

TOWN OF JAMES ISLAND
BOARD OF ZONING APPEALS
SUMMARY OF OCTOBER 20, 2020

The Board of Zoning appeals held its regularly scheduled meeting on Tuesday, October 20, 2020 by Zoom Platform, 1122 Dills Bluff Road, James Island. Commissioners present: Brook Lyon, Chair, David Savage, Vice Chair, Sim Parrish, Roy Smith, and Corie Erdman. Also, Kristen Crane, Planning Director, Flannery Wood, Planner I, Bonum S. Wilson, BZA Attorney, Ashley Kellahan, Town Administrator, and Frances Simmons, Town Clerk and Secretary to the BZA. A quorum was present to conduct business.

Call to Order: Chairwoman Lyon called the BZA meeting to order at 7:01 p.m. She asked the Board members who wished, to join in the prayer.

Compliance with the Freedom of Information Act: This meeting was held in accordance with the SC Freedom of Information Act and the requirements of the Town of James Island.

Introductions: Chairwoman Lyon recognized the members of the BZA, staff, and Attorney Wilson. Councilwoman Mignano joined after introductions were made.

Review Summary from September 15, 2020 BZA Meeting: Chairwoman Lyon announced that at the September 15, 2020 BZA meeting, the Board heard two cases. Case #BZAS-8-20-020 was disapproved and Case #BZAV-8-20-026 was approved. She informed the Board that the minutes of the September 15 meeting were included in their packets and if there are changes. If not, a motion is required to approve and a second. Motion to approve made by Commissioner Parrish, seconded by Vice Chair Savage. Commissioner Parrish said he had requested that the Lewis presentation (Case# BZAS-8-20-2020) be sent to members of the Board and he did not receive it. Mrs. Crane confirmed that the document was sent, and Chairwoman Lyon remembered receiving it separately from the packet. Commissioner Erdman had a copy handy and emailed it to Commissioner Parrish. Chairwoman Lyon asked Mrs. Simmons to attach a copy of the presentation to the meeting minutes for the official record.

Vote:

Commissioner Erdman	Aye
Commissioner Parrish	Aye
Vice Chair Savage	Aye (thumbs up)
Commissioner Smith	Aye
Chairwoman Lyon	Aye

Passed unanimously with the attachment noted. Chairwoman Lyon announced that case rulings and minutes from this and any BZA meeting are available for public review and inspection during normal business hours at the Town Hall.

Possible Vote for Rehearing of the following application/Case. If a rehearing is granted, it would take place at the next BZA meeting on November 17, 2020.

Chairwoman Lyon stated that the purpose for tonight's meeting is to possibly vote on a rehearing of Case#BZAS-8-20-020, which was disapproved last month. BZA Rules and Procedures states in Article 4, Section 10, "*the Board may grant a rehearing of an application which has been dismissed or denied upon written request filed with the secretary within 30 days after delivery of the order accompanied by new evidence which could not reasonably have been presented at the time of the hearing. Upon vote of the BZA, a member from the prevailing side may make a motion to reconsider a case at the same or next BZA meeting. Any member may second the motion. If the motion to reconsider the case is granted, then the case will be*

scheduled and heard by the BZA at the next available BZA public hearing. A case may be reconsidered only once.”

Chairwoman Lyon asked for a motion from a member of the prevailing side (herself, Vice Chair Savage, or Commissioner Parrish), to reconsider Case #BZAS-8-20-2020 at the next available hearing.

Chairwoman Lyon moved to reconsider Case# BZAS-8-20-2020, seconded by Vice Chair Savage for discussion. Vice Chair Savage said he thinks the applicant has presented information he thinks the Board needs to look at. He said, if not mistaken, the percentages of manufactured/mobile homes within 300 feet was an issue in the packet the BZA had and he thinks it changed the complexion of the discussion. He said he is probably inclined to at least allow the rehearing but is unsure it would change his earlier vote. He does think the applicant has met the initial threshold to discuss a reconsideration.

Commissioner Erdman discussed an email received from Joseph Ketron as a public comment at the last meeting in opposition to a case and the Board was unsure what case it pertained to. She said the email requested that someone make sure the request was not going to inhibit access to state, county, or town infrastructure before being granted. She asked if that had been determined and Planner Flannery Wood said the email pertained to the Teal Avenue case and Chairwoman Lyon said it is not an issue for this case.

Commissioner Parrish agreed with Vice Chair Savage stating that the applicant does need to be reheard because some of the information was not available at the time of the hearing and if they have additional information, we need to allow them to present it. Chairwoman Lyon agreed that additional information has come forward that was not known during the hearing.

Vice Chair Savage requested that we obtain the minutes from the City of Charleston Hearing because he noticed that they approved in one of their conditions extraordinary and exceptional circumstances pertaining to the property that would unreasonably restrict, but he wants to hear the minutes to find out what those factors were. He is letting the Board know that he will send an email to the Town’s Planning Commission asking that they obtain copies of those minutes also. There was no further discussion.

Vote to Reconsider Case# BZAS-8-20-2020

Commissioner Erdman	Aye
Commissioner Parrish	Aye
Vice Chair Savage	Aye
Commissioner Smith	Aye
Chairwoman Lyon	Aye

Passed Unanimously: Chairwoman Lyon announced that the Special Exception for a Manufactured Home at 1108 Seaside Lane will be heard with the new information provided at the next scheduled BZA meeting on Tuesday, November 17, 2020.

Additional Business: Next Meeting Date: Tuesday, November 17, 2020.

Adjourn: There being no further business to come before the body the meeting adjourned at 7:15 p.m.

Respectfully submitted:

Frances Simmons
Town Clerk and Secretary to the BZA