

A special meeting of the Design Review Board (DRB) was held on **May 31, 2019 at 10:00 a.m.** in the City Hall Planning Conference Room, 1911 Boundary Street. In attendance were Vice Chairman Michael Brock, board members Bob Albright, Benjie Morillo, and Kimberly McFann, and Heather Spade, city staff. Board member Rett Bullard was absent.

In accordance with the South Carolina Code of Laws, 1976, Section 30-4-80(d) as amended, all local media were duly notified of the time, date, place, and agenda of this meeting.

### **CALL TO ORDER**

Vice Chairman Brock called the meeting to order at 10:06 a.m.

### **THE OVERLOOK AT BATTERY CREEK, 2705 Satilla Boulevard (19-03 DRB.1)**

Applicant: Village Park Homes, LLC

*The applicant is requesting approval to make changes to their architectural guidelines. The DRB requested samples of proposed material changes.*

Vice Chairman Brock said this application was tabled at the May 23, 2019 DRB meeting. Ms. Spade said the board should vote on each of the items listed in the staff report, which were discussed at the last DRB meeting.

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Vice Chairman Brock said the applicant doesn't have any marsh lots. **Ms. McFann made a motion, second by Mr. Albright, to approve Items 1 and 2. The motion passed unanimously.**

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Item 1 – parking structures on marsh & lagoon lots – There was a brief review of the discussion about this at the previous DRB meeting. **Mr. Morillo made a motion to approve this item, with the condition that if the garage is at the front of the house, it would be side-loaded. Ms. McFann seconded the motion. The motion passed unanimously.**

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Item 1 – vinyl siding – Ms. McFann said the board did not receive information/specs on the proposed materials prior to the meeting as they had requested. **Richard Schwartz** said he has materials to share. The failures in the past in The Overlook at Battery Creek have had “everything to do with the price point,” he said, so Village Park Homes is seeking to “reduce that.” While fiber cement might be a superior product, Mr. Schwartz said, he feels they can present a vinyl product that would meet the architectural standards of the community.

Mr. Schwartz and **Daric Dillon**, an Alside sales representative, showed photos of successful and unsuccessful siding and vinyl samples, including the following: trim; the J-

channel and soffits; a lineal board; corner boards with no seams and “a wider look,” rather than using hardie board, and a means to keep the sides from having rippling/buckling/shadow.

Mr. Dillon showed a sample of siding with a “wider look”: a 5” panel, which is thicker. He showed a sample of a wider (044) board with beading on it. He said this is costlier than the 5” panel.

Ms. McFann asked how vinyl siding would “translate” in “actual homes,” if it were to be offered as an option. Mr. Schwartz said they could offer it, or they could plan to “implement a percentage . . . into our mixture.” He’d like to have “a little more control” over “how we go about doing that.” For example, Village Park Homes might decide to do “every fourth house” in vinyl, he said.

Mr. Schwartz said he has seen examples of the 4”, 5” and bead throughout the community. He thinks the 4” is not “elevated enough.” Mr. Dillon showed color palettes for siding.

Mr. Dillon said the Amherst is 5”, is “.042” thickness,” and “offers more colors.”

Mr. Schwartz asked Mr. Dillon to show the fascia samples, which he said is “scratch-resistant.” The sample has a matte finish; Mr. Dillon showed the “vented soffit material for ventilation.” He said it’s called G8 Coil, and it comes with a 30-year warranty.

Ms. McFann said they are showing vinyl siding with vinyl trim. Mr. Schwartz said they had discussed hardie trim with the DRB at the previous meeting, but “after thinking about it,” he decided “we would have to J-channel it to that trim,” which concerns him. They could do that, though, he said, or he presented another option that “would leave the front of it not-so-thick.” Mr. Schwartz suggested that “going with all the upgrades,” they could “get what we’re looking for,” and it would be “a full vinyl home.” He said they could do a hardie trim, but what he’s proposing would “give us a nicer look.” Also, for product warranty, it’s better to use all the same materials, he said. To accomplish what they want, with “a price point that works,” Mr. Schwartz said, this is what they want to do.

