1. CALL TO ORDER.

Chairman Willm called the meeting to order at 6:30 p.m. Members present: Chairman Willm, and Members Lanham, Lauer, and Taylor. Vice-Chairman Watson and Members Dougherty and Lauer were absent. A quorum was present. Others present: Town Clerk Herrmann; Planning, Building & Zoning Director Morris, and Permit Technician Mazzo.

2. PLEDGE OF ALLEGIANCE.

Chairman Willm led the Pledge of Allegiance.

3. AGENDA APPROVAL.

Mr. Taylor moved to approve the agenda. Mr. Lanham second. All voted in favor. MOTION CARRIED.

4. MINUTES APPROVAL. Approval of minutes was deferred.

5. PUBLIC COMMENT ON BUSINESS ITEM.

Mr. Keith Hope, Juniper Drive: So I live across the street from the proposed variance on 710 Juniper Drive. I don't have a problem with a structure be put there, it's just why do we have a zone, the zoning ordinances if we're not gonna follow them? Seems to me their basic argument is well, everybody else around there does not follow the zoning, so why can’t we and it’s the best use of their property. My property is the exact same size. I built a single-family house. I can follow the ordinance, and so I'm just wondering if the purpose of the zoning is for the fire, rescue, police, etc. why wouldn’t that apply to this as well as everybody else you want to live within this ordinance. So I just, I don't know all the background. Just a little bit that's on the paperwork. So, you know, if that can be dismissed, the concerns about fire, rescue, etc., then let it go. Thank you.


Chairman Willm: Who would like to present their case? I need to get your name, swear you in since this is a judicial…

Mr. Rudolph: My name is Scott Rudolph.

Chairman Willm: Do you swear to tell the truth, the whole truth, and nothing but the truth?

Mr. Rudolph: I do, yes, sir.

Chairman Willm: Proceed.

Mr. Rudolph: Firs, I want to thank you for your time and consideration. We appreciate that just. Just thought I’d read the zoning law that, I guess, that is in question here, the zoning ordinance. It’s Number 20, it reads and I quote, “highly tinted or mirrored glass shall not be permitted.” So, I wonder what highly tinted meant, or mirrored, so I Googled (searched the internet) highly tinted and nothing came up. So I guess it's a matter of, somewhat of a matter of opinion. And mirrored, well mirrored is very specific. It’s a mirror and they are all products
that allow you to mirror something and create mirror, and so I went to the tint that we have, and looked at their spec sheets that I’ve included for you, ladies and gentlemen, as well. And there’s nothing here that says it's highly tinted. There’s nothing here that says it is a mirrored surface. So, I would like to just state that for the record, and thank you for that. Moving on to the variance form, I know you say there question 2A to state the extraordinary and exceptional conditions pertaining this particular piece of property, and there are very, very real extraordinary exceptions, exceptional conditions to the property for the Bar-B-Que House. We’re a restaurant. The root word for restaurant, I’ve heard, is from a French word which is the meaning of rejuvenate. You go to a restaurant to rejuvenate your soul; to restore; to rest, and in order to do that you have to be able to be in a comfortable environment, a comfortable place. In other stores, if you’re going into convenience store, or a retail store, a bank or whatnot, you don't need to be able to sit down and be comfortable for an extended period. You have 30 minutes, 45 minutes, an hour, while you’re restoring yourself with food at a restaurant. So we do have some very exceptional conditions that apply to us. Other restaurants in the area, something, something like that, a lot of the breakfast restaurants, they’re not open in the afternoon and the afternoons is when we have that specific direct sun beating through the windows, and it does cause a real problem for our customers. They cannot be comfortable. Before we had; when we first moved in there nearly 10 years ago, there was just the windows there and the position of the property the afternoon sun beats right through those windows. The restaurant is surrounded by windows and customers would point blank complain. They’d be sitting there squinting. The sun bearing in; sweating. Very uncomfortable. They would asked to move to the other side of the restaurant where it would still be hot because the AC system had trouble keeping up. We had many customers who just finish up and leave, and say you guys have a real problem, we’re just not comfortable. Unless you can get this fixed, we don’t; we love the food. We love the service. We’re not comfortable. We don’t want to come back, because they can’t relax and enjoy the environment. We tried multiple things to stop that. We installed blinds. That did not solve the problem. Still, the heat still came through and then the gaps in the blinds the sun still would come through and be blinding. So we researched it and we, found out Santee Cooper recommended this tint as a minimum for their ‘Reduce the Use’ campaign. They were, Santee Cooper was offering even rebate; partial rebate, because they were encouraging us to do this. This is the bare minimum tint to qualify for the rebate. So we went with that and it really did solve the problem. Customers could relax and enjoy the environment. Going to B, the conditions do not apply to other properties in the city. I kind of wonder that. People at our business they need to be able to be comfortable and sit for an extended period of time. Bank, other retail, grabbing something off the rack, T-shirt shop, whatnot, they don't have to spend so much time in the direct sunlight. And our building design utilizes the large windows. Going on to 2C, how do they impact this particular piece of property? And it does prohibit or unreasonably restrict us being able to utilize half the dining room, and even to some extent, the rest of the dining room, because as I said, it's, it's sends so much heat into the building the AC has difficulty in even keeping, keeping that cool. Going on to 2D, how will we, would not be a detriment to other businesses. You know, the tint is commercial grade. It’s professionally installed. Installed comes with a lifetime warranty against cracking, and bubbling. So it will always have a nice clean appearance. You know, we’re committed to keeping a nice clean restaurant. We want people to be able to go there; be comfortable and relax; rejuvenate and restore. And this exact tint is used by many, many companies and agencies, including the
United States Department of Energy. I mentioned the Santee Cooper. I do very much appreciate your time and 
consideration. Having this tint is a big deal for us, and for our customers, and our ability to function effectively. We 
have right now 10 employees that are working. We want to be able to continue to grow and provide opportunity for, 
for, for many people and be a big part of the community. Thank you very much for your time.

