

**OLD VILLAGE HISTORIC DISTRICT COMMISSION**  
**MEETING NOTICE - *Amended***  
**September 10, 2018 at 5:00pm**  
**Town Hall Committee Meeting Room**  
**3<sup>rd</sup> Floor, Room 3300**  
**100 Ann Edwards Lane, Mount Pleasant, SC 29464**  
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*NOTE: Items in [blue](#) are hyperlinks (some file sizes are large and may take a minute to load).*

**MINUTES**

**PRESENT:** Scott Hirshorn, Chair; Heather Wilson, Vice Chair;  
and Ann Dovre (*Ms. Montgomery arrived at 5:11*)

**EXCUSED ABSENCE:** Leigh Rowe

**STAFF PRESENT:** Austin Rutherford, Senior Planner; Joe Juan; Plan  
Reviewer

Mr. Hirshorn called the meeting to order at 5:03 p.m. and reviewed the procedures with the public.

**I. Approval of Agenda 320 Middle Street to amend the agenda**

*Ms. Dovre made a motion to move item #3, 320 Middle Street to the end of the agenda and to approve the agenda as amended; seconded by Ms. Wilson. All present voted in favor.*

**II. Approval of Minutes**

**[August 13, 2018](#)**

*Ms. Dovre made a motion to approve the August 13, 2018 minutes; seconded by Ms. Wilson. All present voted in favor.*

### III. Public Comment & General Correspondence

#### 1. [Correspondence on 129 Live Oak Drive](#)

Mr. Rutherford stated that there are two items of correspondence regarding item V.5, 129 Live Oak Drive.

Mr. Rutherford stated that in reference to previous discussions regarding parking, a parking study has been added to the Comprehensive Plan list for the Old Village and the general area, as it takes into account land use. Additionally, with the potential arrival of Hurricane Florence, all residents in the Old Village are free to make repairs and make storm preparations. He said in reference to next month's meeting, for any submissions going forth, there will be a Property Owner Acknowledgement form that will require completion and be attached to their submittals going forward. He said in the past the required meeting with Town staff has not been strictly adhered to; however, if the property owners do not meet with Town staff, they will not be listed on the agenda.

### IV. Consent Motions

*Ms. Wilson moved for a consent motion on item #4, 728 Pitt Street; #5, 104 Friend Street; #6, 613 Pitt Street; #8, 300 Center Street; seconded by Ms. Dovre. All present voted in favor.*

### V. Business – [STAFF REPORT](#)

1. [401 Royall Avenue](#) – (TMS 532-05-00-059) Applicant is seeking Final Review for Tennis Court Renovations.

Mr. Rutherford reviewed staff comments with the Commission.

Mr. Rutherford added that the motion should also reflect the correct address for the COA, which is 401 Royall Avenue.

*(Ms. Montgomery arrived at 5:11 p.m.)*

**Warren Pruitt**, landscape architect with ADC Engineering, stated that the sign will be replaced, but shifted slightly to a more prominent location on the corner which will keep it in the same character. He stated that the fencing poles will be located on the outside of the fabric and the windscreen fabric is on the inside. He said that the issue with the encroachment is that and they will be pulling back and putting permeable

pavers at the same grade to minimize any root damage to the trees. He said the overall project is very nice.

Mr. Hirshorn stated that he has been following this project closely and looks forward to a much needed update on the tennis courts. Having discussed the project with fellow Commission members, there is a consensus.

**Mike Tinkey**, 208 Venning Street, stated that he would like to thank the Commission for working on behalf of the citizens to have three courts instead of two, as well as ADC Engineering who does a great job. He said he would also like to thank the Town and the Board of Zoning Appeals. He said since they were not previously regulation courts (60x120) and could not be with three courts as currently designed, he asked if there is any space at all to gain a couple of feet on either side to have a little space in between.

Mr. Pruitt responded in the negative and stated that they tried; however their limitations with the side boundaries and within permeability held them to what was there.

