

**TOWN OF SULLIVAN’S ISLAND, SOUTH CAROLINA  
PLANNING COMMISSION  
REGULAR MEETING MINUTES  
Wednesday, August 12, 2015**

A regular meeting of the Town of Sullivan’s Island Planning Commission was held at 6:30 p.m., Wednesday, August 12, 2015 at Town Hall, 2050-B Middle Street, all requirements of the Freedom of Information Act satisfied. Present: Commissioners Chair Gary Visser, Vice-Chair Hal Currey, Sydney Cook, Charles Cole, Carlsen Huey, Carl Hubbard 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 all Commissioners present. Approximately 6 people were present in audience; no media.

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

**II. Approval of Minutes**

**MOTION: Mr. Currey moved to approve the July 8, 2015 minutes; seconded by Mr. Huey; MOTION UNANIMOUSLY PASSED.**

**III. Public Hearing**

- 1. Text Amendments for Conservation Easement Uses and Structures: Zoning Ordinance text amendments to allow stand-alone structures and recreational uses on residentially zoned properties when a conservation easement has been established. [Z.O. § 21-203 (Definitions), § 21-20.c (RS District Special Exception requirements), § 21-137 (Restrictions-Accessory Structures)]**

Chair Visser thanked the Commissioners and residents who participated in the ad-hoc study session on July 31, 2015 at Town Hall. He noted that Staff would incorporate information from this group’s deliberations into tonight’s staff report.

**Staff Comments**

Zoning Administrator Henderson provided the Staff report.

**Timeline/Background:**

June 2014: Citizen approached Town requesting to establish a stand-alone structure on a lot with a conservation easement.

March 17, 2015: Citizen made his presentation and request to Town Council; Council remanded the concept to the Planning Commission to study

April-May, 2015: Commission gathered information and studied concept during April 8<sup>th</sup> and May 13<sup>th</sup> meetings. Commission set up an ad-hoc study committee to look at meeting notes and offer recommended language for Commission to consider prior to a public hearing.

May 29, 2015: Planning Commission ad-hoc committee met for a focus-group study of previous Planning Commission discussions and developed recommendations to Planning Commission

June 10, 2015: Planning Commission reviewed ad-hoc study committee's recommendations. Commission set Public Hearing for July 8, 2015.

July 8, 2015: Planning Commission held public hearing; additional questions regarding language arose based upon public feedback. No recommendation made. Commission asked for a Commission/resident study group to convene and report any findings and recommendations at the August 12, 2015 meeting.

July 31, 2015: Study group met at Town Hall (open to public). Group focused discussion on size/ mass and height of a stand-alone structure.

**Zoning Administrator Henderson reviewed current potential amended Zoning Ordinance text language and provided an overview of the study group discussion:**

**Height:** Reduce from 15' to 10' and consider adding language to allow total height under the following conditions:

- Allow increase in height to 13' if roof pitch exceeds 4/12
- Structure may not exceed a maximum height of ten (10) feet from natural grade measured from the center point of the proposed structure to the highest point of the roof. An increase in height may be allowed if FEMA requires the lowest horizontal structural member to be constructed above the Base Flood Elevation (BFE), however, under no circumstance may roof height exceed 3 feet over BFE.

**Size:** Consider including a provision that does not allow the structure size to exceed 5% of the parcel's total upland square footage or (450', 400', 350'), or whichever is less. Study group was unable agree on a size maximum: study group was unable to reach a consensus regarding the maximum square footage for structures on lots upon which a conservation easement has been granted

- Currently= 450' sq. ft.
- Proposed for modification= 400', 350' sq. ft. or less.

**Potential Actions pending a future Public Hearing:**

1. Recommend approval of text amendments
  - § 21-203 (Definitions)
  - § 21-20.c (RS District Special Exception requirements)
  - § 21-137 (Restrictions-Accessory Structures)
2. Recommend approval of the text amendments with changes made
3. Recommend that Town Council take no action to amend the Zoning Ordinance

Chair Visser accepted Commissioner and public questions regarding the Staff report.

Staff Report Questions/Answers

1. Q. How does the Town define the term “house,” could this use change be allowed to structures other than homes? A. Home could refer to a single-family or multi-family residential structure on a property.

