Kent Prause asked if the DRB wanted to defer on it's own motion.

Duke Wright made a motion to defer the application.

Michael Daly seconded the motion and the vote to defer was unanimous.

Duke Wright noted that he wanted to develop simple design criteria, standards and guideline document for the DRB and that the Secretary of the Interior Standards for Rehabilitation and enacted Town Council ordinances would form the framework for the initial document.

Pat Ilderton made a motion to adjourn. The motion was seconded by Duke Wright and the vote was unanimous.











































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Pat Ilderton asked for approval of the DRB special meeting minutes of February 3, 2005 and also the regular February 16, 2005 meeting.

Steve Herlong made a motion to approve the minutes.

Betty Bragg Harmon seconded the motion. A vote for approval was unanimous.

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Skipper Shaffer Homes, LLC

1014 Middle Street

Submittal for a swimming Pool and fence enclosure for a Historical Structure

The proposed project documents were well organized and clear.

Duke Wright stated that although this was listed as a Traditional Island Resource there was a new house on the lot. The only reason the project has to come before the DRB is that the property is in a historic district.

Steve Herlong stated that it is for an in ground pool in the rear yard and that it looked appropriate and is well designed. He made a motion to approve the pool and the fence. Duke Wright seconded the motion. The vote was unanimous to approve.

Pat Ilderton called for the second application

Timothy J. Cook

2708 Goldbug

Submittal for relocation of  
a Historical Structure

Pat Ilderton asked the applicant precisely what he was seeking approval to do.

Tim cook stated he was seeking approval to relocate the historic house on the lot but did not want to begin design on a new house to go on the same lot until he knew that could be done.

Pat Ilderton stated that an ordinance under consideration by town council would allow two structures on one lot but it had not been ratified? At this time the DRB could only consider relocation of the existing structure and not construction of a second house on the lot.

Steve Herlong stated that the DRB could approve a Certificate of Appropriateness only to relocate the existing historical house on the same lot. If the exact site was not known at this time they would have to come back for approval when that was determined.

Pat Ilderton stated that if two structures on one lot are eventually allowed the DRB would also have to review plans for the new structure.

Michael Daly said that relocating the existing house definitely impacts the traditional island character we are trying to preserve. We also need to see and approve the exact location of the new house.

Betty Bragg Harmon agreed.

Tim Cook said that the placement will tie in with the location of the new house. Pat Ilderton said the question is, do we allow historic houses to be moved in certain circumstances?

Steve Herlong said it should be on a case-by-case basis. In this case it seems okay to relocate the house but we need further review before deciding.

Pat Ilderton said that issues related to lot coverage are covered by zoning and that may or may not come under our jurisdiction.

Kent Prause said that this application has been submitted prematurely. At this time the ordinance says that you cannot have two houses on one lot. If the ordinance allowing two houses on a lot doesn't pass you could still request DRB approval to demolish the house or relocate it as well as renovate or add on.

Steve Herlong asked whether it would be inappropriate to approve a Certificate of Appropriateness to relocate it but not approve a location until the applicant comes back with a specific site.

Kent Prause said he would advise against that.

Betty Bragg Harmon said that this is a premature request.

Kent Prause agreed. This proposal implies two houses on one lot and the current zoning doesn't allow that.

Pat Ilderton said that both sites proposed seem to be inappropriate for this lot.

Kent Prause said that proposed siting may violate setbacks. If so, the owner would need a variance.

Duke Wright made a motion to defer this until the council passes the new ordinance.

Michael Daly seconded the motion.

Pat Ilderton said that we have a letter from a neighbor expressing concern regarding the impact of the proposed project on lot coverage and neighborhood compatibility. Lot coverage is going to have to be covered by the ordinance. If you exceed lot coverage limitations you will have to get a variance. There is a concern with neighbors on both sides of this property about size of the new house and how it relates to the neighborhood. If the town passes the two house ordinance the DRB would have to review it.

Steve Herlong asked what was the motion.

Pat Ilderton said the motion was to defer action until the town acts on the new ordinance and the motion had been seconded.