Mr. Tinkey stated that something was mentioned about shade and asked if there would be any shade structures in the design.

Mr. Pruitt responded in the negative. He said there are very nice trees, however.

Mr. Tinkey asked about benches underneath the trees.

Mr. Pruitt said that there will be benches under the trees.

**Ashley Woody**, 110 Friend Street, stated that she respectfully requests that the Commission approve this project the way it is. She said it will be such an improvement over what is currently there.

Mr. Rutherford stated that in the motion he would suggest that if the Commission seeks to approve this project that the Commission state a reason why the guidelines should not be followed in terms of the height of the fencing and the way the poles are positioned.

Ms. Wilson asked if this was the only portion that was not compliant.

Mr. Rutherford responded in the affirmative.

*Ms. Wilson made a motion to approve this project as drawn and in preserving the three courts, would like to make it a more effective tennis court and therefore allow the taller fence that our ordinance would not otherwise allow; seconded by Ms. Dovre. All present voted in favor.*

2. [129 Live Oak Drive](#) – (TMS 517-15-00-062) Applicant is seeking Conceptual Comment on a rear Accessory Dwelling Unit, pool, and hardscaping.

Mr. Rutherford reviewed staff comments with the Commission.

**Carl McCants**, architect representing homeowners, stated that his clients recently purchased this property and are a young growing family. He said the house is small and they felt the need to put the ADU up to achieve one more bedroom for the house. He said they studied the house trying to determine how to add another bedroom and it was difficult. He said the ADU is not going to be a rental property, but for guests and family members that visit. He said it will also be in conjunction with the pool that they would like to have put in. He said it would be for this young family trying to create outdoor space for the children and typical lowcountry living. He said there is some concern with the house directly behind his clients' feeling as if they are towering over and looking down on his clients and is one reason that the ADU is anchored on that side. He said what they are proposing is to heavily plan the space between the pool, ADU and the neighbor directly behind them to create more of a buffer for privacy. He said looking at the site plan, there is a 47" oak and a 36" oak which present a problem with the initial design of the house, as well as the location of the ADU and proposed pool. He said they are requesting the 3½ foot setback on the rear to get more distance away from the main house. He said with the 3½ foot setback, it is only keeping them ten feet off the main structure. He said they are also trying to address grade issues and are studying the water runoff. He said there is a grate inlet on the far back left corner and they are attempting to capture all their water off of the proposed ADU, so it does not go into Mr. Martschink's property or the adjacent property on the left and can be contained in that area.

Mr. Hirshorn stated that two letters were heard earlier regarding this property.

**Jack Dickerson**, 131 Live Oak Drive, stated that they reside in the house on the left side. He spoke to the owners of this property who are very nice and

appear to be willing to work with the neighbors. He said their concern is the actual size of the proposed project. He said what is being proposed is right on top of everything and should be within tolerance. He said they do not agree with the setback which is there for a reason. He said they are right at their 40% impervious and were not able to put in anything else, so keeping everything to within the Old Village standards is what they are looking to achieve.

**Losse Knight**, with LFK Architects, 1360 Old Brickyard Road, said he is here on Mr. Miles Martschink's behalf and believes that the letter Mr. Martschink wrote is fairly detailed and what the ordinance does and does not allow. He said he is here to elaborate if there are any questions relative to Mr. Martschink's letter. He said that the diagram provided in the letter speaks to how the accessory dwelling unit is somewhat encroaching on the south portion of the property line. He said outside of the Old Village guidelines there are other things to be considered. He said when looking at the International Residential Code (IRC), there is fire safety that should be considered. Also, when looking at the IRC 302.1, there are some requirements where you are not able to have projections or roof overhangs within two feet of the property line; the code does not allow it.

Ms. Wilson asked about the rule where the taller ADU's pitch matches the primary home.

Mr. Rutherford stated that there is a 20-foot rule. He said the pitch is in the main ordinance when it is a non ADU.