Ms. McFann asked if using 5” Centennial beaded vinyl siding would give Village Park Homes the \$8,000 savings they’re looking for. Mr. Schwartz said it wouldn't be that much, maybe more like \$6,000 or \$7,000.

Mr. Dillon showed another product, which he said is about 5’ long. Mr. Schwartz said Village Park Homes uses “a combination” of types of siding (e.g., shake, board and batten, etc.) on each house, with all of the styles from the same manufacturer.

Mr. Dillon discussed the history of his company.

Mr. Morillo said he had requested that the applicant send information and specs about the siding to the board before this meeting because he wanted to do his own research, rather than making the decision based only on what the board is seeing now.

Mr. Morillo asked about the zoning around this neighborhood, and if the applicant would be allowed to use vinyl in T3-S. **David Prichard** said the prohibition on all vinyl is in the Beaufort Code for all zones. Mr. Morillo said it doesn't feel it's fair to allow this neighborhood to use vinyl, when the neighborhoods around it can't use it.

Ms. McFann asked if Mr. Morillo had an opinion about the products they'd seen. Mr. Morillo said, "It looks like any other vinyl to me," and his opinion hasn't changed.

Mr. Schwartz pointed out the warranty on the vinyl siding. Mr. Dillon said it's "a lifetime warranty," and it's transferrable if a house is sold. It has a better overall warranty than hardie, he said. Alside will replace vinyl if there's any fading through its lifetime, while the warranty on hardie is 15 years. Mr. Dillon said a home's lifetime is considered to be 15 to 30 years, and because the warranty is transferrable, it can be for up to 50 years total. The coil has a 30-year warranty, he said.

Mr. Dillon said the vinyl siding he's shown is a good product, and it's maintenance-free; also, Village Park Homes has people trained to install and care for it.

Vice Chairman Brock said the vinyl siding used in his neighborhood is 6½", and it gets warped. Mr. Dillon described how this happens due to light reflection, especially from "low-E" windows, but this product meets the "distortion standard." Any siding will have issues from the sun, he said, and he has seen this happen twice with his company's products, and "we've taken care of it" by putting screens on the windows so the sunlight doesn't "bounce off the wall."

Mr. Schwartz said if they went with fiber cement on the siding, they could use aluminum fascia and vinyl soffits, which would be "another layer of solution." Mr. Morillo said he'd be okay with that.

Ms. McFann asked if staff knew anything about the citywide ban on aluminum siding. Ms. Spade said Mr. Prichard might, but he'd stepped out.

Ms. Spade asked how the Overlook at Battery Creek architectural review board would be able to enforce Alside using siding on its homes there. The DRB can't vote on this company being the only installer, she said, and if Village Park Homes were to leave the development, the surrounding properties would need to be protected.

Vice Chairman Brock said this applicant has 30 lots, but a different developer could come in with more lots and want to use a different vinyl product. If the DRB approved using vinyl, it would set a precedent for other neighborhoods, too. Countywide, he said,

you see vinyl homes, but not in the City of Beaufort. Ms. Spade noted that you see vinyl in the Town of Port Royal and in unincorporated Beaufort County. Vice Chairman Brock clarified that there would still be savings for Village Park Homes if the DRB allowed the vinyl soffit option, and Mr. Schwartz said there would be.

Ms. Spade said this is specific to transect-based districts; she read from the applicable portion of the code about prohibitions in transect-based zones.

Mr. Schwartz said Village Park Homes' desire to use vinyl siding is "all about cost," but based on these conditions, vinyl siding might not work; however, the vinyl soffit and aluminum fascia could work, and they don't "have a single thing to do with the look of the house."

Mr. Schwartz said Village Park Homes wants "to continue to grow into this community," so they "want to have a great reputation," and they want to work with the DRB and codes enforcement. They have 90 to 100 lots "out in front of these 30," and they are in "the next phase," he said.

Vice Chairman Brock clarified that Mr. Schwartz is asking for a vinyl soffit and aluminum fascia. Mr. Schwartz said that's right. For door trim, in an exposed area, wood "will always rot," so "we would probably use the PVC." Ms. McFann asked Mr. Schwartz what he wants to use that "departs from the code." Mr. Schwartz said just be the soffits and the door trim.

