

1 decides to do so. When you come to testify at the podium here please make sure that
2 all your comments are addressed to the Board and not to audience members. You will
3 be under oath and your testimony will be recorded. Please speak into the microphone.
4 However, we're not quite as formal as a court in that if you have documents you've got
5 submitted, you may do so. The Board will give the proper weight to the testimony and
6 make their decision based on what they hear as well as what the Code of Ordinances
7 says. The Board has a right to put conditions on their approval if they so choose. If
8 you're unhappy with the decision today you have 30 days after the Board's Order is
9 mailed to you and that would normally be after next month's approval of these Minutes,
10 so you have approximately 60 days from today. I would ask that if you have a cell phone
11 with you either mute it or turn it off. If you're planning to speak to the Board please make
12 sure your name and address is on the signup sheet. If the Board has any legal
13 questions we may go into Executive Session but that will be at their determination. So at
14 this time I would ask anybody that's planning to testify to stand up so I can give you an
15 oath. If you'd raise your right hand, please? Do you swear or affirm that the testimony
16 you shall give shall be the truth, the whole truth and nothing but the truth, so help you
17 God?

18 AUDIENCE MEMBER: Yes, ma'am.

19 MS. LINDER: Thank you.

20 CHAIRMAN MCDUFFIE: First item on the Agenda is the approval of Minutes
21 from March 2014. Did everyone on the Board have an opportunity to review the
22 Minutes? Alright, are there any corrections to the Minutes?

23 MS. CECERE: Yeah, my first name is spelled wrong. S-U-S-A-N-N-E.

1 CHAIRMAN MCDUFFIE: Okay, so we have one correction to the Minutes. Is
2 there a motion to approve the Minutes as amended?

3 MR. SMITH: I make a motion to approve the Minutes as amended.

4 MR. SULLIVAN: Second.

5 CHAIRMAN MCDUFFIE: Okay, did I hear a second over there?

6 MR. SULLIVAN: Second.

7 CHAIRMAN MCDUFFIE: Alright, we have a motion to approve the Minutes and it
8 has been properly seconded. All in favor?

9 MR. PRICE: Those in favor: Spearman, Smith, McDuffie, Cecere, Sullivan.

10 MR. COOKE: I didn't vote.

11 *[Approved: Spearman, Smith, McDuffie, Cecere, Sullivan; Abstained: Cooke; Absent:*
12 *Richardson]*

13 CHAIRMAN MCDUFFIE: Alright, the Minutes from March 2014 are approved and
14 at this point I will turn the meeting over to Geo Price, the Deputy Planning Director and
15 zoning Administrator for presentation of the case.

16 **CASE NO. 14-02 SE:**

17 MR. PRICE: The first item is Case 14-02 Special Exception. The Applicant is
18 requesting the Board of Zoning Appeals to grant a Special Exception to permit the
19 establishment of a place of worship on an RS-LD, which is Residential, Single-Family,
20 Low Density District. The Applicant is Gary Berry, the location is North Brickyard Road,
21 the parcel size is 6.27 acres. The parcel is currently undeveloped. There are some
22 structures on the property but I believe the Applicant would clarify what's gonna happen
23 with those structures if this is approved. The Applicant proposed to establish a 4,680

1 square foot place of worship. The area is comprised primarily of residentially developed
2 lots, both large and undeveloped. There are approximately three parcels along
3 Brickyard Road that are either established places of worship or are approved for the
4 establishment of the use. Staff visited the site, of course, and the discussion is in your
5 package but Staff recommends approval. We did not find any issues that the
6 establishment of this church would cause to the adjacent parcels or to the area in
7 general. You have an aerial showing the site, it does encompass both parcels here, you
8 may see this parcel line here but it encompasses both sites. This is a view from North
9 Brickyard Road. Just a picture of the, of the lot next to it. Another view. This is a view
10 from the rear of the property facing toward North Brickyard Road. One of the
11 requirements was that the Applicant had to provide us some type of layout to show that
12 they would meet the Special Exception, the criteria for the Special Exception for a
13 church. In this particular case they're required to be – I'm sorry – that no parking or
14 driving space shall be located closer than 20' to a residence not associated with the
15 church. As you can see that they're showing a driveway that clearly is outside of the 20'
16 setback. And in addition the front setback shall be the same as permitted in the
17 respective district but shall not be lesser than any existing homes on the parcel. That
18 will be, that is addressed also, it's gonna be at least 90' back from the front property
19 line. And that the side and rear setbacks shall be 30' and what they propose, it clearly
20 meets those. This is a closer shot of it. And this is the proposed structure. That's it.