Ms. Montgomery stated that after reading Mr. Martschink's letter, she agrees with everything stated. She could not in good conscious approve the project the way it is shown.

Ms. Wilson stated that it would be difficult for this Commission to approve any sort of setback encroachment without having worked through it with the neighbors, as it is impacting them the most. She said that it is also too wide in its design relative to the pitch and scale of all the pieces of the original design of the house. She said if you take the three feet off and comply with the side yard setback, they would be able to achieve pitch and massing of the gables that were designed originally, which would do better justice to the design.

Mr. Hirshorn stated that the Commission members are all likely in agreement that the setback encroachment, particularly in the context of this lot, which historically has been a very difficult parcel of land. He said they would have a very difficult time approving an encroachment on a setback, as well as a large ADU and pool. He said if this is something the homeowners would like to follow through on, there would be no setback encroachment and as minimal of a structure as possible, because that area is very tight. He said this area of the Old Village is particularly challenging with all the new buildings that have gone up in the Toomer Lane and Live Oak area. He feels that each individual homeowner is interested in maximizing the properties, but this area is at the limit for structures. He said he would use this as very strong guidance when coming up with a plan.

Mr. McCants stated that what he finds puzzling is that there are a set of guidelines that they are able to come to the Commission for on lots such as this. He understands if this lot was not subdivided, which is something the Town should review in the future with subdividing lots in the Old Village which is special. He said once you let someone develop a piece of property like this and allow the set guidelines, then people such as his clients are looking at the guidelines, and talking to Town staff, who advises them what they can and cannot do with the approval of the Old Village Historic District Commission.

Ms. Wilson said, "yes and no", because the homeowners are asking for relief on the setback, which is above and beyond. She said there is no subdivision taking place any longer and this was done many years ago. She said Commission members may not like it, but it was done so long ago, that it is what it is. She said the Commission is not attempting to limit the homeowners from doing some type of outdoor space; however, it is a reduced side yard setback, an ADU, and a pool, which is a big request for someone who just purchased a house.

Mr. McCants asked if the Commission has the purview to provide relief on the side setbacks.

Ms. Wilson stated that the Commission does have the purview when there is a condition where there is a hardship and a need for it; however, does not believe that a 21-foot-wide pool cabana meets that criteria, nor does the pool.

**Jack Dickerson** asked if the side setback must apply to the pool as well.

Ms. Wilson responded in the affirmative; however, she is only one vote and is not sure what her fellow Commission members think.

Mr. McCants stated that the large trees have made it very difficult and back to what Mr. Dickerson stated, they are still under all their pervious coverage. He said the trees have forced their hand to try and combine everything into this one side corner of the lot. He said if the trees were not there, then the whole presentation would be completely different. He said the original house design would probably be different as well.

Ms. Wilson stated that if Mr. McCants were designing this from the start for this client, it would be entirely different; however, the clients purchased an existing house and Mr. McCants has a challenging job, which will be difficult.

3. [242 Middle Street](#) – Survey 6010/6010.01 – (TMS 532-09-00-024) Applicant is seeking Final Review for the replacement of a deck with a new screened in porch. [**AGENDA AMENDED TO MOVE THIS ITEM TO THE END**]
4. [728 Pitt Street](#) – Historic 5956 – (TMS 532-09-00-072) Applicant is seeking Final Review for driveway and hardscaping revisions from a previously approved plan.  
[**Consent Approval**]
5. [104 Friend Street](#) – Survey 4227 – (TMS 532-05-00-067) Applicant is seeking Final Review for revised driveway from a previously approved plan.  
[**Consent Approval**]
6. [613 Pitt Street](#) – Survey 6273 – (TMS 532-05-00-210) Applicant is seeking Final Review for a new safety handrail for the property's dock.  
[**Consent Approval**]

7. [107 Carr Street](#) – Survey 6108/6108.01 – (TMS 532-05-00-051) Applicant is seeking Final Review on a new single-family home, accessory dwelling unit, detached garage, and pool construction with demolition of the existing single-family home and detached garage.

