

HISTORIC PRESERVATION COMMISSION



STAFF REPORT Department of Growth Management

MEETING DATE:	April 6, 2016
PROJECT:	12 Lawrence Street – New Construction: Single-Family Residential
APPLICANT:	Tyler Melnik
PROJECT MANAGER:	Erin Schumacher, AICP, Senior Planner

APPLICATION REQUEST: The Applicant, Tyler Melnik, requests that the Historic Preservation Commission approve the following application:

1. **COFA-1-16-9476.** A Certificate of Appropriateness to construct a new single family residence of approximately 2,235 SF on the property identified as 12 Lawrence Street in the Old Town Historic District and zoned as Neighborhood General-HD.

INTRODUCTION: The Applicant is proposing the construction of a detached single-family residence of approximately 2,235 SF located in the Old Town Bluffton Historic District. The property is currently undeveloped, but has a protected 21" Southern Magnolia at the front of the property. The primary structure is designed as an Additional Building Type in accordance with the allowable building types for the Neighborhood General-HD zoning district. Due to the location of the 21" Southern Magnolia and the unique geometry of the lot, a variance request was presented and approved by the Board of Zoning Appeals (BZA) on March 15, 2016 to allow the western side setback to be reduced from 10' to 3'.

The Applicant has proposed a building that reflects the vernacular characteristics of Bluffton by proposing a simple structure with a hipped roof and hipped dormers, metal roofing, and a full length front porch. Additional materials that are in keeping with the vernacular of Bluffton include the use of chamfered square columns, corner board trim and water table trim and the use of stucco and horizontal pig boards at the foundation.

This project was presented to the Historic Preservation Review Committee for conceptual review at the February 1, 2016 meeting where comments were provided to the Applicant (See Attachment 5).

HISTORIC PRESERVATION COMMISSION ACTIONS: As granted by the powers and duties set forth in Section 2.2.6.E.2, the Historic Preservation Commission has the authority to take the following actions with respect to this application:

1. Approve the application as submitted by the Applicant;
2. Approve the application with conditions; or
3. Deny the application as submitted by the applicant.

It is important to note that the intent of Section 5.15 Old Town Bluffton Historic District of the Unified Development Ordinance (UDO), is that the Section be user friendly and informative to the residents and the members of HPC and is not intended to discourage creativity or force the replication of historic models. Rather, it is to set forth a framework in which the diversity that has always characterized Bluffton can continue to grow. The Section also defines guidelines for design and materials similar to that used on structures within the Old Town, and it is the charge of the HPC to assess the interpretation of these guidelines as they pertain to applications using the established review criteria.

REVIEW CRITERIA & ANALYSIS: Town Staff and the Historic Preservation Commission are required to consider the criteria set forth in Section 3.18.3 of the UDO in assessing an application for a Certificate of Appropriateness – Historic District (HD). The applicable criteria are provided below followed by a Staff Finding(s) based upon review of the application submittals to date.

1. Section 3.18.3.B. Consistency with the principles set forth in the Old Town Bluffton Master Plan.

- a. *Finding.* The application is consistent with the principles set forth in the Old Town Bluffton Master Plan. The Old Town Master Plan states that, “The built environment, in particular the historic structures scattered throughout Old Town, should be protected and enhanced. While it is of great importance to save and restore historic structures, it is just as important to add to the built environment in a way that makes Old Town more complete.”

The Applicant proposes to construct a new house in the Old Town Bluffton Historic District, a locally and nationally designated historic district. The building has been designed to be sympathetic to the architectural character of the neighboring historic structures, so its addition to the architectural diorama will both protect the integrity of the existing historic structures and enhance the neighborhood by adding architectural variety.

- b. *Finding.* The Old Town Master Plan initiatives also include the adoption of a form-based code that included architectural standards for structures located within the Old Town Bluffton Historic District. These standards are included in Article 5 of the Unified Development Ordinance. The new construction proposed as part of this request is in conformance with those standards.
- c. *Finding.* The Old Town Master Plan initiatives also promote preservation and protection of the legacy of the Old Town Bluffton Historic District through additions to the built environment which make Old Town more complete. The addition of this proposed residential structure adds to the

district as and helps provide completeness to the neighborhood and overall district.

2. Section 3.18.3.C. The application must be in conformance with applicable provisions provided in Article 5, Design Standards.
 - a. *Finding.* Town Staff finds that the design of the primary structure falls within the category of Additional Building type as allowed in the Neighborhood General Historic District per Section 5.15.5.C. Additional Building Types are permissible. As has been past practice, the Town Staff requests the Historic Preservation Commission review and make a final recommendation regarding the appropriateness of the Additional Building Type. A variance request was granted by the BZA to reduce the western side setback from the required 10' to 3'.
 - b. *Finding.* Town Staff finds that if the conditions noted below are met, the proposed addition will be in conformance with applicable provisions provided in Article 5:
 - 1) Section 5.15.6.I. Windows and Doors. In accordance with UDO Section 5.15.6.I and Section 32, Window Pane Proportions, of Traditional Construction Patterns, window panes should be vertically proportioned or square. Further, it states that vertically proportioned window panes should be similarly proportioned throughout the entire building.

In the areas where interior space only allows for a smaller window, specifically in the left and right dormer windows, the pane proportion should be modified to be consistent throughout the building. The 2 small windows on the right and left side elevations are only a 1 by 1 sash and thus do not have similarly proportioned window pane and sash configuration. To correct this, a horizontal muntin (sash bar) must be added to create a similar pane proportion to the other windows in the building.
 - 2) Section 5.15.6.M.d. Shutters. The UDO requires that shutter dogs of a typical "S" design be used with shutters. The Applicant has proposed using a rat tail shutter dog. In the past, HPC has allowed the substitution of other designs such as straight and iron butterfly. Staff finds that the straight shutter dog is in accordance with other designs that have been approved in the past and recommends HPC approve it as a substitute.
 - 3) Section Section 5.15.6.N.7. - Corners and Water Tables Corners. The UDO states that water tables should be 2X stock with a bevel. The current plans note the water table skirting as 5/4 material. This configuration does not meet the requirement to use 2X material and must be revised to use 2X material.

3. Section 3.18.3.D. The nature and character of the surrounding area and consistency of the structure with the harmony of the surrounding neighborhood.

Finding. Town Staff finds that nature and character of the new construction to be consistent and harmonious with that of the surrounding neighborhood. The mass and scale of the structure is appropriate for its location and the architectural detailing is sensitive to the neighboring properties.

4. Section 3.18.3.F. The historic, architectural, and aesthetic features of the structure including the extent to which its alteration or removal would be detrimental to the public interest.

Finding. The Applicant seeks approval for the construction of a new structure in the Old Town Bluffton Historic District. The proposed plans are sympathetic in design to the neighboring historic and non-historic resources; therefore, the structure, as proposed, will have no adverse effect on the public interest.

5. Section 3.18.3.H. The application must comply with applicable requirements in the Applications Manual.

Finding. The application has been reviewed by Town Staff and has been determined to be complete.