Tim Cook asked if the DRB would review architectural designs?

Pat Ilderton said that nothing has been decided on that issue.

Kent Prause said that is correct and he didn't know how it was going to turn out. Currently, if a new house outside a historic district meet standards only a building permit is required. Since the existing house is listed as historic property the DRB would have to review new construction on the lot or any other action regarding the existing house. The lot as well as the house has been designated historical property. The question of how to deal with approval of what is built back on a lot where a historic house once stood hasn't been addressed yet.

Betty Bragg Harmon asked wouldn't that fall under neighborhood compatibility?

Kent Prause said that it would.

Randy Robinson said that before the applicant comes back he may want to get with me and a surveyor to determine elevations. The elevations are currently okay but if the house is moved down the hill it may have to be raised to eight feet. If this is done it also loses its character.

Tim Cook asked if he would have to come to the DRB to enclose the eight by six porch on the house.

Pat Ilderton said yes but we are trying to make arrangements so that Randy and Kent could approve minor applications such as that.

Steve Herlong said that enclosing a porch may be more than minor work on a historic house and that you should check with Randy.

Mr. Jimmy Hiers in the audience asked to be heard. He said that he lives next door to the property and understood that the proposed new house was going to be in the range of 8,000 SF. This would be in addition to the existing 1,000 SF house. He wasn't sure what the owner was asking for and that we need to see what guidance the new town ordinance provides.

Pat Ilderton recommended a vote to defer the action. The vote was unanimous in favor.

Pat Ilderton called for the next application.

John & Alison Ferguson  
1918 Central Avenue  
Addition to a Historic Structure

Elizabeth Allen introduced herself as the architect for the owners. She said that the property is in a historic district and listed as historical (#23) but the original house is gone and a new house was constructed about a year and a half ago. The owners want to put an addition on each side of the existing house. The front elevation, roof treatment and rooflines would be very similar to what is there now.

Duke Wright said that he was confused about the side setback on station 20 and asked if it conformed to current zoning requirements.

Elizabeth Allen said yes. We have taken the required thirty feet and split it in half and set back fifteen feet from each property line. The existing house is centered on the lot.

Steve Herlong said that something does not look correct on the left elevation roof line. There are some roofline questions because of the shed dormer. There are going to be some unusual breaks somewhere.

Elizabeth Allen said that she was in the process of working that framing out now. Pat Ilderton asked if we could approve the application based on making those adjustments?

Elizabeth Allen asked if they had to return to the DRB after making those adjustments?

Duke Wright made a motion that we approve the application contingent on making adjustments.

Betty Bragg Harmon seconded the motion. The vote to approve was unanimous.

Pat Ilderton called for the next application

Robert H. Graves  
1514 Middle Street  
Addition on a Historic Structure

David Boatwright, architect for Robert Graves, presented the application. He said that they recognized the historic value of the property and minimized changes on the Middle Street elevation with most work on the backside of the house. He reviewed the plans and elevations and said that he knew the proposed tower would be a subject of interest and discussion.

Michael Daly asked if the tower was just a staircase leading to a lookout?

David Boatwright said that the two main additions are a classic Sullivan Island kitchen house that will be connected by a wide corridor with a breakfast nook and cabinetry. It will have a low profile gable or curved slate roof.

Pat Ilderton observed that the tower would take some wind bracing.

David Boatwright said that it took some serious engineering. It is a slatted form with some gaps.

Kent Prause said that the tower height would be limited to 38 feet.

David Boatwright noted that he was aware of that 38 foot height limit with an allowance for 60 square feet above that height. The handrail is 37 1/2 feet.

Kent Prause said that the 60 feet square cupola has to be part of the main house, it could not be a separate structure.

Steve Herlong asked if it was linked to the house.

David Boatwright said there is a second story breezeway.

Kent Prause said it is not a cupola and cannot be done as shown.

Pat Ilderton said that the DRB doesn't have any control over the zoning ordinance and that to get it approved would probably have to be considered a hardship.

Michael Daly it would have to be connected by heated space.