Vice Chairman Brock read from the staff report, suggesting that for Item 2 on page 6, the board could "take out the vinyl and PVC" as allowed materials for the fascia and the corner boards, but allow vinyl and PVC for the soffits. Mr. Schwartz said the frieze "needs to be fiber cement." Vice Chairman Brock said doors and window trim could not be vinyl, so on Item 2, only the soffits and the fascia would be allowed to be vinyl.

**Mr. Albright made a motion, second by Mr. Morillo, that vinyl siding would not be allowed on the walls. The motion passed unanimously.**

**Ms. McFann made a motion, second by Mr. Morillo, that soffits may be vinyl, PVC, painted wood, cementitious material, or painted or coated aluminum, and fascia may be painted aluminum, painted wood, or painted cementitious material. The motion passed unanimously.**

Mr. Prichard discussed the citywide prohibition on vinyl siding. He said he doesn't know why it was prohibited, but staff could look through meeting minutes to see what the rationale was. Ms. McFann said the DRB would need to know that because in the future, other builders might want to know why it is prohibited. She hopes there is "a rationale," because there is a need for lower-cost housing in Beaufort. If there isn't a rationale for it, she suggested that they should revisit the issue.

Mr. Schwartz said it would be extremely frustrating if, in 6 or 12 months, another builder is allowed to use vinyl, because then that builder would be competing with Village Park Homes at a lower price point. Mr. Prichard said, "That's the nature of laws." The original prohibition on vinyl siding at The Overlook at Battery Creek was part of the PUD, and it is in the ARB's guidelines, he said.

Mr. Prichard said staff would continue to research this and could bring the vinyl prohibition up in a city council work session. Ms. McFann asked if the DRB could request that city council look at this, and Mr. Prichard said they could.

Mr. Schwartz asked if there were a way "to permit this [project] with fiber cement," and then, if "you guys were able to turn it over," and vinyl siding were allowed, Village Park Homes could use vinyl instead.

Ms. McFann suggested a specific request for city council to look at the citywide ban on vinyl. Vice Chairman Brock said they would put that on the agenda under "new business."

Ms. Spade said Village Park Homes could submit now with the materials that are approved now. Mr. Schwartz wondered if there were "a path to go through this with fiber cement," and if, in the beginning stages of building, they "figure out a way that it could be approved with vinyl," they could then go with that material instead. Ms. Spade told him that would be "a modification," and "you would have to resubmit [with] the new material."

If council takes this matter up, Ms. McFann "strongly suggest[s]" that the applicant submit the vinyl materials to council in advance to allow the council members to research the product. Also, she said, if Village Park Homes has photos of "actual built houses" where vinyl siding has been used, that would be "a nice addition to the presentation."

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Vice Chairman Brock said vinyl is "out for the flashing." Mr. Schwartz said he remembers that at the previous meeting, "we picked on the gutters." Village Park Homes wouldn't put gutters on their houses if they have to be aluminum, he said, and then the homeowners could "deal with it after the fact."

**Mr. Morillo made a motion, second by Ms. McFann, to approve Item 1. The motion passed unanimously.**

**Ms. McFann made a motion, second by Mr. Morillo, to approve Item 2. The motion passed unanimously.**

**Ms. McFann made a motion, second by Mr. Morillo, to approve Item 3. The motion**

**passed unanimously.**

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**Mr. Morillo made a motion, second by Ms. McFann, to approve Item 1, with the condition that it comply with the IRC. The motion passed unanimously.**

**Vice Chairman Brock made a motion, second by Ms. McFann, to approve Item 2. The motion passed unanimously.**

**Ms. McFann made a motion, second by Mr. Albright, to approve Item 3. The motion passed unanimously.**

**Ms. McFann made a motion to approve Item 4, with the condition that chimney venting would be “out the side” – as opposed to a vinyl-enclosed rooftop chimney – or a masonry chimney would be allowed. Mr. Morillo seconded the motion. The motion passed unanimously.**

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**Mr. Morillo made a motion, second by Ms. McFann, to approve Item 1. The motion passed unanimously.**