Mr. Rutherford reviewed staff comments with the Commission.

**Ryan Smith**, Beau Clowney Architects, stated that they were approved on June 11, 2018 to demolish both the structures on the property on the grounds that they have been significantly altered and due to the amount of work required would enact the 50% rule. He said to address the main concern from the Commission at the last meeting which was the elevation as viewed from the Park, they studied numerous ways to mitigate the height of the ridge. He said they were already showing at 7'6" plate height on the second floor so bringing it down further was not an option. He said what is shown is the gesture of attempting to nestle that second portion of the gable within the main mass to help bring it down slightly. He said there is a great deal of foliage between that part and the structure.

Ms. Wilson asked if the projected structure was raised and if the first finished floor was taller.

Mr. Smith responded in the negative.

Ms. Wilson asked where they are relative to flood.

**Kate Campbell** stated that the bottom structure is a 4 + 1.

Mr. Smith stated that they are as low as they are allowed to go.

Ms. Montgomery asked how much higher than the Darby Building will the structure sit, or to the house next door.

Ms. Campbell stated that Carr Street is higher on that point. She stated that the Darby Building is a full two-story structure with a hip roof, whereas theirs is more of a dormer condition.

Mr. Hirshorn stated that when recalling the conceptual review in June, the big issue was mass, scale and height of the structure and those issues are still present. He said Carr Street is more of a Lane with small structures and tight lots.

Ms. Campbell stated that on Bank Street, they are dealing with buildings that are not elevated for flood and they are on tight lots. She said it is a sensitive area and mitigating a large lot with adjacent lots that are all small and not elevated. She said they are unable to go further down and trying to break up the massing of the 2<sup>nd</sup> floor instead of simply doing a hip or dormered roof to break up the massing in terms of the roof form so it does not feel as large compared to some of the other houses due to the difficulties of what they are dealing with (size of lot and adjacent conditions). She said instead of similar to the Darby Building having a large full two-story structure on the top, they have tried to break theirs up into two roof forms, so there is the dormered roof form running along the park side and on the Pitt Street side, having a hip volume coming out. She said this is a way to try and break up the massing.

**Beau Clowney**, stated that in particular he felt that the comments in June were directed specifically at the way this would be perceived from the park and in particular, the second-floor piece. He said they looked at the idea of doing a hipped roof and a lower flat hipped roof and everything they came up with felt that it would feel more massive. He said they loved the idea that its gabled roof is tapering back instead of being a taller volume with a lower hip roof. He said that this roof form is more typical of the Old Village than a full two-story house with a really low flat hip roof. He said this is why they came back to breaking up the large planes which would be more beneficial to the Commission's concerns of how it would be perceived from the park. He said when you look at those images from the park, looking back between two houses, it will be back in there. He said theirs are elevated structures and the surrounding structures are not, nor are they historic, which means they could come down at some point, if approved.

Ms. Wilson said she hears all the arguments and understands it is difficult because you are looking uphill and past smaller structures that are on the grade. However, it is the overall length of the structure that she is struggling with. She agrees with their decision to keep the gable and not go to a flatter hip that is more static on that elevation, but still feels it is a lot of second story structure. She said it simply looks massive. She said that the architects have gone through great efforts on the Carr Street side to break it up, but she is struggling with the view from the side which is arguably the most public. She is also struggling with the lot coverage, because when they

allow property owners to go all the way to the maximum of 40% and then they come back with the final landscape plan they are over or need extra. She said even if the pavers are pervious, it is still hardscape. She said there is a great deal of lot coverage on this with a really large house.

Mr. Clowney stated that if they did take the piece that they pulled apart up to, if they were to take that volume and replace it somewhere else, would the Commission be satisfied with the piece that has the other three dormers in it.

