

TOWN OF JAMES ISLAND

BOARD OF ZONING APPEALS

SUMMARY OF FEBRUARY 15, 2022

The Board of Zoning Appeals held its regularly scheduled meeting on Tuesday, February 15, 2022 in person at the James Island Town Hall, 1122 Dills Bluff Road, James Island, and by virtual platform on Zoom.

Commissioners present: Amy Fabri, Corie Hipp, David Savage, Vice Chair, Roy Smith, and Brook Lyon, Chairwoman, who presided. Also, Kristen Crane, Planning Director, Flannery Wood, Planner II, Bonum S. Wilson, BZA Attorney, Councilwoman Cynthia Mignano, 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 7:02 p.m. Chairwoman Lyon asked the Board and others who wished, to join in the prayer and the Pledge of Allegiance.

Compliance with the Freedom of Information Act: This meeting was held in compliance with the SC Freedom of Information Act. The public was duly informed of the meeting and notified that it would be live-streamed on the Town's YouTube Channel.

Introduction: Chairwoman Lyon introduced herself, Members of the BZA, Attorney, Staff, and Councilwoman Cynthia Mignano.

Review Summary from the January 18, 2022 BZA Meeting: Motion to approve the meeting minutes from the January 18, 2022 BZA meeting was made by Commissioner Smith, seconded by Commissioner Hipp, and passed unanimously. Chairwoman Lyon announced that case rulings and minutes from this and any BZA meetings are available for public review and inspection during normal business hours at the Town Hall.

Brief the Public on the Procedures of the BZA: Chairwoman Lyon explained how the Board of Zoning Appeals Hearing would be conducted.

Administer the Oath to those Presenting Testimony: Chairwoman Lyon asked Attorney Wilson to swear in persons at the Town Hall and on Zoom who wished to provide testimony. There was no one at Town Hall to swear in. The applicant, Kyle Robbins, and Councilwoman Cynthia Mignano were sworn in.

Review of the Following Application:

Case #BZAS-1-22-023

TMS# 425-06-00-008

Special Exception Request for six (6) barber chairs in a barber shop in the General Office (OG) District at 914 Folly Road, Unit A

Chairwoman Lyon gave an overview of how the case would be conducted with the allotted times. She stated that those speaking in support at the Town Hall should stand one by one and state their name and address for the record. Those speaking in support on Zoom will be asked to wait until their name is called upon to speak and those speaking in opposition would follow the same procedure.

Planning Director, Kristen Crane, presented the staff review for Case BZAS-1-22-023 stating that the applicant, Mr. Kyle Robbins is requesting a Special Exception for the placement of Barber Shop with six (6) chairs in an existing office space in the General Office (OG) District and the Folly Road Corridor

Overlay Zoning District at 914 Folly Road, Suite A, having the tax map number 425-06-00-008. The suite previously operated as a dental lab and currently shares a mixed-use office complex with chiropractors and attorneys. The adjacent properties to the North and West are zoned Community Commercial (CC). To the East are parcels in the Low Density Suburban Residential District (RSL), and the adjacent parcel to the South is also in the OG Zoning District. Other uses within 300' of the subject property include Chase Bank, service stations with gasoline, (two Circle K's), drug store (Walgreen's) professional offices (Wilson Heyward Reeser Attorneys), social club (VFW), mixed-use shopping center (Shoppes at Folly), fast food and general restaurants, (Sonic, Huddle House) communication services (AT&T), recovery center (Sanctuary), retail/donation center (Goodwill Industries) and single-family residential uses.

The Town of James Island Zoning and Land Development Regulations Ordinance, Use Table 153.110 states that "Hair, nail, or skin care services, including barber shops or beauty salons" as a use are subject to conditions in an OG zoned area. Conditions in Section 153.123 include "*(A) Hair, nail, or skin care services shall be limited to a maximum of one (1) chair in those districts in which they are allowed as a use subject to conditions, otherwise this use shall fall under the Special Exception (S) provisions of this chapter.*"

After the completion of the staff's review, Mrs. Crane reviewed the Findings of Fact and the staff's recommendation that: The Board of Zoning Appeals may approve, approve with conditions, or deny case #BZAS-1-22-023, the Special Exception for the placement of a Barber Shop with six (6) chairs in an existing office space in the General Office (OG) District and the Folly Road Corridor Overlay Zoning District based upon the Findings of facts unless additional information is deemed necessary to make an informed decision.

Questions to Staff: None

Applicant Presentation

Applicant Kyle Robbins, 1006 River Haven Circle, Apt. J, Charleston, SC 29412.