**Mr. Morillo made a motion, second by Ms. McFann, to approve Item 2. The motion passed unanimously.**

**Mr. Morillo made a motion, second by Ms. McFann, to approve Item 3. The motion passed unanimously.**

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**Ms. McFann made a motion, second by Mr. Morillo, to approve Item 1. The motion passed unanimously.**

**Mr. Albright made a motion, second by Ms. McFann, to approve Item 2. The motion passed unanimously.**

Item 3 – Mr. Morillo said PVC, vinyl, or wood shutters would be okay with him as long as the shutter is “proportionate” to the window. Mr. Schwartz said he has observed that in his neighborhood on Hilton Head, the shutters are not always proportionate to the windows, and this is also the case on other high-end homes he’s built. If this is “an ordinance,” it would be “a huge speed bump,” he said, and would present “a complicated situation.”

Ms. McFann showed pictures of some shutters that she and Mr. Morillo agreed “do not look good” because they are not proportionate to the windows. Mr. Schwartz said that is “a personal opinion, not an industry standard.”

According to the Beaufort Code, operable shutters are preferred, Ms. Spade said, but they're not required. Mr. Schwartz said in high-wind areas, they have various options. In one community, Village Park Homes used operable shutters on "a few houses," he said, but typically, shutters are "more for just décor," and manufacturers have certain sizes of shutters that "might not always fit the window dimensions."

Ms. Spade read from the applicable portion of the code in regard to shutter width and operability, but she noted that The Overlook at Battery Creek is a PUD, not a transect zone.

Correctly sized shutters would be "a huge cost," Mr. Schwartz said. "Most of the shutters" they have "would fit" the windows, he said, and they could reduce the window size to accomplish what the board is discussing.

Vice Chairman Brock said the new construction in Oldfield doesn't "have shutters at all."

Ms. McFann said Village Park Homes would have to abide by the size requirement for windows. She thinks alternate materials are okay for the shutters, "but they need to be big enough."

Mr. Schwartz said he's likely to "re-engineer" it so as "to not have shutters . . . if that's what [you] decide." Ms. McFann asked if he wants the board to approve alternative materials for shutters that are the "proper width." Mr. Schwartz said no one would "know if it's an inch off." Ms. McFann suggested saying in the motion that the sizes of the windows and shutters should "substantially comply," then suggested the DRB could give "a 4" leeway," and Mr. Schwartz said that would work for him.

Ms. Spade said the zoning code "sets the minimum." The building code is "the minimum standard," and the same holds true for the zoning code, she said, adding that per the code, this couldn't be approved.

**Ms. McFann made a motion to approve decorative shutters in alternate materials that comply with the width requirement of the code or are within 4" thereof, per window. The motion failed for lack of a second.**

**Ms. McFann made a motion, second by Mr. Morillo, to approve alternate materials for decorative shutters, on the condition that the shutters comply with the width requirements set by the code. The motion passed unanimously.**

**Ms. McFann made a motion, second by Mr. Albright, to approve Item 4. The motion passed unanimously.**

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Mr. Albright suggested changing "can" in these items to "may" for the purpose of the

motions.

**Item 1 – Ms. McFann made a motion, second by Mr. Morillo, that fences may be vinyl. The motion passed unanimously.**

**Item 2 – Mr. Morillo made a motion, second by Ms. McFann, that gates may be vinyl. The motion passed unanimously.**

**Item 3 – Vice Chairman Brock made a motion, second by Mr. Morillo, that fences may be composed of vinyl slats. The motion passed unanimously.**

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**Mr. Morillo made a motion, second by Ms. McFann, to approve Item 1. The motion passed unanimously.**

#### **NEW BUSINESS**

**Ms. McFann made a motion to request that city council reconsider the ban on vinyl siding in new construction projects in the interest of the construction of affordable housing. Vice Chairman Brock seconded the motion. The motion passed unanimously.**

There being no further business to come before the board, **Ms. McFann made a motion, second by Mr. Albright, to adjourn the meeting. The motion passed unanimously,** and the meeting was adjourned at 11:27 a.m.