Ms. Wilson stated that this piece does not concern her.

Mr. Clowney stated that it is the one piece in the back.

Ms. Wilson stated that it needs more sky, similar to the treatment given to the Carr Street side, which is what the second piece does with the connected porch and fireplace. It has a scale that relates to the structures on either side. She said there has been a great deal of renovation on both houses on either side, which have been very well cared for, so it is difficult to see them going away anytime soon.

Mr. Clowney said the house is not too big, so they will need that square footage, which will need to go somewhere else. He said if this is the big concern they are obviously willing to look at it.

Mr. Hirshorn stated that this was their concern during the first conceptual meeting.

Ms. Montgomery asked why every new construction has shed gables. She said there is so much discussion of wanting to maintain the Old Village look.

Mr. Clowney said that shed gables are less mass. He said if they have a gabled dormer, it will appear more massive from the street. He said they go to great lengths on the elevations to design something that is broken into segments and reflects roof forms that are commonplace in the Old Village. He said they are attempting to do things that are more in the spirit of something you would see in a traditional raised cottage, which is very much a historical building type.

Ms. Montgomery said that most of the old homes have add-ons and the impression of those being added on is acceptable.

Ms. Wilson asked if the 40% pervious coverage includes the pool, hardscape and everything.

Mr. Smith responded in the affirmative.

Ms. Wilson stated that she would like to defer this and see one more effort on the outside park view.

Mr. Hirshorn stated that the Commission is attempting to keep the new construction projects within reason as far as the scale and massing goes. He suggested deferring this project.

*Ms. Wilson made a motion to defer the project at 107 Carr Street for further study on the park side; seconded by Ms. Dovre. All present voted in favor.*

Mr. Smith asked if the Commission would make a motion for the approval of the demolition.

Mr. Hirshorn stated that it was approved on June 11<sup>th</sup>.

Mr. Rutherford stated that the demolition approval, as with any other demolition approval, is on the condition that they submit for the building permit to receive the demolition, but it is approved. He said for the demolition permit, they must make the application for the home permit.

Ms. Wilson asked for clarification, they are not able to receive the demolition until this item is approved.

Mr. Rutherford stated that they are unable to receive the demolition permit until this project is approved and they apply for the building permit. He stated that this is in the ordinance. He stated that the Commission has approved the demolition and is simply waiting on the application on the building permitting side.

8. [300 Center Street](#) – (TMS 532-09-00-282) Applicant is seeking Conceptual Comment for altering an existing back porch to create a sunroom and rear stairs.

**[Consent Approval]**

9. [200 Queen Street](#) – Survey 6091 – (TMS 532-05-00-025) Applicant is seeking Final Review for approval of a demolition of the current single-family home in relation to a previous approval.

Mr. Rutherford reviewed staff comments with the Commission.

**Dr. Ken Spicer**, homeowner, stated that his architect is not present and was the individual who filled out the paperwork. He said the architect did not check the correct box for demolition and instead checked the “minor renovation” box back in December 2017 when they began the process. He said each time that documents were submitted, he did not make the correction. He said they also paid a \$50 fee to the Town instead of a \$100 fee for a demolition permit. He said initially their plan was to build on the existing floor and add the second floor, finishing in. He said the floor plan is exactly the same as what was in the house. He said the second floor was never started, other than air conditioning ducts and they had planned to fill this in. He said the Commission approved their plans in June and July 2018. He said the problem they encountered in March was to, at the recommendation of the engineers in Town, was to obtain soil testing. He said soil testing had been done when the house was built after Hurricane Hugo in 1992 by Coastal Engineering and Testing Company. He said he solicited this company again, who did core drillings and the report revealed that the piling from the two core borings were not down six to eight feet into the marl as had originally been designed and implemented in 1992. He said that the engineer’s recommendation was to do testing by bringing in a pile driver with an accelerator and smash the piles down to measure how much they would go down. He said they procrastinated completing this, because in order to accomplish this, the entire first floor would need to be removed, which was a \$100,000 + hardship for him. He said in June, because the structural engineer he hired advised that he would not approve it unless new piles were put in, he decided in June to obtain an additional loan and agreed to put new pilings in. He said that both he and his architect did not realize that they had to have the Commission’s approval for the demolition as well as the COA. He said they are now at this point and after bidding five different builders for a demolition permit, realizing that they did not check the correct box and needed to pay the additional fee for a demolition, as well as come before the Commission for the demolition approval.