Mr. Robbins stated that they submitted the Special Exception for a gentleman's salon and lounge (waiting area). He noted that traditional nail salons have a lot of chairs to fill and there are multiple customers and vehicles coming and going throughout the day. Mr. Robbins said their concept is not geared towards female hair, nails, or salons. It is geared towards a gentleman's salon and lounge with six (6) chairs. He said some of the other offices do serve more than six within the hour. He has talked with Dr. Mignano and Dr. Sal in the Chiropractors Office and is uncertain if this has been done yet, but they are in the process of moving their office to the back of the building. He said an additional entrance/ exit in the back of the parking lot at the VFW would allow a third entrance/exit. People coming from Folly Beach can turn right and some people come through the Gas Station. He said with the other criteria listed, there would be no interference with neighbors or the residents. He received a letter late today from Attorney Culver Kidd who has no objections to the opening of the shop as well as a letter from Dr. Mignano, but he was unable to get letters from the other tenants in the back. Mr. Robbins addressed the outside and exterior landscaping. The POA takes care of the entire lot so individually he cannot change or do anything to impact the exterior of the property. However, he is looking to improve the exterior of the property by adding some things to it once they change some of the tenants. He reiterated that the maximum number of chairs in shop would be six (6) but right now they are planning to do four (4) so they don't have two (2) empty chairs. In the future if they get busy enough they would like the option to have six (6) chairs.

Questions to the Applicant: Chairwoman Lyon asked Mr. Robbins if he is a barber somewhere else now. Mr. Robbins said no, but his sister and her co-worker are. He said the business would be with his sister who was cutting hair at Gents downtown before they closed. She is now at Broad Street Barber Shop but wants to bring the concept from Gents to James Island. He described the atmosphere of the barber shop is to have

comfortable leather chairs and a pool table; (not the old metal or plastic chairs) and pamper their guests while waiting to get their hair cut. He said this type of barber shop already exists in Mt. Pleasant, downtown, and on Daniel Island.

Commissioner Hipp asked Mr. Robbins what he envisioned the hours for the barber shop to be and he replied Sunday and Mondays off; Tuesday – Friday, 9-6 and Saturday 8-11 or 12:00 noon, nothing too late in the evening. Commissioner Hipp asked if alcohol would be available and Mr. Robbins said there would be one complimentary beverage for someone while having their hair cut. No alcohol license is required. He said the refreshments would not all be alcohol choices. There will be hot and cold coffee, tea, and a local beer, but they have not gotten that far in the process.

In Support

Dr. Cynthia Mignano
963 Foxcroft Road
James Island, 29412

Dr. Mignano stated that she and her husband own the Chiropractic Office currently in Unit C in the 914 Folly Road Complex and are in the process of moving to the back of the building in Units B and E. She stated that they have the most traffic in the complex and do not think the barber shop would have a big impact on traffic as there is plenty of parking. She looks forward to having a new business in the complex that would bring more diversity as far as types of services that are available and believes it would be a great fit.

In Opposition: None

Rebuttal: None

Chairwoman Lyon closed the hearing at 7:26 p.m. and asked for a motion to approve, approve with conditions or to deny Case BZAS-1-22-023. Motion to approve was made by Commissioner Fabri, seconded by Commissioner Hipp citing that the request met all criteria.

During the discussion Commissioner Fabri stated the barber shop was a great idea. She had nothing to add and agrees the request should move forward with no conditions. Commissioner Hipp also stated that all the criteria was met. Commissioner Smith agreed with everything that was said. He complimented the staff on the analysis of the request and the criteria that were put forth. Both Vice Chairman Savage and Chairwoman Lyon stated that all criteria were met. Chairwoman Lyon called for a roll call vote.

Case #BZAS-1-22-023

TMS# 425-06-00-008

Special Exception Request for six (6) barber chairs in a barber shop in the General Office (OG) District at 914 Folly Road, Unit A

Vote

Commissioner Fabri	aye
Commissioner Hipp	aye
Vice Chairman Savage	aye
Commissioner Smith	aye
Chairwoman Lyon	aye

Chairwoman Lyon announced that the application for the Special Exception passed unanimously. She informed the applicant that the final decision would be mailed to him within ten (10) business days and he may contact the Planning and Zoning staff with questions.

Additional Business

Next Meeting Date: March 15, 2022: Chairwoman Lyon announced the next meeting will be on March 15. She said a decision will be made prior to that date whether the meeting will be on Zoom or in person.

Chairwoman Lyon thanked the Board for its diligence and patience and for doing their homework on the cases that they hear. She thanked Kristen Crane and Flannery Wood for their hard work and technical expertise in conducting Zoom in the absence of Ashley Kellahan. She thanked Frances Simmons for preparing detailed minutes like the one from the January BZA meeting and Attorney Wilson for his faithfulness to the Board.

Vice Chairman Savage asked Mr. Rollins when he planned to open the barber shop and he replied around June 1. All Board members congratulated him and said that the barber shop will be a great addition for the community of James Island.

Adjourn: There being no further business to come before the body, the meeting adjourned at 7:31 p.m.

Respectfully submitted:
Frances Simmons
Town Clerk and Secretary to the BZA