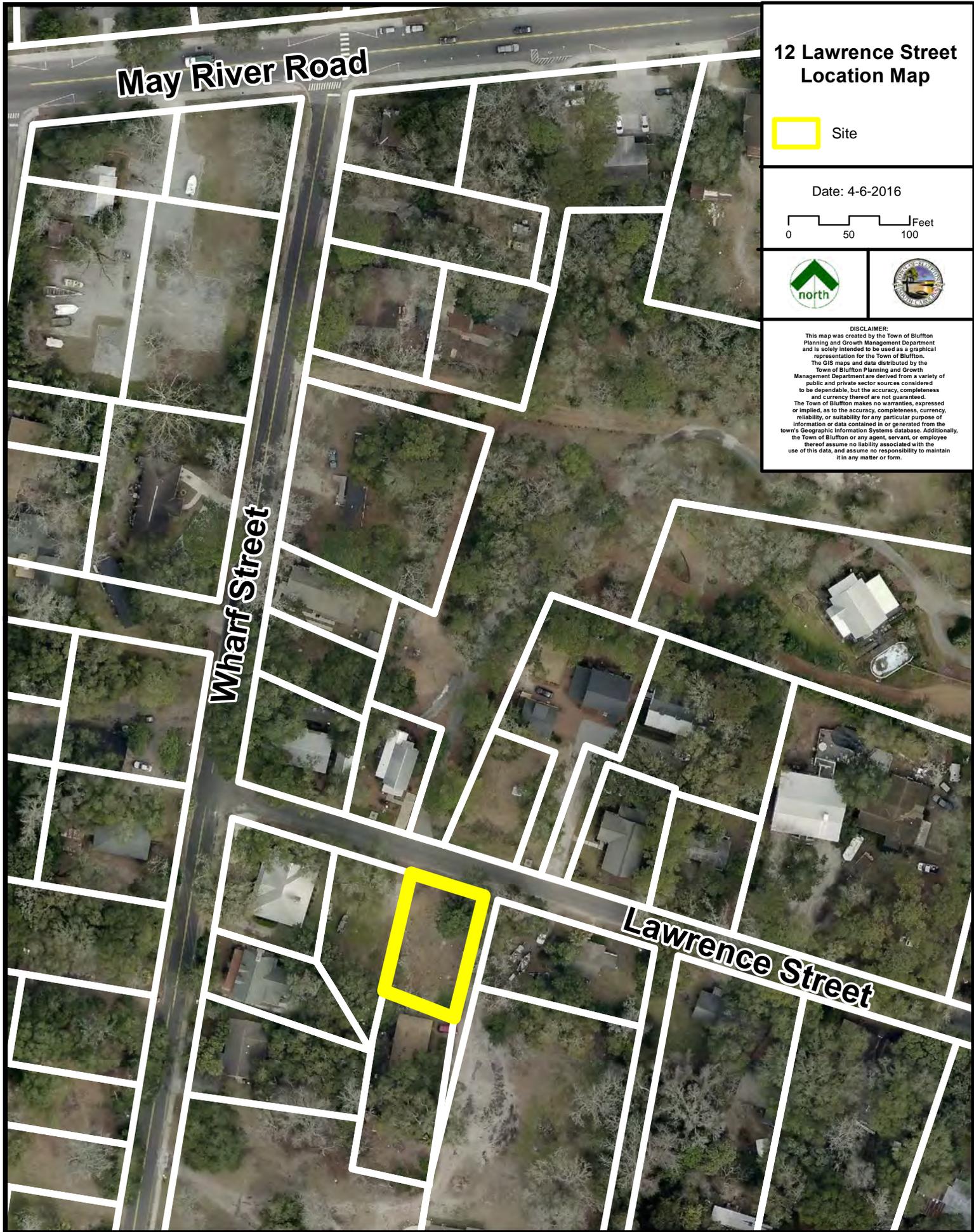
STAFF RECOMMENDATION: It is the charge of the HPC to assess and interpret the standards and guidelines set forth in the UDO as they pertain to applications using the review criteria established in the UDO and to take appropriate action as granted by the powers and duties set forth in Section 2.2.6.E.2. Town Staff finds that with the conditions noted below, the requirements of Section 3.18.3 of the Unified Development Ordinance have been met and recommends that the Historic Preservation Commission approve the application with the following conditions:

1. Per Section 5.15.6. of the UDO, the use of rat tail shutter dogs must be approved by the HPC as an allowable substitute for the typical "S" design.
2. Per Section 5.15.6.I of the UDO, and Section 32 of Traditional Construction Patterns, the pane configuration on the two dormer windows in the right and left elevations must be revised to have a better pane proportion to the other windows in the building.
3. Per Section 5.15.6.N.7. of the UDO, the water table material configuration must be revised to use 2X material.

ATTACHMENTS:

1. Location Map
2. Zoning Map
3. Applicant Narrative

4. Site Plan & Elevations
5. HPRC Report
6. Board of Zoning Appeals Approval



12 Lawrence Street Location Map

 Site

Date: 4-6-2016



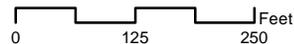
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12 Lawrence Street New Construction Zoning Map

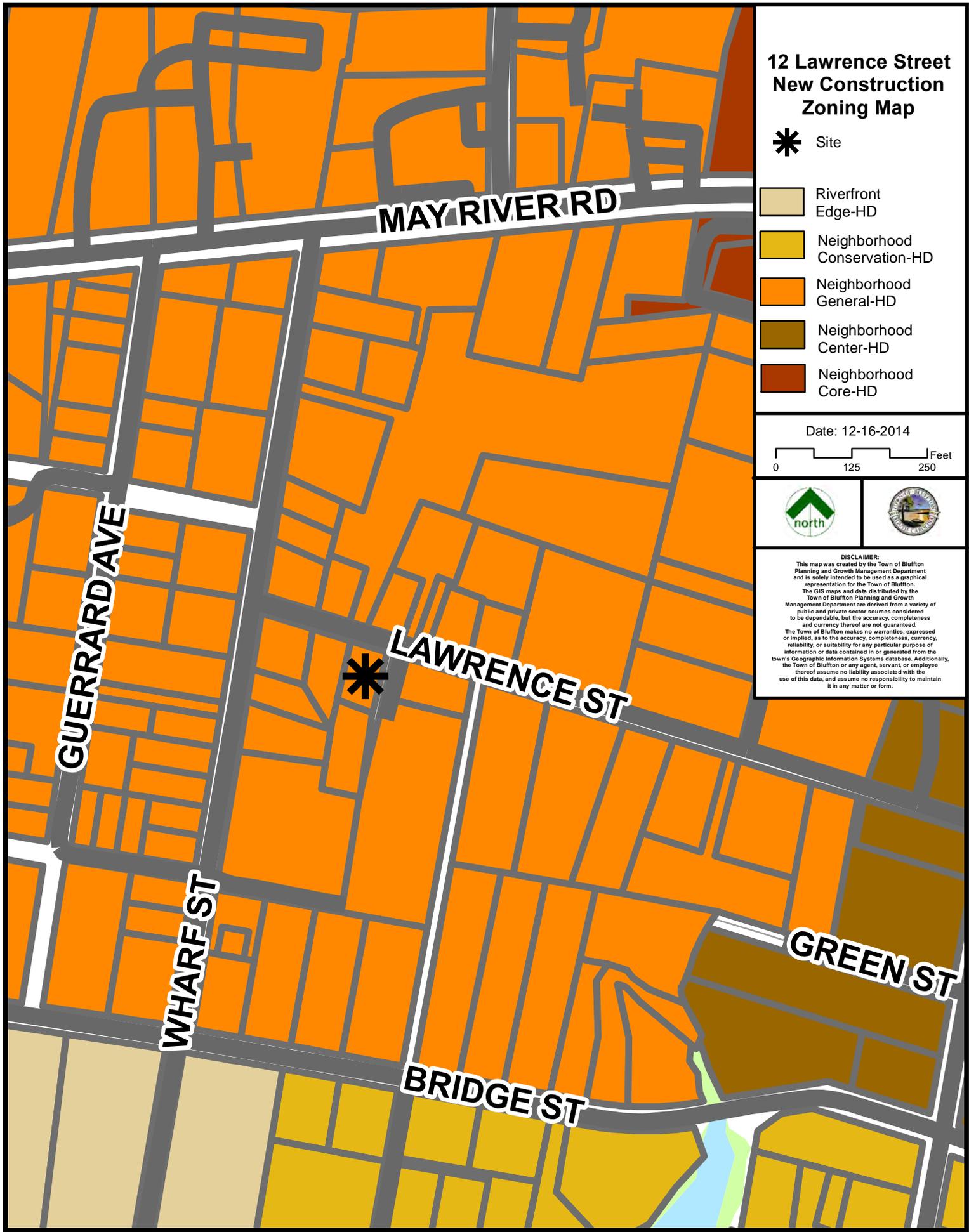
✱ Site

-  Riverfront Edge-HD
-  Neighborhood Conservation-HD
-  Neighborhood General-HD
-  Neighborhood Center-HD
-  Neighborhood Core-HD

Date: 12-16-2014



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PROJECT NARRATIVE

12 Lawrence Street

This application is being submitted for the proposed construction of a single family primary residence on 12 Lawrence Street in the historic district of Bluffton. Proposed uses and activities will be the residence of a single family for myself, my wife and two small boys.