Mr. Hirshorn stated that unfortunately, the demolition approval, guidelines and the way it is structured are very specific. He said they are this way for a reason. He said it also greatly affects the Commission’s ability to judge

and approve a design. He said if the Commission was aware that this was going to be a demolition, the Commission would have looked at this design (the existing home), as being altered significantly. He said it is now a new construction, so this presents more options and does not tie the Commission to an existing structure and footprint. He said he understands that the applicant has gone back and forth on this project for approximately six months; however, this has been completely turned upside down. Mr. Hirshorn asked if there was any public comment.

Dr. Spicer stated that he spoke with the neighbors and agreed to put the new piles on the exact same foundation and they will be the helical piles, not driven.

Ms. Dovre said she is very sorry that Dr. Spicer has gone through so much. She said she is very familiar with this house. She said the Commission is very committed to the ordinances and guidelines.

Dr. Spicer said he is confused, because they are building on the exact same foundation and the first floor is exactly the same as the existing house with changes to the second floor. He asked what he should have done that he did not do.

Mr. Hirshorn stated that the design was conforming to an existing structure, which led to some constraints of what could be done. He said the Commission viewed this in that context, whereas if a demolition was requested, it would be viewed as an entirely clean slate, where different design features could be utilized. He said it greatly affects the way they look at the approval process.

Dr. Spicer said that the Commission has reviewed this for six months.

Mr. Hirshorn said it was reviewed under the lens of a renovation, not a demolition.

Dr. Spicer asked if he would need to come back and start all over.

Mr. Hirshorn said that Dr. Spicer could renovate it, as is, and not demolish it.

Dr. Spicer stated that he is unable to renovate it "as is".

Mr. Hirshorn said that Dr. Spicer may do exactly what has already been approved only. He said Dr. Spicer may follow through with the plans that

have been approved or apply for a demolition permit and submit the design again.

Ms. Wilson asked what Dr. Spicer would do if he had a blank slate. She said Dr. Spicer wanted solar panels and so many other things that he was unable to work into the existing design. She said there was also how to address Queen Street versus the Harbor side, with the entrance being awkward. She said this was because the Commission thought they had to accommodate the existing house. She said if Dr. Spicer had the opportunity to rotate the house to address Queen Street to enter in a different way to accommodate some of the solar panels, this could be a possible opportunity. She said the issue is that it is not a public safety or welfare issue, nor is it a substantial hardship because the house can remain as it is and is not in danger of falling down. She said the Commission does not have a specific reason to grant a demolition approval unless the new development is more compatible with the surrounding area. She said this is the only one they have left.

Dr. Spicer quoted, “the structure cannot be economically rehabilitated on the site to provide a reasonable environment”.

Ms. Wilson stated that the house does not need to be rehabilitated and they use the “economically rehabilitated” reasoning for those homes below flood that are in active structural failure and are not habitable. She said this does not apply to this home. She said the only reasoning left is “that the new home is more compatible”, so it must be in conjunction with the design. She said this is an opportunity for the applicant to get many of the things that they wanted previously.

Mr. Hirshorn said there is a choice to either follow through on the renovation project as submitted or apply for a demolition and submit a clean slate plan of new construction where the applicant is now free to explore many different opportunities such as solar panels and other items that the applicant had on his wish list that could possibly be more compatible with a new design.