21 CHAIRMAN MCDUFFIE: Thank you, Mr. Price. At this time I'd like to call the
22 Applicant, Gary Berry to present us some more information about the proposal. If you
23 would please state your name and address for the Record.

1 **TESTIMONY OF GARY BERRY:**

2 MR. BERRY: Alright, my name's Gary Berry, address 2160 Lloyd Drive, Sumter,
3 South Carolina 29154.

4 CHAIRMAN MCDUFFIE: Thank you.

5 MR. BERRY: Alright. Yeah, like the gentleman our Special Exemption, Special
6 Exception, the appeal today is for a place of worship located on North Brickyard Church
7 Road. He's pretty much told you, you know, about the location of the property. It's, I'm
8 representing Anchor Baptist Church and Berry's Construction and, you know, we seek
9 to do this project for them. As far as the placement of the building he's kinda covered
10 where the placement of the building will be and the parking will be. The structures that
11 are on the existing property, if they interfere at all we do have plans of tearing those
12 down. That way, you know, there won't be any kinda problems with the structure or with
13 the parking pad that we'll be putting in. As far as, from a perspective in the
14 neighborhood, traffic, I think all that will stay flowing fine because of the hours of
15 operation of the actual building. It's not an everyday, you know, meeting place so, you
16 know, Sunday morning, Sunday night, Wednesday night would be the, the meeting
17 times of the building so traffic should not be impaired. And at the same, at the same
18 reasoning as far as pedestrian safety, there is a sidewalk already there so pedestrians,
19 they'll still have the same right-of-way, nothing will change that, as you can see on the
20 screen here, they have the sidewalk in the front. And we will be using the existing
21 driveway going into the property, so nothing else will have to be cut in, you know,
22 nothing will change from the visual effect of it now. There really won't be any problem
23 with noise, unless the church meeting starts going real good [laughter]. But anyway, no

1 there won't be any, you know, problem with noise and no lights, everything like, no
2 obstructions or anything like that. You know, I think it'll be a blessing and a help to the
3 community around as far as, you know, spiritual standpoint speaking. I, myself, am a
4 born again Christian and I believe another work for the Lord would be in order. And, you
5 know, there can't never be too many churches around preaching the Gospel. And I think
6 this'll be a good location. I do notice I think maybe a mile or so down the road there is
7 another church, you know, located a little further off the road, but you know, there can't
8 be too many churches around. And, but anyway, that's, I'm not real used to doing things
9 like this, I'm a preacher too, if I had my Bible in front of me I might could preach for a
10 minute, but as far as, you know, doing something of this nature, I'm kinda new to it, so,
11 you know, traffic-wise, pedestrian-wise and, you know, looking at the overall property,
12 you know, I don't think there will be any obstruction to anything. I think everything would
13 stay flowing gently as it does now.

14 CHAIRMAN MCDUFFIE: Thank you. Approximately how many seats will the
15 church –

16 MR. BERRY: We're looking to seat 200 people.

17 CHAIRMAN MCDUFFIE: Okay.

18 MS. CECERE: What about some outside lighting, how is that addressed?

19 MR. BERRY: Outside lighting, of course, we'll have to, have to go with the
20 Building Code for Richland County, you know, everything will meet the requirements for
21 lighting. If there's gonna be additional lighting to the parking area or that nature, you
22 know, we can, we'll definitely take care of that.

1 MR. PRICE: Yeah, the Richland County Land Development Code addresses
2 lighting. One of the things that it ensures, at least it attempts to ensure, is that there will
3 be no light pollution onto other properties.

