

# City of Tega Cay

## Board of Zoning Appeal Notes for Minutes

Date: January 21, 2016 Time : 7:00 pm

Present: Lisa Marie Johnson                      Greg Walden                      Abigail Duval      Michael Cole  
                          Tom Tremblay                      Walt Krasinski                      Amy McKinney

Absent:            None

Chairman Lisa Marie Johnson called the meeting to order.

### **Discussion & Workshop on Roles & Responsibilities of the Board**

Board Member Tom Tremblay asked to amend the agenda to add Election of Officers, Appointment of Secretary and Approval of Minutes before the workshop discussion.

City Attorney, Bob McCleave, advised that per State regulations the agenda cannot be revised less than 24 hours before the meeting.

**MOTION:**     Approved             Denied

Made by:            Mr. Tremblay then motioned to add these items to the February Agenda.

Seconded by:    Abigail Duval seconded the motion.

Voting by the Board: **Ayes (7) Unanimous.**

<b>Lisa Marie Johnson</b>	<b>Amy McKinney</b>	<b>Tom Tremblay</b>	<b>Greg Walden</b>	<b>Walt Krasinski</b>	<b>Abigail Duval</b>	<b>Michael Cole</b>
aye	aye	aye	aye	aye	aye	aye

Presentation by City Attorney:

Mr. McCleave reviewed several examples of Case Law pertaining to zoning including local cases. He outlined the responsibilities of the Board as outlined in the Zoning Code and the SC Comprehensive Planning Enabling Act. The primary role of the Board is to hear appeals to the interpretation of the Zoning Code by the Zoning Administrator. All decisions of the Board must be based on Findings of Fact. Mr. McCleave also reviewed the state Ethics Act and what constitutes potential conflicts.

Discussion by Board Members:

Discussion ensued with questions being asked pertaining to the presentation and clarification being given by the City Attorney.

### **Review and Approve the Rules and Procedures for the Board**

Remarks by Chairperson: Asked for motion to suspended procedures to allow for discussion of the revisions to the Rules and Procedures

**MOTION:** (X) Approved ( ) Denied

Made by: Tom Tremblay

Seconded by: Abigail Duval

Voting by the Board: **Unanimous**

<b>Lisa Marie Johnson</b>	<b>Amy McKinney</b>	<b>Tom Tremblay</b>	<b>Greg Walden</b>	<b>Walt Krasinski</b>	<b>Abigail Duval</b>	<b>Michael Cole</b>
aye	aye	aye	aye	aye	aye	aye

Remarks by Board Members:

Ms. Dual asked for a brief history of the existing Rules and Procedures and why the needed to be amended. Susan Britt explained that the existing rules were adopted in 2001 based on the ordinances in place at that time. The ordinance has evolved since that time and there are some minor conflicts with the rules. Therefore it is necessary to amend the Rules and Procedures to eliminate those conflicts and to reflect how the hearings are currently being conducted.

Discussion centered on the proposal to move the elections of officers to the April meeting instead of the first meeting of the calendar year. Points in the discussion were that if the board has no hearing than there is no meeting conducted that month. Ms. Britt stated that the regular meeting dates as advertised contain language that should states that if there are no cases to be heard there would be no meeting.

**MOTION:** (X) Approved ( ) Denied

Made by: Mr. Walden made a motion to close discussion.

Seconded by: Michael Cole

Voting by the Board: **Unanimous**

<b>Lisa Marie Johnson</b>	<b>Amy McKinney</b>	<b>Tom Tremblay</b>	<b>Greg Walden</b>	<b>Walt Krasinski</b>	<b>Abigail Duval</b>	<b>Michael Cole</b>
aye	aye	aye	aye	aye	aye	aye

**MOTION:** (X) Approved ( ) Denied

Made by: Mr. Tremblay made a motion to defer action on this item until the February meeting.

Seconded by: Michael Cole

Voting by the Board: **Unanimous**

<b>Lisa Marie Johnson</b>	<b>Amy McKinney</b>	<b>Tom Tremblay</b>	<b>Greg Walden</b>	<b>Walt Krasinski</b>	<b>Abigail Duval</b>	<b>Michael Cole</b>
aye	aye	aye	aye	aye	aye	aye

### **Adopt the Official Meeting Schedule for 2016**

**MOTION:** (X) Approved ( ) Denied

Made by: Greg Walden

Seconded by: Michael Cole

Voting by the Board: **Ayes (7-0) Unanimous**

<b>Lisa Marie Johnson</b>	<b>Amy McKinney</b>	<b>Tom Tremblay</b>	<b>Greg Walden</b>	<b>Walt Krasinski</b>	<b>Abigail Duval</b>	<b>Michael Cole</b>

### **Adjournment**

**MOTION:** Made by: Greg Walden

Seconded by: Abigail Duval

Voting by the Board: **Ayes (7-0) Unanimous**