**Staff to refine draft language to state “residential dwelling or other structure...”**

2. Q. Clarify maximum height calculation. A. Case by case allowance to maximum height of 13’ (feet) as a special exception from BZA for roofs with a 4/12 pitch, plus, consideration for FEMA minimum base flood elevation (BFE) construction requirements.

3. Q. What about materials and styling for stand- alone structure? A DRB will consider the proposed structure design for neighborhood compatibility standards.

**Committee recommended the following changes:**

**1. Staff to refine draft language to state “residential dwelling or other structure...” (aforementioned)**

**2. Commission elected to strike language referencing the requirement to retain property in “naturally developed” or a “natural state.” Language was deemed vague and it was noted the conservation organization will determine what would be the appropriate vegetative state for a deed restricted lot.**

**3. Clarify the Town retains third-party right of enforcement for conservation easement.**

**4. Brief discussion of historic elements/structures remaining on a lot with a conservation easement. Examples of historic structures or elements would be a cistern, battery mound or bunker.**

**5. Size requirements revised to the following: "Structure may not exceed 5% of the parcel's total upland area, or 250 sq feet. The structure’s allowable square footage may be increased by 2% (7% maximum) if an existing residential structure has been removed and shall not to exceed 450 sq. ft."**

**Public Questions – Staff Report:**

*Barbara Spell, 1702 Atlantic Avenue, SI*

- Questioned situation where an historic residence/structure is on a lot that obtains a conservation deed restriction. Will this property owner be able to build a stand-alone structure without tearing down the historic residence?

Zoning Administrator Henderson responded that consideration could possibly be made to allow historic nonresidential structures to remain on a conservation easement lot since the historical element could not be removed. The BZA might be inclined to consider allowing this conservation easement special exception in order to preserve the historic characteristics of the parcel provided there is no residential dwelling.

Brief discussions of scenarios where this could happen and the stand-alone structure would be allowed without full removal of all improvements on a conservation deed restricted lot.

Building Official Robinson noted the likely scenario would be when a property owner retains an historic element (nonresidential) on a conservation deed restricted lot, such as a bunker or cistern, and wants to build a stand-alone structure.

Seeing no additional public questions, Chair Visser closed the public questions for Staff. No public comments were made on this topic.

Commission held general consensus that the proposed zoning ordinance language, incorporating recommendations made tonight, was sufficient and clear enough to hold set another public hearing. Vice-Chair Currey recommended that, since this proposed use change is fairly complicated, Staff develop a one-page handout/fact sheet that would assist residents in understanding the proposed text amendment changes in the Zoning Ordinance. He noted this fact sheet would be a supplement to, not a replacement of, full text amendment language Staff prepares for public hearings.

**MOTION: Mr. Hubbard made a motion for Commission to hold a public hearing on this matter in September, using the proposed language changes presented by Staff with the recommended modifications mentioned within these minutes, and, further that Staff develop a fact sheet for the Commissioner's and public's reference to supplement the standard draft proposed Zoning Ordinance text amendments; seconded by Mr. Currey. MOTION UNANIMOUSLY PASSED.**

Chair Visser noted the public hearing will be 6:30PM on Wednesday, September 9, 2015.

**2. Staff Update on Town Projects:** Staff provided oral report.

Commissioners made the following inquiries:

- Chair Visser asked for status regarding recommendations the Planning Commission made to Council earlier in the year regarding the deed restricted pocket-park known as the Dump/Station 19, specifically installing signage and restricting night access to the lot.
- Commissioner Cole mentioned the “no left turn” sign is missing at the corner of Jasper Boulevard and Station 22 (safety issue).
- Commissioner Cole reported vegetative growth in the right-of-way along Jasper Boulevard near his residence (3204 Jasper); the growth is obstructing access for pedestrians and wheelchairs on the sidewalk. He asked for the vegetation to get cut back from the sidewalk.

**3. Correspondence/Comments – None**

**4. Next Meeting – (6:30pm) Wednesday, September 9, 2015 at Town Hall (public hearing)**

There being no further business, the meeting adjourned at approximately 7:45 p.m. (Mr. Cole motioned; Vice-Chair Currey seconded; unanimously passed).

Respectfully submitted,  
Lisa Darrow  
Asst. to Administrator

Approved at the Wednesday, September 9, 2015 Planning Commission Meeting