The building will be approximating a lowcountry “vernacular” style home and falling under the “other building types” as detailed in the UDO. The home will be on a raised pier with hardi-style siding, wooden shutters, wooden doors and tabby on both the piers and chimney. When possible, reclaimed lumber will be used from an old sharecropper shack from property I own in Orangeburg County.

OUR TOWN PLANS

27 AIKEN STREET



SECTION / DETAIL		ELEVATION			
	RIGID INSULATION		STEEL		SCREEN
	BATT INSULATION		CONCRETE		BRICK
	PLYWOOD		BRICK		GLASS
	TILE		C.M.U.		STUCCO
	EARTH		MORTAR / STUCCO		STONE
	WOOD FRAMING		GRAVEL		SHAKE SHINGLES
	FINISH WOOD		WOOD BLOCKING		ARCH. SHINGLES

INDEX TO DRAWINGS			
A0.01	SPECIFICATIONS	A3.04	WALL SECTION & DETAILS
A0.02	SPECIFICATIONS	A3.05	WALL SECTION & DETAILS
A0.03	SPECIFICATIONS	A3.06	CHIMNEY DETAIL
A1.01	FIRST & SECOND FLOOR PLANS	A5.01	DOOR TYPES & SCHEDULE
A1.02	ROOF PLAN	A5.02	WINDOW & SHUTTER TYPES & DETAILS
A2.01	EXTERIOR ELEVATIONS	A6.01	ELECTRICAL PLANS
A2.02	EXTERIOR ELEVATIONS	A7.01	FOUNDATION & FIRST FLOOR FRAMING PLANS
A3.01	BUILDING SECTIONS	A7.02	SECOND FLOOR & LOWER ROOF FRAMING PLANS
A3.02	PORCH & WALL SECTIONS	A7.03	UPPER ROOF FRAMING PLAN & FOUNDATION DETAILS
A3.03	WALL SECTION & DETAILS		

SQUARE FOOTAGE			
FIRST FLOOR	1,541 S.F.	FRONT PORCH	312 S.F.
SECOND FLOOR	692 S.F.	REAR STOOP & STORAGE	44 S.F.
TOTAL	2,233 S.F.	TOTAL	356 S.F.
TOTAL SQUARE FOOTAGE			
2,589 S.F.			

SYMBOL KEY

<p>BUILDING SECTION CALLOUT</p>	<p>DETAIL CALLOUT</p>	<p>DOOR CALLOUT DOOR SIZE OR CORRESPONDING DOOR NO. ON DOOR SCHEDULE</p>	<p>INTERIOR ELEVATION CALLOUT</p>	<p>SHUTTER CALLOUT</p>
<p>WALL SECTION CALLOUT</p>	<p>WINDOW CALLOUT SASH SIZE OR CORRESPONDING WINDOW TYPE ON WINDOW SCHEDULE</p>	<p>ROOM LABEL CORRESPONDS TO ROOM NO. ON FINISH SCHEDULE</p>	<p>ELEVATION CALLOUT</p>	

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DRAWN: 10/12/05 DRAWN BY: JWR
RELEASES:

GENERAL NOTES:

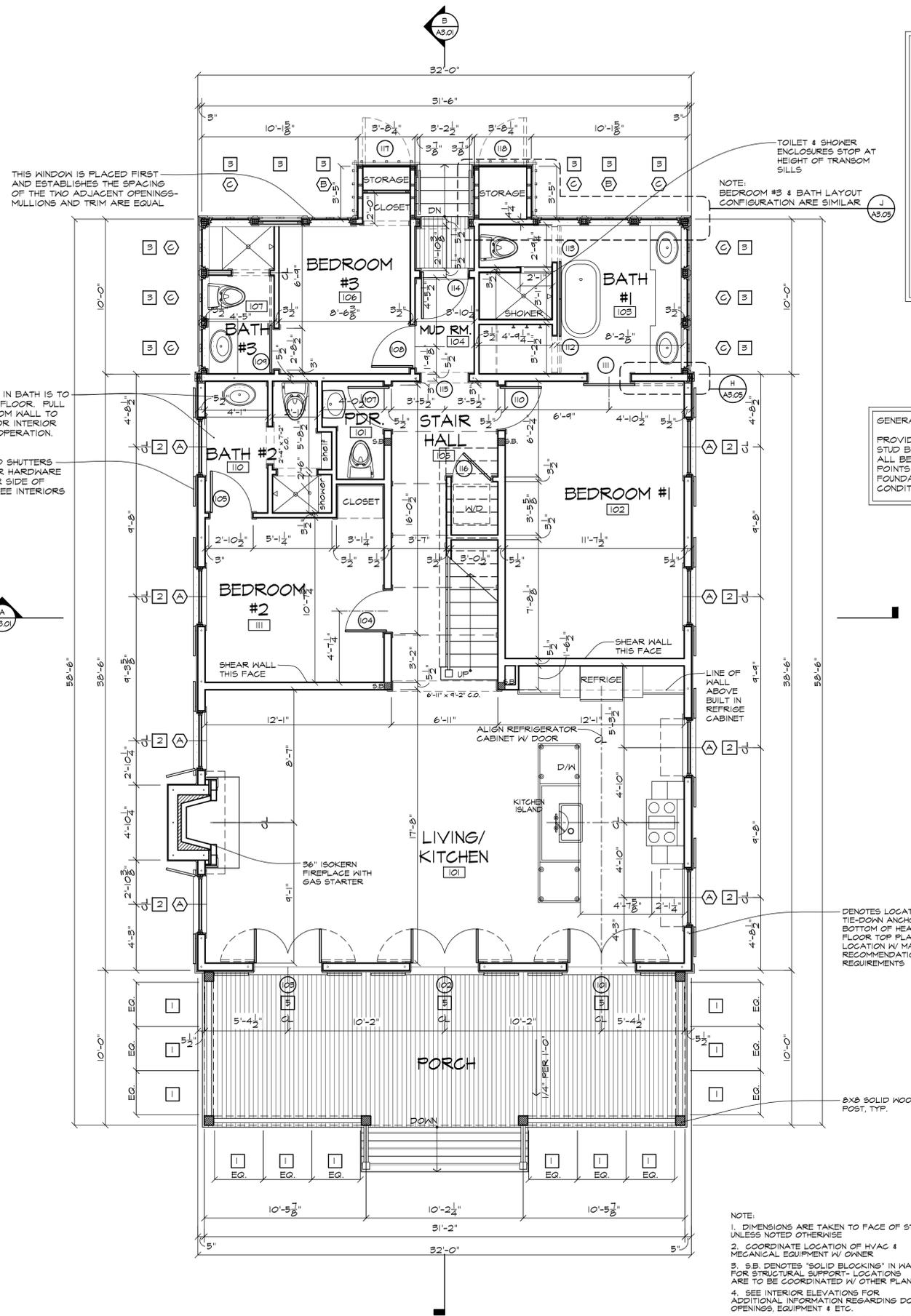
1. THE INFORMATION CONTAINED WITHIN THESE CONSTRUCTION DOCUMENTS IS ISSUED TO SHOW DESIGN INTENT AND BASIC FRAMING DETAILS. IT IS THE CONTRACTOR'S RESPONSIBILITY TO PROVIDE STANDARD CONSTRUCTION DETAILS AND PRACTICES WHICH WILL PROVIDE A STRUCTURALLY SOUND AND WEATHER-PROOFED FINISHED PRODUCT. THE CONTRACTOR SHALL NOTIFY THE ARCHITECT OF ANY DISCREPANCIES OR PROBLEMS OBSERVED OR PERCEIVED PRIOR TO STARTING CONSTRUCTION OF SUCH.
2. ALL STRUCTURAL INFORMATION SHOWN IS FOR REFERENCE PURPOSES ONLY. CONTRACTOR SHALL HAVE A LICENSED STRUCTURAL ENGINEER REVIEW AND DESIGN ALL STRUCTURAL ELEMENTS SUCH AS ALL FOOTINGS, FOUNDATION WALLS, REINFORCED CONCRETE SLABS, FRAMING WALLS, BEAMS, CONNECTIONS, HEADERS, JOISTS, RAFTERS, TRUSSES, ETC.
3. IT IS THE CONTRACTOR'S RESPONSIBILITY TO ENSURE THAT ALL WORK AND CONSTRUCTION MEETS OR EXCEEDS ALL APPLICABLE CODES.
4. SEE PLANS AND EXTERIOR ELEVATIONS FOR WINDOW SIZES, HEAD HEIGHTS, ALIGNMENTS, WINDOW TYPES AND MUNTIN PATTERNS. NOTE: WINDOW HEAD HEIGHTS ARE DESIGNED SPECIFICALLY FOR THIS RESIDENCE AND MAY NOT BE ASSUMED TO BE ANY "INDUSTRY STANDARD".
5. WINDOW SIZES INDICATED ON PLANS ARE NOTED BY GENERIC SASH SIZES. NOTIFY ARCHITECT IF SPECIFIED SIZE IS NOT AVAILABLE.

