

TOWN OF JAMES ISLAND  
BOARD OF ZONING APPEALS  
SUMMARY OF AUGUST 18, 2020

The Board of Zoning Appeals held its regularly scheduled meeting in conjunction with a training session on Tuesday, August 18, 2020 at 7:01 p.m. by Zoom Virtual Platform, 1122 Dills Bluff Road, James Island. This meeting was also broadcast on the Town's YouTube Channel.

Commissioners present: Jason Gregorie, Chair, Brook Lyon, Sim Parrish, David Savage, and Roy Smith, Vice Chair. Also, Kristen Crane, Planning Director, Flannery Wood, Planner I, Ashley Kellahan, Town Administrator, Bonum S. Wilson, BZA Attorney, Bill Woolsey, Mayor, and Frances Simmons, Town Clerk and Secretary to the BZA. A quorum was present to conduct business.

Call to Order: Chairman Gregorie called the BZA meeting to order at 7:01 p.m.

Compliance with the Freedom of Information Act: In compliance with the Freedom of Information Act and the requirements of the Town of James Island, members of the public were provided information and a link for participation in this meeting.

Introduction: Chairman Gregorie introduced members of the BZA, staff, BZA Attorney, and Mayor Woolsey.

Review Summaries and Rulings from the July 18, 2020 BZA Meeting:

BZAV-6-20-025

APPROVED

BZAS-6-20-019

DISAPPROVED

Chairman Gregorie called for a motion to approve the July 18, 2020 meeting minutes. Commissioner Parrish moved; Commissioner Lyon seconded, and passed unanimously.

Training Exercises/Discussion: (no votes taken)

Chairman Gregorie welcomed Mayor Woolsey and thanked him for presenting the information on Parliamentary Procedures.

Parliamentary Procedures: Mayor Woolsey discussed the following with participation from the BZA:

- Key role in running a meeting is with the Chair
- Members should be recognized before speaking
- Important that everyone has a chance to speak once before speaking a second time
- Meetings are well run if members are polite and work together
- According to Roberts Rules discussion takes place after a motion and a second is made. If a second is not brought forth, there is no discussion on the matter.
- For some groups under 12 a member may speak to a motion before bringing it forth. This does not apply to the BZA.
- There is no "friendly" amendment. Once an amendment is made and seconded, it belongs to the body to approve, reject, or change. An amendment can be amended, but that is as far as it goes.

- Explained “*call for the question*” that is often used because a member wants to end discussion on a matter. This is appropriate but it requires 2/3 vote of the members. For the BZA it would require 4 members to agree. At Town Council, the Mayor asks if there is further discussion on a matter and afterwards calls for the vote.
- Voting in the affirmative was clarified. Mayor Woolsey stressed that voting this way is clear and straight forward as opposed to voting in the negative which could lead to confusion as to whether a member(s) voted for or against an issue.
- Mr. Wilson explained that if a vote on a main motion fails; it does not mean that a new motion cannot be brought forth. The motion could be amended and voted up or down.
- Without objection: Mayor Woolsey explained it is asking the body to approve something by unanimous consent.

Town of James Island Comprehensive Plan and Rethink Folly Road: Kristen Crane, Planning Director, gave a brief overview of the Comprehensive Plan. The Planning Commission last approved the Comp Plan in 2015 and it is now time for the Five Year review. She noted that many aspects of the Plan have changed since 2015 including the addition of stormwater issues and regulations. The Planning Commission will review another round of edits at its September meeting. Plans are to have a first reading, in November by Town Council and final approval by the end of the year. Mrs. Crane said the public is encouraged to view the document on-line and make comments. Members of the BZA will receive a copy of the Plan once it is finalized.

Mrs. Crane answered questions from Commissioner Savage regarding the Comp Plan and Rethink Folly Road Plan and the priority of these documents. She also addressed his question about the Comp Plan; what the Town is doing for types of “liked” businesses, and where it is located in the Comp Plan to know what to rely on when making decisions.

There was brief discussion that the updated Flood Maps should be approved in January. Commissioner Parrish asked the reason why the Veterinarian Services is included under Health Care Facility and Mrs. Crane answered his question indicating it was added there instead of a separate heading.

BZA Terms and Expirations: Mrs. Crane presented the BZA terms and expirations. Chairman Gregorie informed the Board that he has served on the Board for eight years and will not seek reappointment. All Board Members expressed their gratitude to Chairman Gregorie for his service as Chair and Commissioner and that he will be missed. Mrs. Crane said Town Councilman Boles would make the appointment to replace Chairman Gregorie.

BZA Rules of Order: Mrs. Crane presented the BZA Rules of Order approved November 2018 as information. Commissioner Savage asked a question under Article IV, Hearing Procedure, Section 2, Witnesses, *that witnesses may be compelled to attend by subpoena....* Commissioner Parrish stated that as long as he has served on the BZA, he does not recall the BZA ever having to subpoena anyone. Commissioner Savage also asked how last minute information is disseminated to BZA members. When an applicant provides information to a Board Member or staff shortly before a hearing, are all BZA members given the information. There was discussion that often times applicants present additional information at a hearing for the Board to consider. When additional information is presented, (i.e., an email), BZA members are to make it known and provide the information to the Planning Director to distribute to all members of the Board. Town Clerk/BZA Secretary Simmons stated the importance that the Secretary receives all information because it is a public record. If an email is presented to a Board Member at the last minute, it should be forwarded to all and introduced for consideration at the meeting.

There was some discussion regarding Rehearing, Section 10 and Mr. Wilson gave an overview and timeframe for reconsideration of a denied case. He will present more information later.

Vote for Chair and Vice-Chair:

Vote for Chair: Chairman Gregorie opened the floor for nominations. Vice Chair Smith moved to nominate Commissioner Lyon, seconded by Commissioner Parrish. Chairman Gregorie supported the nomination and spoke that Commissioner Lyon served as Chair before and has good experience in conducting meetings. There were no other nominations. Commissioner Lyon accepted the nomination and it passed unanimously.

Vice Chair: Chairman Gregorie opened the floor for nominations for Vice-Chair. Vice Chair Smith moved to nominate Commissioner Savage, seconded by Commissioner Lyon. There were no other nominations. Commissioner Savage accepted the nomination and it passed unanimously.

Additional Business:

Next Meeting: September 15, 2020: Mrs. Crane announced that two cases would be heard at the September 15 meeting, 1) setback reduction, and 2) a mobile home.

Commissioner Lyon asked the status of an appeal for an accessory structure on London Drive and Attorney Wilson said the case was dismissed in April.

Adjourn: There being no further business to come before the body, the meeting adjourned at 8:29 p.m.

Respectfully submitted:



Frances Simmons  
Town Clerk and Secretary to the BZA