Kent Prause said no and that if it is going to be that tall it has to be a cupola attached to the main house.

Pat Ilderton said that he understood it could go to seven feet above the highest ridgeline, which is 38 feet.

Kent Prause said that if this is approved we will start seeing a lot of requests for 44-foot towers.

Pat Ilderton that we can't approve it as proposed.

Steve Herlong said he didn't see why we can't comment and approve what we see with conditions even though the zoning administrator may have his own issues with it.

David Boatwright suggested that the tower portion of the application be set aside so we could deal with other questions so they can begin renovations on everything else.

Steve Herlong said he had a couple of questions. The structure down the street has dormers are they double or single window dormers?

David Boatwright said they were double window dormers, but they look to be over scaled.

Steve Herlong said he noticed that they are attractive from the streetscape and almost gives you the feeling that they are set back from the wall space. Here they are drawn on the face and look more like a second story gable than a dormer. Maybe you could set them back. Are you changing the window patterns?

David Boatwright said they have set up a rhythm on an eight-foot setup that suits the house.

Steve Herlong said that you have done a good job on the back side of the house linking the additions so you're not getting into roofline and dormer issues.

Steve Herlong said that last month we adopted the Secretary of the Interior standards of Rehabilitation of Historic Structures as a guide and that you have conformed well with item number nine of the standard. This item states that new addition, exterior alterations, or related new construction shall not destroy historic materials that characterize the property and that new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

Pat Ilderton suggested that we approve everything except the tower.

Kent Prause said that the section of the town ordinance that deals with towers is Section 21-109 F, 6. If the DRB finds any application inconsistent with one or more of the zoning ordinance standards which it does not have the power to modify the DRB shall either deny the application accompanied by suggested changes or variances that might be sought that would make the application more appropriate and consistent with the zoning ordinance, or approve the application subject to a variance being granted by the Board of Zoning Appeals modifying the current standards.

Michael Daly said that in this instance the second item seems more appropriate. We could approve everything except the tower. The applicant would have to go before the BZA for a variance regarding the tower.

Betty Bragg Harmon noted that if the applicant decides to restructure or redraw the plans he would not need a variance.

Steve Herlong said that his interpretation of what Kent Prause just read is that we could approve the request as submitted but that he would still have to get a variance for the tower.

Kent Prause noted that it says that if one or more items in the zoning ordinance standards are inconsistent and the DRB doesn't have the authority to modify that standard the applicant has one of two choices that I previously mentioned. I don't think that it means to deny the application in its entirety. You could approve the elements of design that you

feel comfortable approving and suggest different treatment or a variance. If you like it as submitted you can approve it subject to a variance being granted.

Michael Daly said that if the tower were reduced to 38 feet a variance would not be required.

Kent Prause said no, that is not the case.

Steve Herlong said that it was a detached structure.

Kent Prause said yes but if they put a deed restriction on it that it would not be rented out it could be attached by a deck.

Steve Herlong noted that it is not habitable space.

Kent Prause said that it may well work here but what about the 40-foot pillboxes around the island. You will start seeing 44-foot towers all over the island.

Pat Ilderton said that we have to make decisions of appropriateness for each application on a case by case basis.

Bill Barr from the audience said that he thought what Kent is saying is that the DRB does not have jurisdiction over every house on the Island. You are only going to have jurisdiction over houses on the historic properties list and in the historic districts.

Kent Prause said that once a zoning standard is relaxed you get into problems. There is no hardship in this case to exceed the height limits.

Michael Daly asked couldn't we just approve the tower if it were brought down to 38 feet?

Kent Prause said yes.

Steve Herlong said that it seems that the DRB 's approval doesn't mean they necessarily get zoning approval. There may be zoning issues that we don't have.

Kent Prause said that the BZA has standards that are tough regarding hardships. The DRB is more concerned with impacts on neighborhood compatibility and historic preservation which may be easier to meet than a zoning standard. I see no reason to grant a relief on a height variance because someone wants to go that high just to get a view.