GENERAL NOTE:
PROVIDE FULL SOLID STUD BEARING UNDER ALL BEAM BEARINGS POINTS TO SOLID FOUNDATION CONDITION BELOW.

DENOTES LOCATION OF STRUCTURAL TIE-DOWN ANCHORS 5/8" FROM BOTTOM OF HEADER BEAM TO FIRST FLOOR TOP PLATES- COORDINATE LOCATION W/ MANUFACTURERS RECOMMENDATIONS & CODE REQUIREMENTS

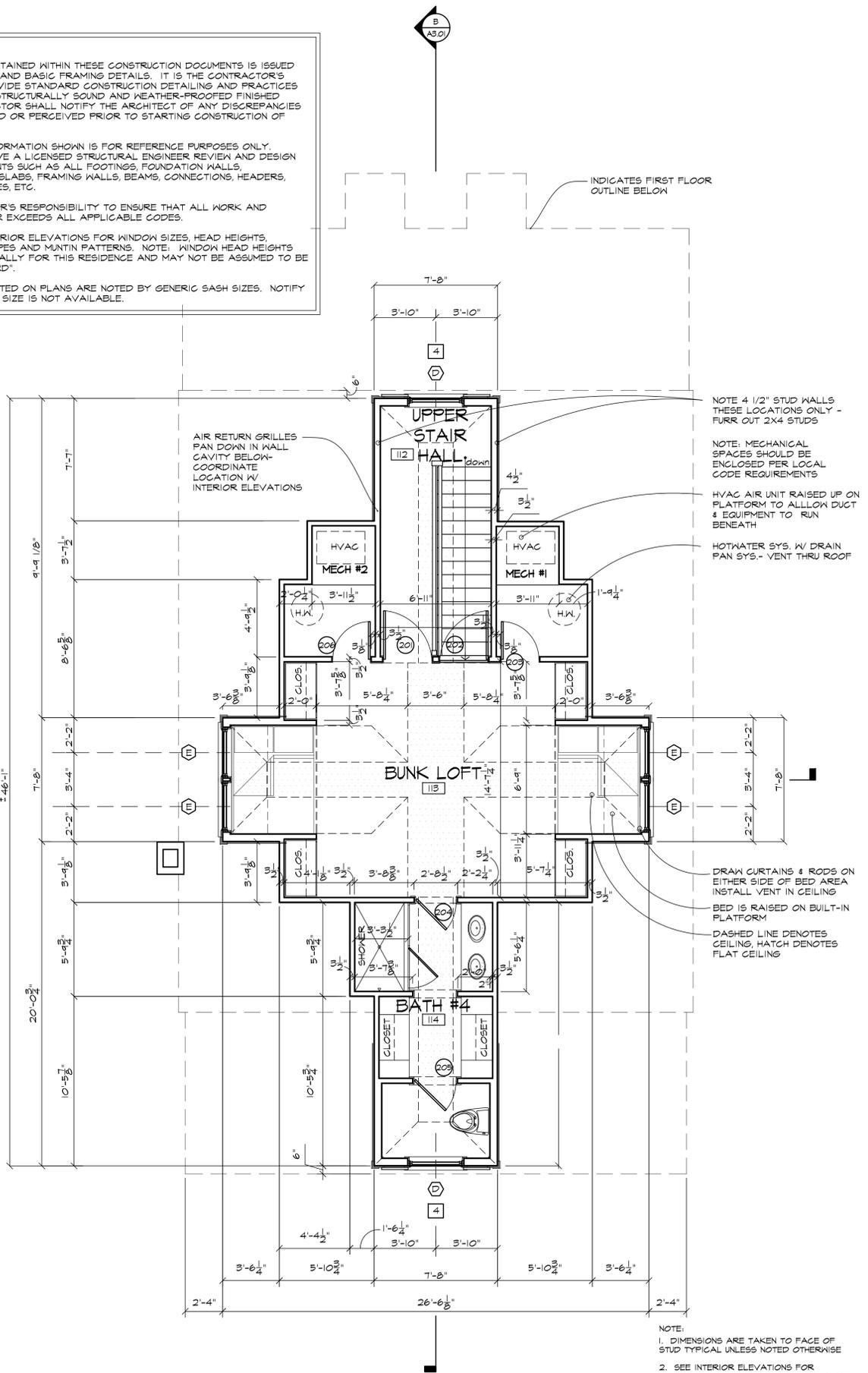
NOTE:

1. DIMENSIONS ARE TAKEN TO FACE OF STUD TYPICAL UNLESS NOTED OTHERWISE
2. COORDINATE LOCATION OF HVAC & MECHANICAL EQUIPMENT W/ OWNER
3. S.B. DENOTES "SOLID BLOCKING" IN WALL CAVITY FOR STRUCTURAL SUPPORT- LOCATIONS ARE TO BE COORDINATED W/ OTHER PLANS ETC.
4. SEE INTERIOR ELEVATIONS FOR ADDITIONAL INFORMATION REGARDING DOORS & OPENINGS, EQUIPMENT & ETC.
5. SHEAR WALL IS TO BE 1/2" CD PLYWOOD, NAIL 4" O.C. PERIMETER & 6" O.C. FIELD W/ 8D COMMON NAILS



A FIRST FLOOR PLAN

SCALE 1/4" = 1'-0"



B SECOND FLOOR PLAN

SCALE 1/4" = 1'-0"