4 MS. CECERE: Yeah. I notice that there are subdivisions next to it. I'm kinda
5 familiar with where this parcel is, so.

6 MR. PRICE: Yes, so the lightening ordinance it was actually enacted to address
7 those particular, these particular type of issues.

8 CHAIRMAN MCDUFFIE: Mr. Price, it mentioned in the, in the packet that this
9 Board had previously approved a Special Exception for a place of worship on adjacent
10 parcel back in '99, is that correct?

11 MR. PRICE: Yes.

12 CHAIRMAN MCDUFFIE: And was that actually constructed or?

13 MR. PRICE: Yes, sir. The one I'm referring to, let's see if I have it on the aerial.

14 MS. CECERE: Is that place of worship across the road?

15 MR. PRICE: No, ma'am, it's on the same side. It's just down some, but I will pull
16 it up if you –

17 MS. CECERE: But isn't there one on the other side of the street, too,
18 somewhere?

19 MR. PRICE: Yes, ma'am, in a warehouse?

20 MS. CECERE: Yeah, um-hum (affirmative), yea.

21 MR. PRICE: Yes, ma'am. That, of course, was not approved by the Board simply
22 because it's been there for a while, I don't remember it coming before the Board.

23 MS. CECERE: Been there a long time, yeah, um-hum (affirmative).

1 MR. PRICE: Yes, ma'am.

2 CHAIRMAN MCDUFFIE: Mr. Berry, how many parking spaces are being
3 proposed, do you know?

4 MR. BERRY: We're proposing I believe it was – let me look back over my notes, I
5 know I got it wrote down. I believe it was 50 regular parking spaces and two handicap.
6 I'm sorry, 48 [inaudible], 50 total. Fifty total parking spaces.

7 CHAIRMAN MCDUFFIE: Okay.

8 MS. CECERE: And I note there is the house that sits kinda back off that, you can
9 barely see it. Now, will that stay or will that be demolished?

10 MR. BERRY: If you could pull that picture back up, I don't know if he has it, it's
11 like a yellow siding colored house? That's, you talking about that one?

12 MS. CECERE: It, the property's kinda like a little hill and then it sits kinda back
13 from that, and then I think there's a, a mobile home on the right or something.

14 MR. BERRY: That's way back at the back of the – at the back of the property.

15 MS. CECERE: Right.

16 MR. BERRY: Yes, ma'am.

17 CHAIRMAN MCDUFFIE: That's on the subject parcel?

18 MR. BERRY: Let me let him pull it up.

19 MR. PRICE: Which one are you referring to?

20 MS. CECERE: I think either go – yeah, there it is.

21 MR. BERRY: Yeah, okay. They'll be tore down.

22 MS. CECERE: Okay.

23 MR. BERRY: They will be.

1 MS. CECERE: But then where the, I think there is a – but the mobile home will
2 not be in the parcel, right? From what I see here it's cut out I think.