Michael Daly noted that for this applicant to get a permit they would have to solve the height issue for the tower. It would be to their advantage for the tower to be lowered to 38 feet.

Steve Herlong said that they might want to study some options for the tower. At this time we could approve everything but the tower or approve the entire application if the tower were lowered to 38 feet. Do you have a preference?

Robert Graves said he would like to have the option to get started and further study the tower problem.

Steve Herlong noted that the floor area of the tower could be larger than 60 sq feet if it is less than 38 feet high.

Randy Robinson cautioned that you still cannot have two structures on one lot. Steve Herlong made a motion to approve the submittal with the tower as proposed with a height of 38 feet. In this case it meets item nine in the Standards for Rehabilitation.

Michael Daly seconded the motion. The vote to approve was unanimous.

Pat Ilderton called for the next application.

Jerald Scheer  
Application deferred from previous meetings. Removal of Historical Structures

Bill Barr, speaking for the owner, presented a set of photos and documents to be made a part of the DRB record.

He said that some of the photographs are of houses on the list of historic properties similar to the houses Jerald Scheer would like demolished and that some are different.

Steve Herlong interjected and rescued himself he is associated with the proposed project.

Bill Barr asked if the new adopted Secretary of the Interior standards have anything to do with removal or demolition of property.

Pat Ilderton answered yes

Bill Barr said that he would like to discuss a proposition to exchange a house at 2202 Middle Street not on the historic property list that is owned by Mr. Scheer for the property on Station 18 that is on the historic list. This would include demolishing the small marsh side secondary structure on the Station 18 property. Mr. Barr said that the title on the house on Middle Street dated back to 1905 in its present location.

Betty Bragg Harmon asked Kent Prause if this was possible. He said that under Section 21-94 C the DRB determines whether a property should be designated a historic property or not. Under Section 21-95 B the Town Council, the Planning Commission, the DRB or owners of one or more properties may propose the creation or modification of an HP Overlay District. If initiated by the property owners, the application should be made on forms or pursuant to standards set by the DRB. The DRB can make recommendations regarding additions or deletions but I believe the Town Council has final authority.

Pat Ilderton said that if that is the way it is written he was sure that is not the intent. The DRB was created to make those kinds of judgments.

Bill Barr read Section 21-92 A as follows: “In accordance with SC Title 6, Chapter 29-870, local governments that enact a Zoning Ordinance which makes specific provision for the preservation and protection of historic and architecturally valuable districts and neighborhoods by means of restriction and conditions governing the right to erect, demolish, remove in whole or part, or alter the exterior appearance of all buildings or structures within the areas, may provide for appointment of a board to oversee these responsibilities.” He said the council adopted the South Carolina code, which means you’re designated to oversee the responsibilities of the island resources. If you issue a Certificate of Appropriateness after hearing the applicant and any interested persons that want to speak you should take some action like placing conditions on an application and approve it in a Conditional Certificate of Appropriateness.

Kent Prause said that if you are proposing to add another house to the list you have to follow procedures in Section 21-94 A, Owner Notification. This is an ordinance requirement that is mandatory, not discretionary. Mr. Barr essentially gave you another house that should be on the list. You should now follow procedures to have it added to the list.

Pat Ilderton said that may be the procedure that needs to be followed to do what you propose to do.

Michael Daly said that he thought it is important for us to see what would be constructed on the Station 18 lot. If we permitted demolition of both houses the historical value is gone. Maybe the DRB doesn’t have a say regarding what is built to replace them.

Pat Ilderton said that the entire property was worthy of consideration.

Bill Barr said that they wanted to move the larger house toward Marshall Stiths and locate it 10 feet off Stith’s property line. This would give us more property on the rest of the lot for construction.

Michael Daly said that he thought you would want to preserve the view in the back and wondered why you would not consider removing the addition to the rear of the original house.

Jerald Scheer asked that if they allow two houses on a lot are they going to allow more lot coverage.

Pat Ilderton said that it may possibly be only 5% more with the new ordinance allows.

Michael Daly asked if we could ask Steve questions even though he recused himself.

Kent Prause said that he couldn’t speak because he was recused.