27 AIKEN STREET

A1.01
FIRST & SECOND FLOOR PLANS

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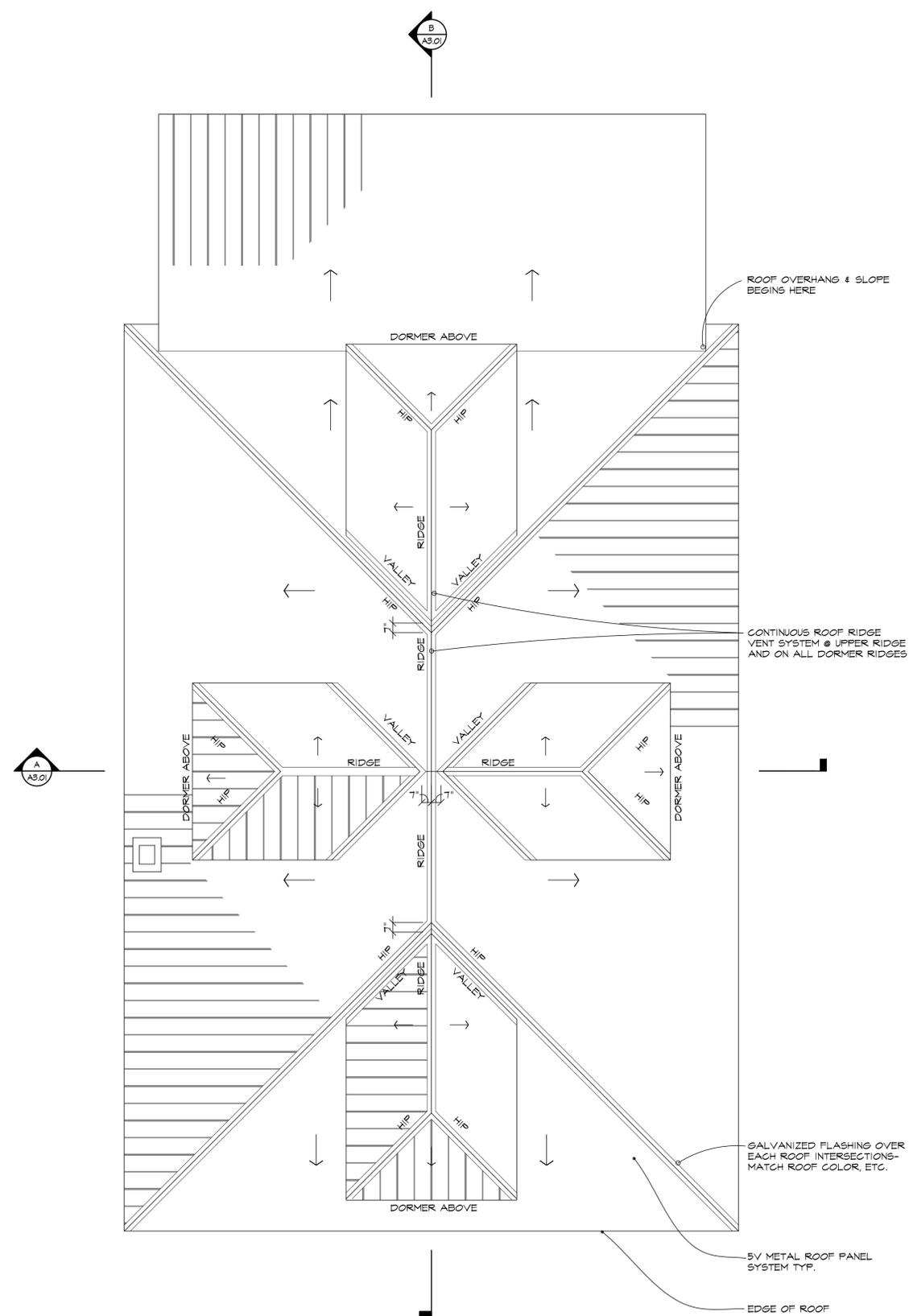
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DRAWN: 10/12/05 DRAWN BY: JWR

RELEASES:

GENERAL NOTES:
1. ALL PLUMBING AND MECHANICAL VENTS SHALL BE GROUPED WITHIN THE HOUSE STRUCTURE OR ATTIC SPACE WHEN POSSIBLE TO MINIMIZE ROOF PENETRATIONS. ALL PLUMBING AND MECHANICAL VENTS WHICH EXTEND ABOVE THE ROOF SHALL BE LOCATED AWAY FROM PUBLIC VIEW, I.E. NO VENTS ALLOWED ON FRONT ROOF AREA OR VISIBLE FROM CORNER STREETS OR OUTDOOR LIVING AREA. ALL METAL AND PVC VENTS AND PENETRATIONS SHALL BE PROPERLY PRIMED AND PAINTED TO BLEND INTO THE ROOF COLOR.



A ROOF PLAN

SCALE 1/4" = 1'-0"

27 AIKEN STREET

A1.02

ROOF PLAN

OUR TOWN PLANS

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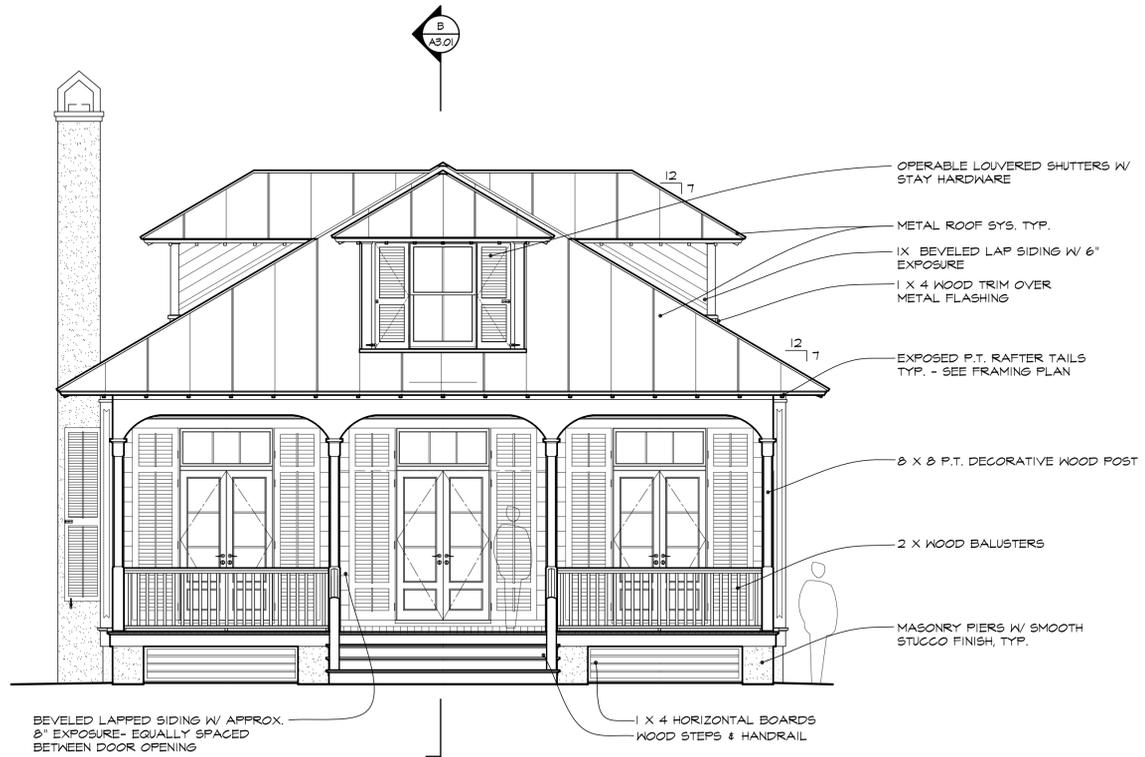
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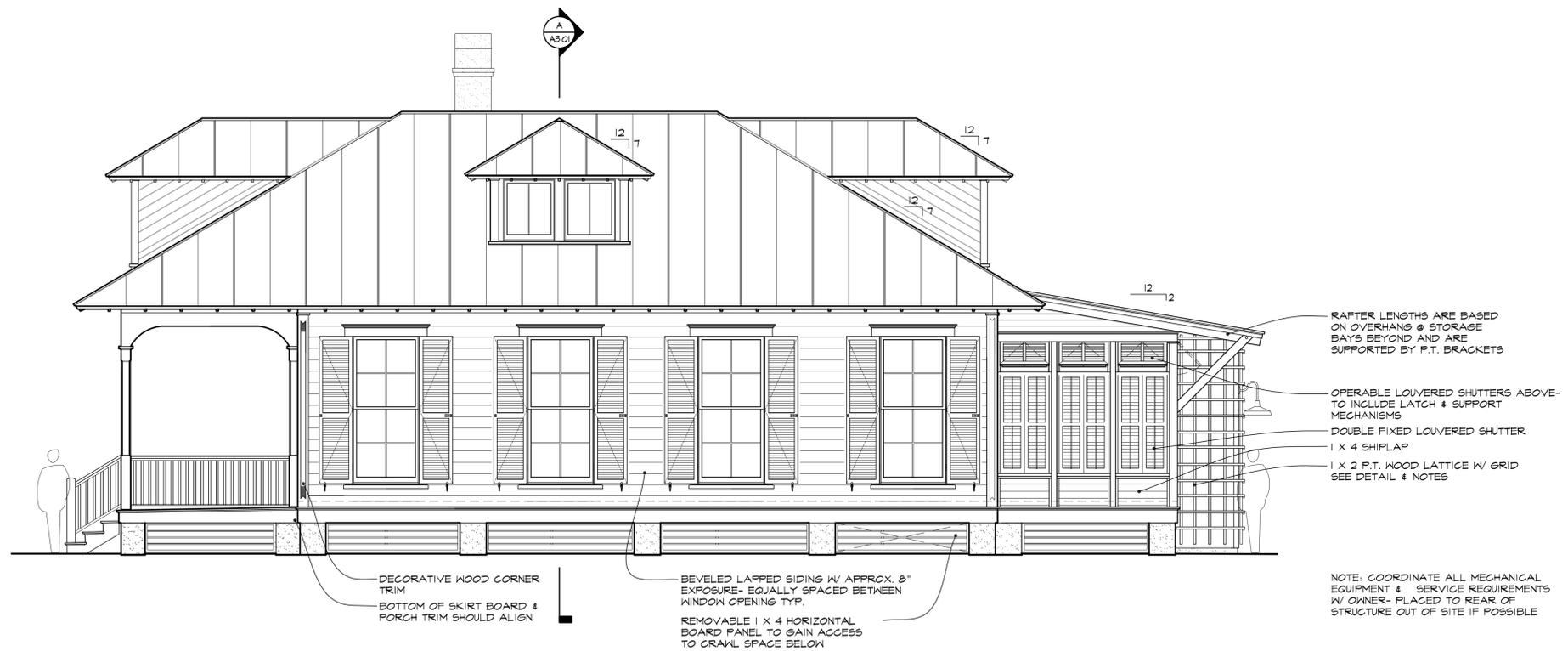
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A FRONT ELEVATION