3 MR. BERRY: Yeah, there's just, yeah, there's just two structures on the property
4 itself now.

5 MS. CECERE: Uh-huh (affirmative).

6 MR. BERRY: And those two structures will be demolished, yes, ma'am.

7 CHAIRMAN MCDUFFIE: Are there any other questions at this time for, either for
8 Mr. Price or for Mr. Berry?

9 MR. SPEARMAN: Just one thing.

10 CHAIRMAN MCDUFFIE: Yes, yes.

11 MR. SPEARMAN: On your Application, you've got 48 spaces and, is that a slash
12 or 12 handicap?

13 MR. BERRY: No, that's a, must be a slash cause there's two –

14 MR. SPEARMAN: That's a slash, so it's 48 and then two handicap?

15 MR. BERRY: Yes, sir.

16 MR. SPEARMAN: Okay. I thought it, the way you've got it on here it looks like 12
17 instead of just two.

18 MR. BERRY: Yes, sir, 50 parking spaces total; 48 regular and two handicap.

19 CHAIRMAN MCDUFFIE: Thank you.

20 MR. BERRY: Yes, sir.

21 CHAIRMAN MCDUFFIE: Mr. Spearman, would you care to go through the
22 Findings of Fact?

1 MR. SPEARMAN: This is for Case 14-02 Special Exception. The property is
2 zoned RS-LD. Notice of the hearing was posted for Special Exception for this particular
3 piece of property. The property address is 412 North Brickyard Road, and the Tax Map
4 Number is 20113-01-08. Notice was published in a paper of general circulation within
5 the county no less than 15 days prior to this hearing. It is yes. Were the specific
6 requirements of the Special Exception met? Yes. Will traffic be impacted by the
7 proposal? No. Will this proposal effect vehicle or pedestrian safety? No. Is there a
8 potential impact of noise, lights, fumes or obstruction of airflow on adjoining properties?
9 No. And for the Record, the Applicant has answered correctly these questions so far in
10 his testimony. Will the proposed use have an adverse impact on the aesthetic character
11 of the environs? No. Is the orientation and spacing of improvements or buildings
12 appropriate? Yes. As the Zoning Administrator stated they will have to meet all the
13 requirements for Richland County as far as the placement of the building and parking,
14 landscaping, lighting and other aspects in the construction phase, as well as the Fire
15 Marshal, meeting compliance with that as well. That's, that's the requirements, the
16 Finding of Facts.

17 CHAIRMAN MCDUFFIE: Okay. I have, I thought of one further question. Mr.
18 Berry, what's the timeframe for both beginning of the construction and completing the
19 construction?

20 MR. BERRY: From the time the permit is pulled we look to have the project done
21 in seven to eight months.

22 CHAIRMAN MCDUFFIE: Okay, and when, what date are you expecting to pull
23 the permit on?

1 MR. BERRY: Depending on this approval at the present time, and there's one
2 other matter that has to be approved before we can start with the permit process.

3 CHAIRMAN MCDUFFIE: Are you talking about are months though or?

4 MR. BERRY: How long I think it would take? Just a few more weeks.

5 CHAIRMAN MCDUFFIE: Okay. Okay, alright thank you. At this time would
6 anyone like to make a motion?

7 MS. CECERE: Well, I have just one question.

8 CHAIRMAN MCDUFFIE: Or you have a question? Sure.

9 MS. CECERE: There's an existing sidewalk, is that correct Mr. Price?

10 MR. PRICE: Yes.

11 MS. CECERE: Okay. Thank you.

12 MR. PRICE: Also just for the Record, we do require the installation of sidewalks
13 for projects unless they're going to be located within the DOT right-of-way, and DOT
14 provides us with something that says that they do not want the sidewalks installed at
15 that time.

16 MR. SMITH: I'd like to make a motion to approve Special Exception 14-02.

17 MR. SULLIVAN: Second.

18 CHAIRMAN MCDUFFIE: We have a motion to approve 14-02 SE based on the
19 Findings of Fact and it has been properly seconded. All in favor?

20 MR. PRICE: Those in favor: Spearman, Smith, McDuffie, Cecere, Cooke and
21 Sullivan.

22 *[Approved: Spearman, Smith, McDuffie, Cecere, Cooke, Sullivan; Absent: Richardson]*

1 CHAIRMAN MCDUFFIE: Mr. Berry, you have your approval, you have your
2 Special Exception and Mr. Price will be in touch. Thank you very much.

3 MR. BERRY: Alright, thank y'all very much. Alright, appreciate it, alright.

4 CHAIRMAN MCDUFFIE: At this time we have one, one matter – or is there any
5 other business for the public hearing?

6 MR. PRICE: No, not for that.

7 CHAIRMAN MCDUFFIE: Alright, at this time we have one other matter that's with
8 regard to the meeting schedule for this Board. Last month we had discussed moving
9 these meetings from 1:00 in the afternoon to 3:00 in the afternoon. And, but that was,
10 that was not executed for this month. I guess we need to make the appropriate
11 notifications and, and so at this time I guess I'd like to officially move the meetings to
12 3:00 unless that presents a problem for, for anybody.