Michael Daly said it might solve the problem if you left the house where it is, removed the addition and built the new house designed by Steve.

Bill Barr said that he didn't know where the house sits in relationship to Marshall Stith's property line but that to maximize the rest of the lot if the swap doesn't work we would want to slide the house 10 feet towards the property line. We would then be faced with the 50% rule.

Randy Robinson said that when you move a house you have to comply with all current ordinances. In order to meet flood requirements it would probably have to be elevated five feet compared to about two feet now.

Michael Daly suggested the application be deferred again in order for you to look at the possibility of removing the addition while leaving the house where it is to determine if you comply with the lot coverage.

Bill Barr said that the problem with that is that we still don't know what the town council is going to do. We have already been delayed four or five months. We're just trying to find a solution that the town can live with short of going to court on this issue.

Pat Ilderton said that Kent is telling us that we can't add the structure you propose to the historic list.

Kent Prause said that under Section 21-94 B the DRB can recommend that it be put on the historic properties list. The Town Council, the Planning Commission, the Design Review Board or owners of one or more Lots of land may propose additions to or deletions from the list of designated historic properties. If initiated by the property owners, the application shall be made upon forms or pursuant to standards set by the Design Review Board for this purpose. The section further states that the DRB shall determine whether a property shall be designated an historic property or shall no longer be considered an historic property and that in determining whether a property should be designated an historic property it should be considered whether the property meets one of the eight criteria.

As the Zoning Administrator advising the DRB I am saying that it is essential that if any of the properties on the list meet any of the eight criteria they should not be taken off the list. The DRB or the Town Council can remove them from the list only if you make specific findings that the house meets none of those criteria. To add a house the DRB would have to make a finding or findings that it meets at least one of the criteria. You would then make a recommendation to the Town Council that it be added to the list. The owner is then notified and has thirty days to appear and object on procedural nonconformities of the designation process or on the misapplication of criteria. The owner would present his case before the DRB and then you would make a recommendation to the Town Council.

Pat Ilderton asked if the DRB could recommend that the Middle Street house be added to the list and the Station 18 house be moved to another location.

Kent Prause said that there are two houses on the property now and they both are on the historic properties list. He suggested that if the DRB believes one or both are not appropriately on the list that the board make some findings to justify their removal or demolition. If you decide that one should remain then ask the owner to apply for a Certificate of Appropriateness to relocate it on the lot. This is similar to what Mr. Cook has asked to do. The owner can also apply to modify the house.

Betty Bragg Harmon asked if we could go through the eight criteria.

Kent Prause said yes and that the DRB should go through each criteria and document findings. If there is not a critical evaluation everyone will be asking to simply have their house taken off the list. There are eight criteria and if a house meets just one it should be on the list.

Pat Ilderton asked if the DRB could approve relocating the primary house on the lot and demolishing the secondary structure if it was determined not to be historical.

Kent Prause said that he thought the application was to get the houses off the list. Bill Barr said it is to either remove the houses from the list or get a certificate to demolish them.

Kent Prause said that if they meet the eight criteria the DRB could approve a Certificate of Appropriateness to demolish one or both houses. Section 21-98 deals with demolition. You should make findings to support your approval or disapproval for demolition of one or both houses. It is essential that proper findings be made and documented.

Duke Wright suggested that the DRB address the smaller house separately.

Kent Prause said that in the review process you need to note why a house doesn't meet criteria in each of the eight items.

Note: Comments on each item are from Kent Prause.

*1) Has significant inherent character, interest, or value as part of the development or heritage of the town, state, or nation.* There is nothing in the record that relates to inherent character, interest or value to the state or nation so that would leave the town. At the last meeting when Mr. Barr presented pictures the house appeared to have a concrete block foundation with reasonable evidence that it was not more than fifty years old. In fact it appears to be a garage building not originally intended to be a residence but converted to a residence. I would say because of that it is not of character value.

*2) Is the site of an event significant in history.* There has nothing that has come forth that has shown it is significant in history.