SCALE 1/4" = 1'-0"



B RIGHT SIDE ELEVATION

SCALE 1/4" = 1'-0"

27 AIKEN STREET

A2.01
EXTERIOR
ELEVATIONS

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A REAR ELEVATION

SCALE 1/4" = 1'-0"



B LEFT SIDE ELEVATION

SCALE 1/4" = 1'-0"

27 AIKEN STREET

A2.02

EXTERIOR ELEVATIONS

CONSTRUCTION LICENSE

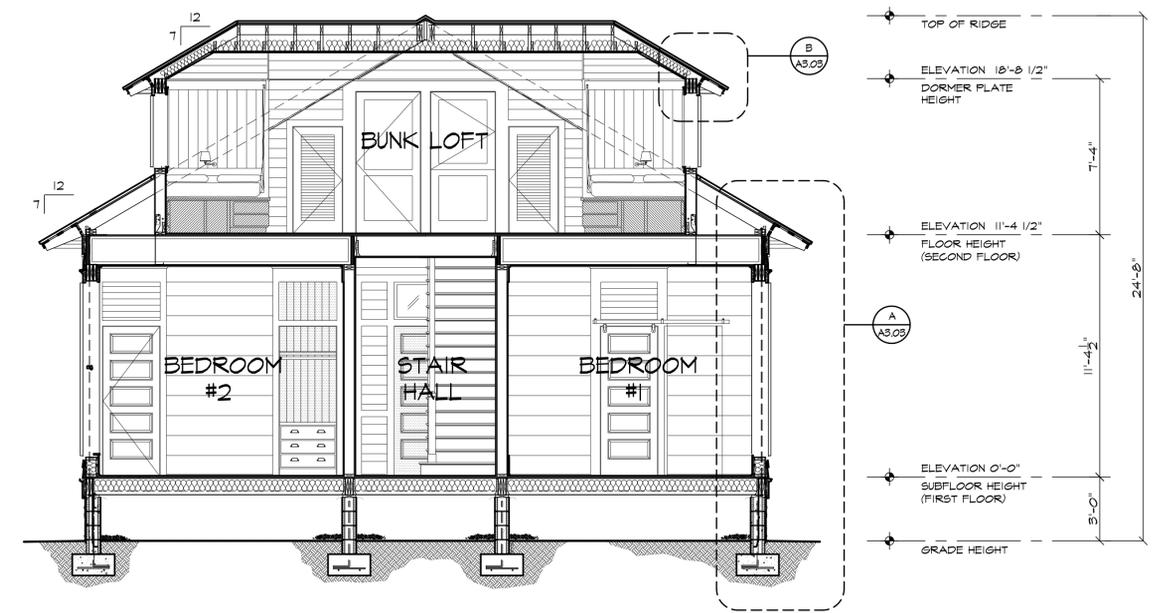
Please read carefully. This license contains terms by which you are bound if you use this plan to construct a home. If you do not agree to the terms of this license, you may return the plan for a full refund.

Plans: ©2014 by Our Town Plans, LLC. These plans are protected under federal copyright laws. The original purchaser of these plans is authorized to build one and only one home as shown in the plans. Reproduction by any means, modification, or use of these plans to construct more than one home is strictly prohibited. Modified plans are considered derivatives of the original and subject to the same copyright protection, even if completely redrawn. This right to use plans extends to the original purchaser only and is not transferable. Reproducible plans purchasers are granted a license to modify the plan for use in the construction of a single home and to make copies of the plan for such modification and construction. Unauthorized use or duplication of the plans may result in punitive damages, cessation of construction or destruction of any buildings constructed in violation of copyright.

The purchaser of this plan is responsible for compliance with all local building codes and for ensuring that the plan is correctly adapted to accommodate local site conditions. The purchaser should consult with a local Architect or engineer regarding these matters. Before construction begins, the purchaser should thoroughly review this plan with the contractor, verify all dimensions, and report to the Architect of the plan any errors, omissions or questions for clarification. Before construction begins, the purchaser or contractor should verify all structural elements for the plan and site with a local engineer. The exact size, reinforcement and depth of all concrete footings must be determined by local soil conditions and acceptable practices of construction. The bottom of all footings should extend below frostline. Before construction begins, the purchaser or contractor should verify the design with a local engineer. The purchaser assumes all risks associated with adapting the plan to local sites affected by regional variations in climate, local site conditions, design needs and building codes. Neither Southern Living nor the Architect of this plan may be held responsible for adapting the plan to local site conditions, design changes, construction means or methods, costs, workmanship, quality of materials or equipment utilized in the construction.