13 MR. COOKE: Was there a vote or something, did we vote on it? I wasn't here.

14 CHAIRMAN MCDUFFIE: It was more of a discussion.

15 MR. COOKE: Oh, and y'all agreed? Everyone agreed that they like the 3:00?

16 CHAIRMAN MCDUFFIE: We, the thinking was is that since the meetings had not
17 been running very long –

18 MR. COOKE: Uh-huh (affirmative).

19 CHAIRMAN MCDUFFIE: - that it wouldn't be a problem to move them to 3:00
20 and that if they did begin to run into multiple hours again, then we would move them
21 back to 1:00. But if that's a problem then I don't want to, you know, if that's a problem
22 for a Member of this Board I don't wanna move the meetings. Yeah, speak now.

1 MR. COOKE: As long, I mean, it's once a month and we haven't been running
2 every month, so I guess I could try to put that, I could be proactive and put it on my
3 calendar –

4 CHAIRMAN MCDUFFIE: Okay.

5 MR. COOKE: - to be here at, at 3:00, but if it starts to run long –

6 CHAIRMAN MCDUFFIE: If it starts to run long we're gonna need to move it back
7 to 1:00 because nobody wants to be here, you know, till 6:00 in the evening, 7:00 in the
8 evening, you know, again.

9 MR. COOKE: It's the middle of the afternoon for me and I, my core hours are
10 from 5:00am to 10:00 at night, so. You know how that goes, but okay I'm willing to try it
11 if everyone else agrees. I'll be a team player.

12 CHAIRMAN MCDUFFIE: So at this time I make a motion that we move the, that
13 we move the meetings to 3:00. Is there a second?

14 MR. SMITH: Second.

15 CHAIRMAN MCDUFFIE: Alright, all in favor?

16 MR. PRICE: Those in favor: Spearman, Smith, McDuffie, Cecere, and Sullivan.

17 MR. COOKE: Opposed, all those opposed?

18 CHAIRMAN MCDUFFIE: All those opposed?

19 MR. COOKE: You can't have my vote now, I say I agree but you can't have my
20 vote.

21 MR. PRICE: Opposed: Cooke.

22 MR. COOKE: Alright, thank you. For the Record.

1 *[Approved: Spearman, Smith, McDuffie, Cecere, Sullivan; Opposed: Cooke; Absent:*
2 *Richardson]*

3 CHAIRMAN MCDUFFIE: Alright, so beginning next month the meetings will
4 begin at 3:00 pm until otherwise, till we change our minds. At this time is there any other
5 business?

6 MR. SPEARMAN: Couple of things.

7 CHAIRMAN MCDUFFIE: Yes.

8 MR. SPEARMAN: Mr. Chair. Mr. Price, do we have anything for next month?

9 MR. PRICE: Yeah, I was about to get to that.

10 MR. SPEARMAN: Okay.

11 MR. PRICE: We don't have anything scheduled for next month. However, - let
12 me finish. One of the things that we could do, and maybe we could discuss this
13 somehow, is that we really don't get a lotta cases, but at the same time you do have
14 applicants during times where they actually want to wait until the Minutes are approved.
15 So there's probably something we probably need to kind of look at. You know, we could
16 go a couple of months really without having a case, yet you may have someone like the
17 case you just approved waiting for the Minutes to be approved. I don't know if there's
18 anything we could do other than, you know, just having a quick come in, take a vote,
19 approve the Minutes and everybody, you know, go away or go home. Amelia, if you
20 have any suggestions, I'm not sure?

21 MS. LINDER: I concur with you, if we have no cases we at least need to meet to
22 get the Minutes approved.

23 MR. COOKE: Okay.

1 CHAIRMAN MCDUFFIE: Yeah, I definitely, you know, don't want this, this Board
2 to be the hold up on somebody's projects any more than, you know, than it has,
3 absolutely has to be, so.

4 MS. LINDER: Well now, I would say another option would be similar to what the
5 County Council does, is that they will make a motion to reconsider the vote, and if that
6 motion fails then we call what is termed as, it's a clinched decision, the decision has
7 been decided firmly and there would be no going back on it.

