

TOWN OF JAMES ISLAND
BOARD OF ZONING APPEALS
SUMMARY OF MAY 16, 2017

Members present: Commissioners: Jim Fralix, Jason Gregorie, Brook Lyon, Vice Chair, Sim Parrish, and Chairman, Roy Smith, who presided. Also present: Kristen Crane, Planning Director, Bonum S. Wilson, BZA Attorney, and Frances Simmons, Town Clerk and Secretary to the BZA.

Call to Order: Chairman Smith called the Board of Zoning Appeals meeting to order at 7:00 p.m.

Prayer and Pledge: Chairman Smith asked for a moment of silence, afterward followed with the Pledge of Allegiance.

Compliance with the Freedom of Information Act: Chairman Smith announced that this meeting has been noticed in compliance with the South Carolina Freedom of Information Act.

Introductions: Chairman Smith introduced members of the Board of Zoning Appeals, Town Staff, and BZA Attorney.

Review Summary and Rulings from the April 18, 2017 BZA Meeting: Chairman Smith asked if there were corrections to the minutes. There were no corrections. A motion to approve was made by Mr. Fralix, seconded by Mr. Parrish and passed unanimously.

BZAV-3-17-009

425-16-00-124

1235 Camp Road

Variance request for the reduction of the 20' required setback by 11'10" to 8'2" for the encroachment of a building addition in the Community Commercial (CC) Zoning District.

TABLED

Brief the Public on the Procedures of the BZA: Chairman Smith explained how the Board of Zoning Appeals hearing would be conducted.

Administer the Oath to those Presenting Testimony: Attorney Wilson swore in the persons who wished to offer testimony in tonight's case.

Review of the Following Application:

Old Business: Resumed

BZAV-3-17-009

425-16-00-124

1235 Camp Road

Variance request for the reduction of the 20' required setback by 11'10" to 8'2" for the encroachment of a building addition in the Community Commercial (CC) Zoning District.

Chairman Smith asked for a motion to take from the table Case BZAV-3-17-009 in order to resume discussion. Motion was made by Mr. Fralix, seconded by Mr. Parrish and passed unanimously.

Applicant Bernard Myatt, III of Myatt Air Conditioning, LLC informed the Board that he had met with the neighbors and they agree to the approval of his request should the following conditions are met:

- 1) Install an 8 ft. privacy fence at the back of the property to obscure the building and equipment on their parcel
- 2) Install aesthetically pleasing landscape as a buffer to follow along the fence line

- 3) Use a cover over dump container to cut down on debris
- 4) Move dumpster container farther away from back of property

Mr. Myatt said he is in agreement with these conditions and presented letters of support from the neighbors. He has moved the dumpster farther away and has had no more problems.

Mrs. Lyon asked if the neighbors were specific about the landscaping and Mr. Myatt replied just buffers. He commented that a tree would need to be taken down to put the fence up. Mr. Fralix made a comment about an unsigned communication from Joe Dinkins. Mrs. Crane answered it was an email in support of the variance that she forwarded to the BZA.

Andrew Borgman, 1206 Gunpowder Court addressed the Board in support of the application. Mr. Borgman said Mr. Myatt has spoken to all of the neighbors and agrees to make the changes. Mrs. Alcorn is happy, and so is he.

Chairman Smith called for a motion to approve, approve with conditions, or to deny the application.

Mrs. Lyon moved to modify the original motion and add the following conditions:

- 1) Install an 8 ft. privacy fence at the back of their property to obscure the building and equipment on their parcel
- 2) Install aesthetically pleasing landscape as a buffer to follow along the fence line
- 3) Use a cover over dump container to cut down on debris
- 4) Move dumpster container farther away from back of property

Mr. Gregorie seconded. Chairman Smith stated the motion, and that a "yes" vote is in favor of the modification.

VOTE

| | |
|----------------|-----|
| Mr. Fralix | yes |
| Mr. Gregorie | yes |
| Mrs. Lyon | yes |
| Mr. Parrish | yes |
| Chairman Smith | yes |

Chairman Smith announced the legal reasons for the decision is that not approving would be worse for the neighbors, the Board Members who moved and seconded the motion, and that it was a unanimous vote.

The final decision will be mailed to the applicant within 10 working days and they may contact the Planning/Zoning staff for further information.

Public Comment: None

Additional Business: The next meeting is scheduled for June 20, 2017.

Adjourn: There being no further business to come before the body, the meeting adjourned upon a motion by Mr. Fralix, and a second by Mrs. Lyon at 7:13 p.m.

Respectfully submitted:


Frances Simmons
Town Clerk and Secretary to the BZA