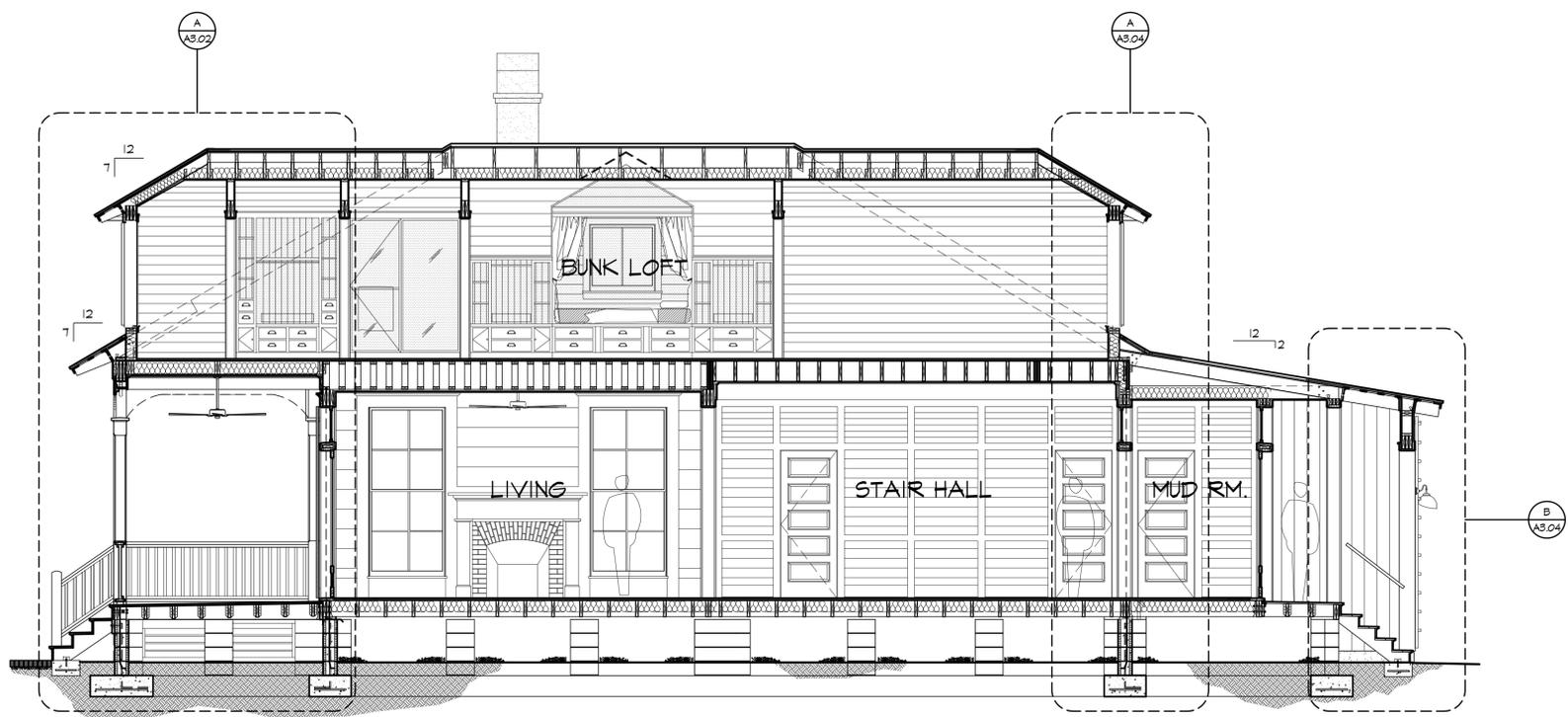
DISCLAIMER OF WARRANTIES
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LIMITATION OF LIABILITY
THE ARCHITECT WILL NOT BE LIABLE FOR ANY SPECIAL, CONSEQUENTIAL, OR INCIDENTAL DAMAGES ARISING FROM USE OF THE PLAN. TO THE EXTENT ALLOWABLE BY LAW, ANY LIABILITY THE ARCHITECT WILL BE LIMITED TO THE PURCHASE PRICE OF THE PLAN.



A TRANSVERSE BUILDING SECTION

SCALE 1/4" = 1'-0"



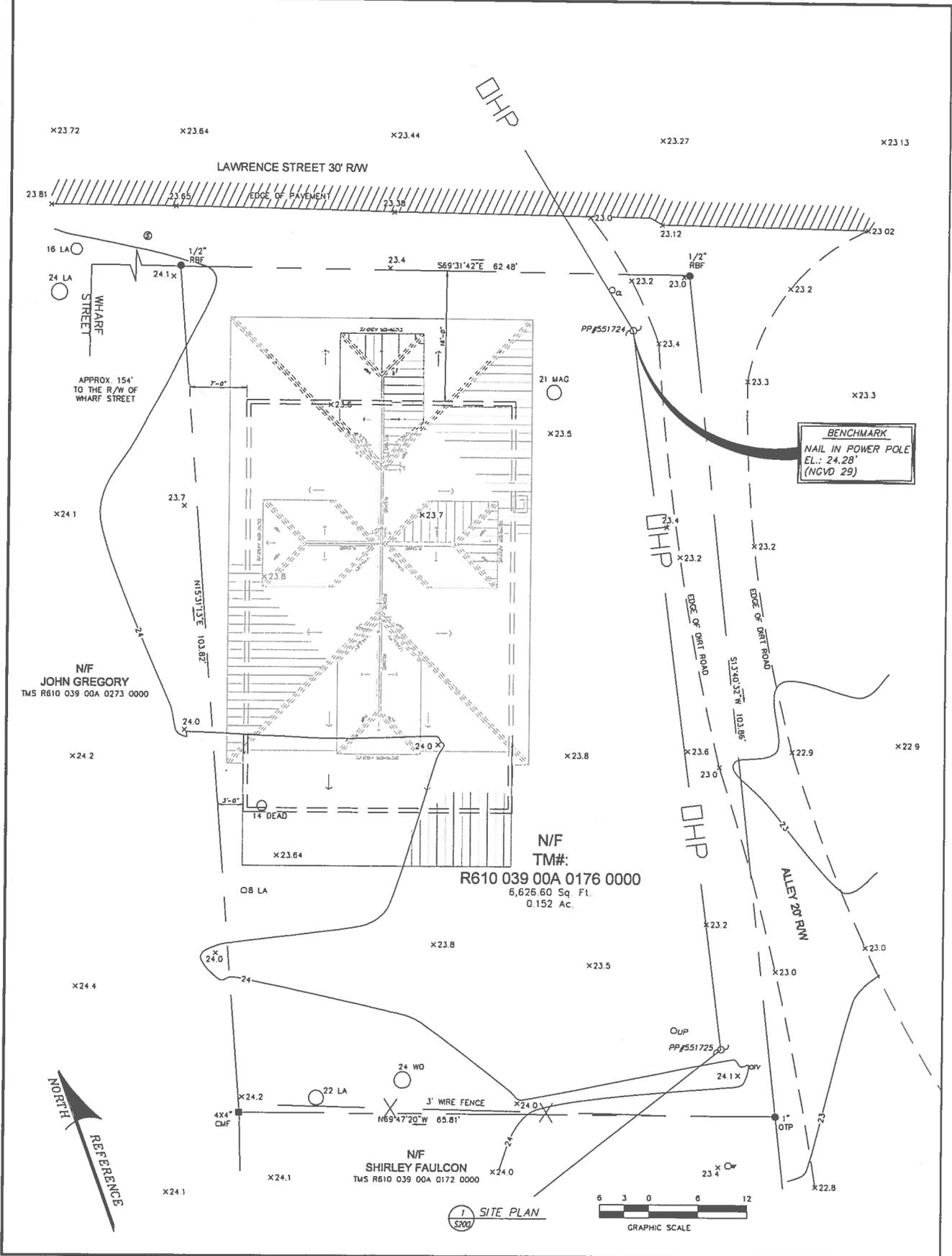
B LONGITUDINAL BUILDING SECTION

SCALE 1/4" = 1'-0"

DRAWN: 10/12/05 DRAWN BY: JWR
RELEASES:

27 AIKEN STREET

15:34:12:00 1/16/2018 10:10:10 MELNICK RESIDENCE LUG-DRAWING STRUCTURAL 125:00:00 MELNICK RESIDENCE SITE PLAN DWG 1/16/2018 9:43 AM



<p>S200</p> <p>DATE: 1/16/2018</p> <p>BY: [Signature]</p> <p>PROJECT: MELNICK RESIDENCE</p> <p>CLIENT: MELNICK RESIDENCE</p> <p>SCALE: AS SHOWN</p> <p>DATE: 1/16/2018</p> <p>BY: [Signature]</p> <p>PROJECT: MELNICK RESIDENCE</p> <p>CLIENT: MELNICK RESIDENCE</p> <p>SCALE: AS SHOWN</p>	<p>MELNICK RESIDENCE 12 LAWRENCE STREET BLUFFTON, SC</p> <p>SITE PLAN</p>	<p>PREPARED BY</p> <p>Cranston Engineering Group, P.C. ENGINEERS - PLANNERS - SURVEYORS</p> <p>14 Watney Park Way, Ste. 200 Bluffton, South Carolina 29910 TELEPHONE: 843 819 4181 FACSIMILE: 843 819 4182 info@cranstonengineering.com</p>
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PLAN REVIEW COMMENTS FOR COFA-01-16-009476

Town of Bluffton
 Department of Growth Management
 20 Bridge Street P.O. Box 386 Bluffton, South Carolina 29910
 Telephone 843-706-4522
 OLD TOWN

Plan Type: Historic District **Apply Date:** 01/20/2016
Plan Status: Active **Plan Address:** 12 Lawrence St
 BLUFFTON, SC 29910
Case Manager: Erin Schumacher **Plan PIN #:** R610 039 00A 0176 0000
Plan Description: The applicant is requesting a Certificate of Appropriateness for a new single family residential structure. **STATUS:** The application is currently being reviewed by Staff for conformance with the Unified Development Ordinance (UDO), Traditional Construction Patterns, and any development plans associated with the parcel and is scheduled for review by the HPRC at the February 1st meeting.