8 MR. PRICE: Yeah, I think that my only, this is just me, the only opposition I would
9 see to that is that the Board actually has, allows for people to come in and ask for
10 reconsiderations of their cases. I don't think that Council has that.

11 MR. SPEARMAN: In fact, the By-Laws state that as well.

12 MS. LINDER: That's a good point.

13 CHAIRMAN MCDUFFIE: Now, I mean, I think we need to keep doing business
14 as we've been doing business.

15 MR. PRICE: I know we talked about this at, I'm not sure how Amelia feels about
16 this, or Ms. Linder, we could do a conference call.

17 MR. SMITH: Proxy, yeah. We've done that with a lotta boards.

18 CHAIRMAN MCDUFFIE: And a conference call would be fine unless we have
19 somebody that's actually showing up to, you know, to oppose or to ask for
20 reconsideration.

21 MR. PRICE: And remember, to ask for reconsiderations I believe it's in your By-
22 Laws, that's actually done in writing.

23 CHAIRMAN MCDUFFIE: And they have to do that prior to 30 days.

1 MR. PRICE: They don't get to show up and just say, well you know, I want
2 speak.

3 CHAIRMAN MCDUFFIE: Sure. So we would know in advance if someone's
4 going to be requesting reconsideration.

5 MS. LINDER: But the problem with conference calls as far as having an official
6 meeting, that the Freedom of Information Act requires us to post the location on where
7 we have the property as well as have the meeting.

8 CHAIRMAN MCDUFFIE: We don't re-post the property.

9 MR. PRICE: No, no.

10 MS. LINDER: Not the property but the location – there is a meeting notice out on,
11 out there. And we'd have to put an ad in the paper that we're having a meeting.

12 MR. PRICE: We're gonna do that anyway, it's just a matter of keeping everyone
13 from having to come in.

14 CHAIRMAN MCDUFFIE: I think at this point let's just keep doing business the
15 way we're doing business and if it, if we are in a situation where we're having, you
16 know, one case a month or no cases a month and we, we keep having to show up for,
17 for no cases, then we'll re-examine it.

18 MR. SPEARMAN: But we don't have to show up, it's like if we approve the, we
19 meet next month and we come back to approve the Minutes for today, those Minutes –

20 CHAIRMAN MCDUFFIE: Those Minutes could carry –

21 MR. SPEARMAN: - those Minutes could carry over until we meet again, because
22 there's no, there's no case specific –

23 CHAIRMAN MCDUFFIE: There's nobody waiting on the –

1 MR. SPEARMAN: - right.

2 CHAIRMAN MCDUFFIE: That's right, um-hum (affirmative).

3 MR. SPEARMAN: That's right.

4 CHAIRMAN MCDUFFIE: So no, at this point though –

5 MS. LINDER: Or again, going back to my clinching idea, if you're giving approval
6 to someone and there has been no opposition, I don't know that there'd be any harm.
7 They Applicant will not appeal an approval.

8 CHAIRMAN MCDUFFIE: But I think if there's an aggrieved party they ought to
9 have the opportunity to, you know, to come in and ask for reconsideration. Or to ask for
10 reconsideration and be heard. So, you know, I definitely don't wanna do anything to
11 deny, you know, or to give someone the opportunity even to come in and say, I did not
12 know, you know, there wasn't proper notification given or, you know, for even any kinda
13 potential violation of, of the Sunshine Act type of, type of situation, so. You know, it's my
14 preference we just keep doing things as, as we're doing thus far. Is there any other
15 business?

16 MR. SPEARMAN: One other thing.

17 CHAIRMAN MCDUFFIE: Yes.

18 MR. SPEARMAN: Mr. Chairman.

19 CHAIRMAN MCDUFFIE: Um-hum (affirmative).

20 MR. SPEARMAN: Several months ago Ms. Linder gave out the, our By-Laws,
21 you know, to upgrade our By-Laws, change our By-Laws around.

