

# **Town of Meggett | Board of Zoning Appeals**

## ***Meeting Minutes***

**Date: October 27, 2020      Time: 7:00PM**  
**Location: Tele-Conference**

**Notice of this meeting was published in the Post & Courier on October 12, 2020.**

Chair Jodi Crosby called this meeting to order at 7:00 PM.

### **Board Members Present**

Jodi Crosby, Chair  
Josh Garvin, Vice Chair  
Board Member Donald Colby  
Board Member Donald Flippen  
Board Member Patrick Butler

### **Board Members Absent**

**Also Present:**            Stephanie Smith, Town Administrator  
                                  Ali Ravenel, Town Clerk  
                                  Andy Gowder, Town Attorney

**Pledge of Allegiance Led By:** Jodi Crosby, Chair

### **| BZA Procedures Briefing |**

Chair Jodi Crosby explained the workings of the BZA:

THE BOARD OF ZONING APPEALS IS A QUASI-JUDICIAL BODY ESTABLISHED THAT HAS JURISDICTION OVER THREE (3) TYPES OF CASES: APPEALS, VARIANCES, AND SPECIAL EXCEPTIONS:

APPEALS ARE HEARD REGARDING ADMINISTRATIVE ACTIONS OR DECISIONS BY THE ZONING ADMINISTRATOR OR STAFF.

VARIANCES MAY BE GRANTED WHEN STRICT APPLICATION OF THE ZONING ORDINANCE WOULD CAUSE AN UNNECESSARY HARDSHIP. THIS BOARD'S ACTIONS MUST BE BASED ON SPECIFIC STANDARDS AS CONTAINED IN THE S.C. LOCAL GOVERNMENT PLANNING ENABLING ACT OF 1994 AND THE TOWN OF MEGGETT ZONING ORDINANCE.

SPECIAL EXCEPTIONS ALLOW THE BOARD TO PERMIT USES IF CERTAIN CONDITIONS AS CONTAINED IN THE ZONING ORDINANCE ARE MET.

A TWO-THIRDS (2/3) VOTE OF THE QUORUM PRESENT IS REQUIRED TO GRANT A VARIANCE OR TO OVERTURN THE DECISION OF THE ZONING ADMINISTRATOR IN AN APPEAL. A SIMPLE MAJORITY IS REQUIRED TO OBTAIN A SPECIAL EXCEPTION.

BECAUSE TODAY'S HEARING IS A PUBLIC FACT-FINDING MEETING, WE ARE IN COMPLIANCE WITH THE FREEDOM OF INFORMATION ACT AND SC CODE 6-29-70. FIFTEEN (15) DAYS PRIOR TO THIS HEARING AN ANNOUNCEMENT WAS PRINTED IN THE POST & COURIER.

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BECAUSE THIS IS A QUASI-JUDICIAL BODY, EVERYTHING SAID IN THIS MEETING MUST BE COMPLETE, TRUE, AND ACCURATE. ALL OF THE INFORMATION PROVIDED TO THE BZA IS CONSIDERED EVIDENCE, AND THE BOARD MAY CERTIFY CONTEMPT OF CIRCUIT COURT IF FALSE STATEMENTS ARE MADE- EITHER IN WRITING OR ORALLY.

BECAUSE OF THIS, EACH PERSON WHO WISHES TO ADDRESS THE BOARD WILL BE SWORN-IN. IN ORDER TO EXPEDITE THE PROCEDURE, THOSE WISHING TO SPEAK WILL PLEASE STAND AS A GROUP. MR. GOWDER WILL ADMINISTER THE OATH.

### | Swearing-In of Applicants |

Andy Gowder, Town Attorney, administered the oath to all applicants providing testimony.

### | Approval of Minutes |

*Approval of Minutes from previous BZA Meeting held on: June 30, 2020*

**Motion Made By:** Vice Chair Josh Garvin moved to approve.

**Seconded By:** Board Member Patrick Butler seconded the motion.

**Conclusion:** All voted in favor; Minutes approved.

### | Special Exception Request: BZA-10-20-001 |

Michael Kalista and John F. Abess ("the Applicant" and "the Property Owner") filed a Special Exception request to establish an animal aquaculture business on property located in the AR Zoning District at 6351 Simmons Bluff Rd, Meggett (TMS# 159-00-00-106).

### Findings

After hearing the Staff Review, the applicant's presentation, and any public comments concerning this application, the Board determined that all Approval Criteria in Article 10.10.5 A of the Town of Meggett Zoning and Land Development Regulations Ordinance (ZLDR) had not been satisfied.

Board Member Donald Colby motioned to deny the application as written, the motion was seconded by Vice Chair Josh Garvin, and the vote to deny the application was unanimous.

### | Next Meeting Date (TBD) |

Chair Jodi Crosby announced that the business of the Town of Meggett Board of Zoning Appeals was concluded for the evening. The next meeting would be determined at a later date.

### | Meeting adjourned at 8:18 PM |