Staff Review (HD)

Submission #:	Received:	Completed:		
Reviewing Dept.	Complete Date	Reviewer	Status	
Submission #: 1	Received: 01/20/2016	Completed: 01/29/2016		
Engineering Department Review - HD	01/28/2016	Karen Jarrett	Approved with Conditions	
Comments:				
1. It appears the property line encroaches into the access (public ROW for Robertson Street. Verify through clear survey documentation that the 20' ROW remains with no encroachments.				
Growth Management Dept Review (HD)	01/29/2016	Erin Schumacher	Approved with Conditions	
Comments:				
1. Provided scaled/scalable site plans for the final application. The setback information was not able to be reviewed due to the plan not being to scale. (Applications Manual)				
2. The UDO requires water table material to be comprised of 2X stock. The material noted in the plan is furred out 1X material. To meet the requirements of the UDO, the water table material must be revised to 2X material. (UDO 5.15.6.N.)				
3. The UDO calls for the use of a typical "S" design shutter dog. The application notes a rat tail shutter dog and pin and socket stays. HPC has in the past permitted alternative designs to the typical "S" shape and Staff finds both the rat tail shutter dog and the pin and socket stays appropriate substitutes for the "S" design. (UDO 5.15.6.M.)				
4. As the project moves toward Final submittal, provide proposed siding, door, and shutter materials for the items listed on the project analysis and a landscape plan as not enough information was provided in the submittal to review for conformance with the UDO (Applications Manual).				
5. A Town of Bluffton Tree Removal Permit is required for any tree 14" (DBH) or greater located on a single family lot and proposed for removal. It appears that 21" Magnolia is within the proposed building footprint. If proposed for removal a Tree Removal Permit must be submitted for review. (UDO Section 3.22.2.A.).				
Addressing Review	01/29/2016	Theresa Thorsen	Approved	
Comments:				
1. No comment				
Beaufort Jasper Water and Sewer Review	01/28/2016	Dick Deuel	Approved	
Comments:				
1. Water and sewer service are available to the parcel.				
HPRC Review	01/28/2016	Erin Schumacher	Approved	
Comments:				

1. No comment

Stormwater Review

01/25/2016

William Baugher

Approved

Comments:

1. Silt Fencing buried a minimum of 6 inches below disturbed grade, where applicable,
2. In areas where more than two feet of fill material has been placed or in areas adjacent to all wetlands, silt fencing meeting the requirements of SCDOT must be used.
3. Temporary gravel driveways a minimum of 15 feet by 10 feet, where applicable,
4. Sediment barriers surrounding all catch basins or drop inlets on site and sediment socks on all catch basins or drop inlets adjoining to the site, where applicable

Plan Review Case Notes:

Order on Variance Application
Board of Zoning Appeals
Town of Bluffton, SC



Permit Application No: ZONE-2-16-9504
Date Application Filed: 2/9/2016
Applicant(s): Tyler A. Melnick
Property Owner(s): Tyler A. Melnick

The Town of Bluffton Board of Zoning Appeals held a public hearing on March 15, 2016 to consider the appeal for a variance from the strict application of the zoning provisions as set forth in the Unified Development Ordinance for the following:

A Variance from the Town of Bluffton Unified Development Ordinance, Section 5.15.5.C., to reduce the side setback for the property's western lot line from 10 feet to 3 feet for the purpose of saving the 21" caliper Southern Magnolia along Lawrence Street. The property, which is identified by Beaufort County Tax Map Number R610 039 00A 0176 0000 at 12 Lawrence Street, is located approximately 175' east of the intersection of Wharf Street and Lawrence Street, and zoned Neighborhood General-HD (ZONE-2-16-9504).

After consideration of the evidence and arguments presented, the Board makes the following findings of fact and conclusions:

- 1. The Board concludes that Applicant **has** **does not have** an unnecessary hardship because there are extraordinary and exceptional conditions pertaining to the particular piece of property based on the following findings of fact:

As detailed in the Board of Zoning Appeals Staff Report dated March 15, 2016, the following extraordinary and exceptional conditions exist resulting in an unnecessary hardship for the reasonable use and enjoyment of the property:

- A. The presence of a 21" Southern Magnolia along the northern boundary of the property which when accounting for the drip line of the tree encompasses approximately one third of the property frontage requiring a narrower side yard setback to avoid damage to the tree roots of this significant tree;
- B. The property contains a lot width that is slightly narrower than the

average lots widths of properties along Lawrence Street;

- C. Due to an earlier subdivision, the unique geometry of the lot restricts the placement of the house; and
- D. The application of the Ordinance to this property would unreasonably restrict the utilization of the property in a manner consistent with others in the Old Town Bluffton Historic District.

2. The Board concludes that these conditions do do not generally apply to other property in the vicinity based on the following finding of fact:

As detailed in the Board of Zoning Appeals Staff Report dated March 15, 2016, the following conditions only apply to this of the property when compared to other properties in the vicinity:

- A. In accordance with the tax maps, the majority of the vacant properties along Lawrence Street do not have geometry that restricts the placement of the structure as severely as the parcel in question; and
- B. The subject parcel contains a significant tree canopy that consumes approximately one third of the property frontage which is not prevalent on lots within the vicinity of the property.

3. The Board concludes that because of these conditions, the application of the Ordinance to the particular piece of property would would not effectively prohibit or unreasonably restrict the utilization of the property based on the following findings of fact:

As detailed in the Board of Zoning Appeals Staff Report dated March 15, 2016, the following conditions exist resulting in the Ordinance unreasonably restricting the utilization of the property:

- A. The presence of a 21" Southern Magnolia tree along the northern boundary of the property which when accounting for the drip line of the tree encompasses approximately one third of the property frontage requiring a narrower side yard setback to avoid damage to the tree roots of this significant tree;
- B. The property contains a lot width that is slightly narrower than the average lots widths of properties along Lawrence Street;
- C. Due to an earlier subdivision, the unique geometry of the lot restricts the placement of the house; and
- D. The application of the Ordinance to this property would unreasonably restrict the utilization of the property in a manner consistent with others in the Old Town Bluffton Historic District.

4. The Board concludes that authorization of the variance will will not be of substantial detriment to adjacent property or to the public good, and the character of the district will will not be harmed by the granting of the variance based on the following findings of fact:

As detailed in the Board of Zoning Appeals Staff Report dated March 15, 2016, authorization of the variance will not be of substantial detriment to adjacent property or to the public good, nor will the character of the district be harmed. The scale of the proposed dwelling unit is consistent with the existing and intended character of the neighborhood. The 3.0 foot setback from the eastern property boundary will not substantially impair the adequacy of light and air for the future development of the property to the east side of the subject parcel. Finally, the 3.0 foot encroachment of the proposed dwelling is unlikely to be discernable from the public view and the proposed architectural elevations have been found by the Historic Preservation Commission to be consistent with the design regulations in the Historic District.

The Board, therefore, orders that the variance is:

- Denied
- Granted
- Granted, subject to the following condition(s):

1. The applicant shall provide vegetative screening along the area of encroachment to ensure that the neighboring property to the west is buffered from the proposed development.
2. Town Staff will verify that the subject tree is in a healthy condition prior to the issuance of a building permit.

Attachments:

1. Board of Zoning Appeals Staff Report Dated March 15, 2016.

Approved by the Board by Majority Vote.

Date Order Issued: 3/15/16



Julie O'Donnell, Chairman, Board of Zoning Appeals



Rocio Rexrode, Secretary, Board of Zoning Appeals,
Growth Management Coordinator

Date mailed to parties in interest: 3/22/16

Notice of appeal to Circuit Court must be filed within 30 days after date this Order was mailed.