Dr. Spicer stated that he was perhaps naïve in restoring as much as possible what was currently there. He asked if there is a possibility of putting up solar panels if he does a new design, which would be a strong incentive for

him, because he feels very strongly about them. He said he did not get the feeling from the Commission previously that solar panels were acceptable.

Ms. Wilson stated that she is open to them, but had a difficult time with the current design, because they were oriented in a way that they would be facing the harborside and were too many panels involved.

Dr. Spicer stated that the most ideal place is south towards the equator.

Ms. Montgomery stated that the original piles are not on marl and asked if this would be a liability if Dr. Spicer keeps the present plan without the demolition and build more structure on the piles that are currently there. She said they may fail because they were not properly inserted.

Dr. Spicer said that he has always respected engineers as being scientific and knowing their specialty. He said that in the past three months, he has dealt with some of the worst science he has ever seen. He said the engineers made two core observations and those observations were not next to pilings but were in the area of. He said how they can extrapolate from these cores what the pilings are down in is beyond him. He said it is two out of 28 piles that are underneath the house and asked how they would know that the rest are not there. He said it is a major expenditure for him to take this house off and reuse the piles below grade and put in the helical piles. He said it is a risk and Ms. Montgomery raised a very good point. He said the second floor is a significant addition and it would have more weight on the pilings.

Ms. Montgomery stated that she does not want Dr. Spicer to be facing a liability in the event there is a failure.

Dr. Spicer stated that this is why they were redoing the piles with the helical piles, which would support it all.

Ms. Wilson stated that the house could be supported using the helical piles and do a bond beam and build piers up and keep the house.

Dr. Spicer said that he has thought of this as well. He said he will go back to the drawing board to see if this can be done without a demolition.

Ms. Wilson stated to think about it this way, but it also appeared to her that there were a number of things that Dr. Spicer was able to get that now with

a blank slate, they could end up with a more efficient home size-wise and in terms of energy, solar and other things.

Mr. Hirshorn expressed his apologies and stated that this is an unfortunate error; however, this is a fairly major issue.

*Ms. Wilson moved that on 200 Queen Street not to approve the demolition until further study; seconded by Ms. Montgomery. All present voted in favor.*

Mr. Rutherford asked if this would be a denial.

Ms. Wilson responded in the affirmative.

Ms. Wilson asked if the motion should be clearer that it be considered in conjunction with the home design so that it is not a separate issue or request.

Mr. Rutherford stated that if the Commission simply denies the demolition, by default it falls back upon the renovation and addition that has already been approved.

Dr. Spicer stated that if he and his wife decided to go ahead with the existing plan without a demolition, they are able to do that now. He said on the other hand, they want to be sure there are pilings that are in marl, they need to come back with a whole new application.

Mr. Hirshorn responded in the affirmative.

***The Commission amended the agenda to put item #3 as the last item.***

**242 Middle Street** – Survey 6010/6010.01 – (TMS 532-09-00-024) Applicant is seeking Final Review for the replacement of a deck with a new screened in porch. **[AGENDA AMENDED TO MOVE THIS ITEM TO THE END]**

Mr. Hirshorn stated that now that there is a quorum with Ms. Wilson recusing herself from the 242 Middle Street project, he asked if they are able to move forward with a consent motion.

Mr. Rutherford stated that he would suggest that the Commission hear the staff report in its entirety.

Mr. Hirshorn stated that Ms. Wilson will be recusing herself, as her staff is involved in this project.

Applicant was not present.

*Ms. Montgomery made a motion to defer the application; seconded by Ms. Dovre. All present voted in favor of deferral, with Ms. Wilson recusing herself.*

**V. Staff Approvals**

**VI. Motion to Adjourn**

*Ms. Wilson moved to adjourn; seconded by Ms. Montgomery. All present voted in favor.*

There being no further business, meeting adjourned at 6:17 p.m.

Respectfully submitted,  
Barbara Ashe  
September 10, 2018