*3) Is associated with a person or persons who contributed significantly to the culture and development of the town, state or nation.* I would say that there has been no evidence to support that.

4) *Exemplifies the cultural, political, economical, social, ethnic, or historic heritage of the town, state, or nation.* The other house on the lot was built in the thirties and is over fifty years old. It appears that the older house may exemplify some economical or social historic value. These houses were known as bonus houses because they were built by veterans returning from WW II who received bonuses to build homes.

Bill Barr said that he wanted an objection for the record because there was no evidence of this.

Duke Wright interjected and said that we were talking about the smaller house, not the larger one.

5) *Individually, or as a collection of resources, embodies distinguishing characteristics of a type, style, period, or specimen in architecture or engineering.* There is no evidence so far that would demonstrate that.

6) *Contains elements of design, detail, materials, or craftsmanship, which represent a significant innovation.* I wouldn't think so.

7) *Represents an established and familiar visual feature of a neighborhood or the town.* It was mentioned in the previous discussion that the house was quite prominent as one comes over the causeway. You would have to make a determination if that house is an established feature of the neighborhood and the town that would warrant it being kept on the list.

Duke Wright interjected asking if we needed to discuss that point now since Kent said it was quite prominent.

8) *Has yielded, or may be likely to yield, information important in pre-history or history.* There is nothing in our records that suggests that it would meet that requirement.

Duke Wright said that he had taken pictures from the causeway and didn't feel that the house adds to the character of Sullivan's Island and asked if the DRB had authority to approve removal or demolition.

Kent Prause said that Larry Dodds suggested to him that he feels the DRB has authority to remove properties from the list. As Zoning Administrator I don't agree. If you have the ultimate authority to remove this house from the historic resource designation study list I recommend that you do so. If you don't then based on your findings you must recommend the action to the Town Council or the appropriate authority.

Duke Wright said that he was confused and asked whether the DRB had the authority to approve demolition or not.

Betty Bragg Harmon followed with the same question.

Bill Barr said that his client has asked for relief in terms of an alternative to removing the property from the list. This means you have to go through the eight criteria in Section 21-

98. Mr. Barr then note the three criteria from Section 21-98 regarding demolition or removal of a property:

- 1) *The contribution which the structure makes to the historic and architectural nature of the town individually and/or in its relation to other structures and properties in the area.* I submit that the small structure doesn't look like anything around.
- 2) *The condition of the structure from the standpoint of structural integrity and the extent of work necessary to stabilize the structure.* I submit this house is in poor condition.
- 3) *The economically viable alternatives available to the demolition.* I submit that those are the three criteria that you take into consideration for demolition of the structure. I also disagree with Kent that you do not have the authority to remove. My proposal is to either determine whether the house is historic using the eight criteria in Section 21-94 or demolish it using the three criteria in Section 21-98. My position is that the DRB has authority to do either and the town attorney says you have the right to do both. I would ask that you grant approval to either demolish or remove it.

Betty Bragg Harmon made a motion to approve a Certificate of Appropriateness to for demolition of the one house.

Duke Wright seconded the motion.

Kent Prause suggested that the DRB document findings for the record that the house meets the requirements (criteria) and that you agreed with Mr. Barr's statement. Kent further stated that since it appears the DRB is satisfied that the house isn't historic and there is no apparent historic or architectural contribution to the town individually or in relation to other structures there is no need to preserve the property. With regard to the other two criteria Mr. Prause stated that it would be more difficult to meet them because both houses on the property have been used as rentals which works against the economically viable alternative and there has been no creditable evidence that either can't be fixed up and used.

Pat Ilderton stated that the DRB finding is that the house (the smaller unit by the marsh) makes no historic contribution and is not architecturally significant to the town individually or in relation to other structures.

Michael Daly seconded Betty's motion to approve demolition. The vote was unanimous.

Randy Robinson stated for clarification to be sure we are talking about structure #393.

Pat Ilderton said that we are talking about the little house, #393.

Randy Robinson said that the owner could go to the Board of Adjustment and ask to change the primary structure.

Bill Barr said they could not start building a new house because of the current zoning ordinance.