22 CHAIRMAN MCDUFFIE: Um-hum (affirmative).

1 MR. SPEARMAN: And the only change that was in here was dealing with, it was
2 toward the end, dealing with an impasse. This would be 3.5 as far as the disposition,
3 number C, a tie vote, you know, to approve and a tie vote to deny, which is not in our
4 current By-Laws. And I think that, you know, this would be –

5 MR. SULLIVAN: Can you repeat that please?

6 MR. SPEARMAN: I'm sorry?

7 MR. SULLIVAN: Can you repeat that? I didn't hear it.

8 MR. SPEARMAN: I believe in December Ms. Linder gave us a revised copy of
9 our Rules of Procedure, our By-Laws. In fact I believe you stated you were gonna email
10 them to us, at last month's meeting you were gonna email it to everybody.

11 MS. LINDER: I didn't do that?

12 MR. SPEARMAN: I, I didn't get a copy, but I've had this copy ever since you
13 gave it out. And the only difference between our current By-Laws and the ones that you
14 gave out, it's on page 5, at the very top, 3.5, the disposition where it talks about a tie
15 vote and an impasse as far as a motion to approve and a motion to deny. And also it
16 gives a conclusion there at the bottom. And that's really the only change, and I think
17 that's pretty important for us to incorporate that in our By-Laws.

18 CHAIRMAN MCDUFFIE: And I think we probably need to put that on the Agenda
19 for next month then, to, to –

20 MR. SPEARMAN: Well, we were gonna discuss it this month, that's what we
21 talked about last month, so.

22 CHAIRMAN MCDUFFIE: Well, I mean, changes to the By-Laws probably should
23 be on the actual Agenda, you know, from –

1 MR. SPEARMAN: Well yeah, that's fine, you know, we can make it an Agenda
2 item for next month.

3 CHAIRMAN MCDUFFIE: Yeah, so I would like to make the, make the By-Law
4 update an Agenda item for next month.

5 MR. PRICE: Is there anybody that has not received a copy of it?

6 MS. LINDER: I will make a specific note to email it again.

7 MR. SPEARMAN: The only correction in this that you handed out is on page 4,
8 3.4, it says, Conduct of Hearing, A, where it says, Heard by Zoning Administrator or
9 designee, it should be or instead of of, that's the only change that I noticed on page 4.

10 CHAIRMAN MCDUFFIE: Alright, so, so next month we'll take up adoption of the,
11 of the new Rules of Procedure.

12 MR. SPEARMAN: Do we want to incorporate something in our By-Laws about
13 our meeting time?

14 CHAIRMAN MCDUFFIE: I don't think that needs to be in the By-Laws.

15 MR. SPEARMAN: Okay. Because it says, it says in Code that, when it talks
16 about the Zoning Board of Appeals, that the Chair, we're at the call of the Chair as far
17 as the time or something like that.

18 CHAIRMAN MCDUFFIE: Um-hum (affirmative).

19 MR. SPEARMAN: Is considered. I didn't know if we wanted to incorporate –

20 CHAIRMAN MCDUFFIE: Yeah, I don't –

21 MR. SPEARMAN: - that or what.

22 CHAIRMAN MCDUFFIE: - I don't think we need to include anything, any of that
23 into the, into our Rules of Procedure. It's already codified in the Code, so.

1 MR. SPEARMAN: Okay.

2 CHAIRMAN MCDUFFIE: Alright. Alright, so we'll have this on our plate for next
3 month. Are there any other items?

4 MR. PRICE: No, sir.

5 CHAIRMAN MCDUFFIE: Okay, and I would, I would appreciate an updated –

6 MR. PRICE: Land Development –

7 CHAIRMAN MCDUFFIE: - copy of the Land Development Code.

8 MR. SMITH: Ms. Linder, are you emailing that out?

9 MS. LINDER: The By-Laws?

10 MR. SMITH: Yes, ma'am.

11 MS. LINDER: Yes, I will.

12 MR. SMITH: Can I give you an updated email address?

13 CHAIRMAN MCDUFFIE: At this time I will, at this time I would move to adjourn.

14 MR. SMITH: Second.

15 CHAIRMAN MCDUFFIE: Alright. So moved and we are adjourned.

16

17

[Meeting adjourned at 1:45pm]