Betty Bragg Harmon said that she was confused as to why you want to remove the house on the street.

Bill Barr said that because they have 6/10<sup>th</sup> of an acre lot that cost \$800,000 that was arbitrarily placed on the historic properties list without going through the orderly procedure just described by Kent Prause. In order to save three properties the town condemned three hundred.

Betty Bragg Harmon said that you did not answer my question.

Bill Barr said that the owner bought this property three years ago with the intent to take both structures down and build a large house. He has spent \$30,000 over the past two years working on the plans with Steve Herlong. It was always his intent to take the two structures down.

Mr. Jerald Scheer said that the house on the street has seven-foot interior ceilings and asbestos siding and that two years ago he did not think that the house was redeemable and had he sought approval to demolish them before the DRB was created he probably would have gotten permission to take the house down. Plans for the new house were ready to go when the ordinance was enacted.

Bill Barr said that the criteria for a property to be on the list of historic properties was developed by island residents. Everett Presson made a point at the first DRB meeting regarding brick houses down the road that are pushing fifty years old. Are they going to be worthy of preservation?

The town council did not follow the recommendations of David Schneider. If you look at the original ordinance, there was to be a board appointed to look at David Schneider's list and recommend that if properties were to be put on the list, the property owner would receive notification and there would be hearing to present evidence as to why it should or shouldn't be on the list. Simply because David Schneider rode by this house one day and said that is a neat house to put on the list it was put on the list. That is why I showed you the pictures. There are similar ones that are not on the list.

There is a September 2003 map that shows this house as altered. But it is on the list as a traditional island resource. If it was an altered resource we would not be here before the DRB.

Michael Daly said that you had two and one-half years to apply for a permit.

Jerald Scheer said that he did not realize the urgency. His concern was lot coverage, not that there would be a problem with demolition. He said he believed in historical integrity but didn't think that there was any historical integrity in this particular house. The proposed new house is where I am going to live so I was taking time to design it

.

Michael Daly said there are exceptions to all rules regarding what is fair and what is unfair. I find it hard that you can't take off the addition to the rear and still get the house that you want on the lot.

Pat Ilderton said that the house could be moved, modified and adjusted.

Michael Daly said that if we make one exception every owner will want an exception.

Bill Barr said that we have a 1936 or 1937 asbestos sided house here. If you ride through North Charleston you will see all kinds of those houses. Another argument that I have put in my brief for the purpose of appeal is that the ordinance is unconstitutionally vague it does not express the criteria for designated property architecturally, culturally and historically significant to the town.

Betty Bragg Harmon said that she thought the larger house is historically significant to the island.

Pat Ilderton said that we would be willing to allow modification to the newer structure because we have approved the smaller house for demolition and are not going to grant demolition for the larger structure. It could be attached to the new structure or moved to a different location on the lot or remain where it is you remove the back addition as Michael suggested. The board is not in favor of demolition of this structure.

Bill Barr said that he felt they were in the same position as Mr. Cook.

Jerald Scheer asked if the proposed ordinance to be read in April will allow two structures on one lot.

Pat Ilderton said that it had not been ratified but it is going that way. There will be some large modifications and adjustments but nothing has passed.

Bill Barr asked whether the DRB would allow them to move it to another lot on the island

Duke Wright said he didn't see why that would not be a feasible alternative.

Betty Bragg Harmon said that we need to be careful how we deal with these old houses and that if we aren't careful the integrity of the island will be lost.

Jerald Scheer said that he would like to defer this application one more time.

Pat Ilderton agreed.

Kent Prause asked if the DRB wanted to defer on it's own motion.

Duke Wright made a motion to defer the application.

Michael Daly seconded the motion and the vote to defer was unanimous.

Duke Wright noted that he wanted to develop simple design criteria, standards and guideline document for the DRB and that the Secretary of the Interior Standards for Rehabilitation and enacted Town Council ordinances would form the framework for the initial document.

Pat Ilderton made a motion to adjourn. The motion was seconded by Duke Wright and the vote was unanimous.





















