Chairman Willm: Would y’all like to ask questions now or wait till the end, so Sabrina can give her stuff?

(**) Okay. You can have seat and we’ll call you back in a minute. Thank you. Would the town like to present their 
case?

Ms. Mazzo: My name is Tina Mazzo.

Chairman Willm: Do you swear to tell the truth, the whole truth and nothing but the truth?

Ms. Mazzo: Yes, sir.

Chairman Willm: Thank you, ma’am. Proceed.

Ms. Mazzo: Okay, the town’s code enforcement official received a complaint regarding the mirrored 
tinting at the Bar-B-Que House Restaurant. Back in 2013, Town Council approved a design overlay, which stated 
that the highly tinted or mirrored glass shall be prohibited. The code enforcement official notified the property 
owner of the violation and requested that the tint be removed, which we have done on three other previous 
businesses, as well. We’ve seen them have the mirrored tint and we asked them to remove it. The owner stated that 
it was done before the ordinance passed and after further investigation by our code enforcement official we found 
Google images showing that the tent was not in place in 2015, so our code enforcement official also explained that 
not only is the anything place for aesthetic reasons, but also safety reasons. The town encourages and promotes 
crime prevention through environmental design, and this concept is based on the belief that crime can be influenced 
by the proper design and effective use of the man-made environment. It is also defined at the proper design and 
effective use of the building, of the built environment that can lead to a reduction in the fear and incidence of crime 
and improvement in the quality of life by not allowing mirrored or heavy tinting on glass windows the police, 
general public, or potential customers can see inside the building. If a crime is happening in the building, it can be 
reported by a passerby and action can be taken immediately. It is intended to make intruders or criminals easily 
observable by promoting features that maximize visibility of people, parking area, and entrances. Customers also 
feel more [sic] safe knowing natural surveillance is, is all around. Blinds and curtains may be used under the current 
ordinance. Both can be opened by customers wanting the natural surveillance and by allowing mirrored or heavy 
tinting, you’re removing the options from the customers and the guests.

Chairman Willm: Okay. Thank you very much. Does the board have any questions?

Mr. Taylor: I have a question for Mr. Rudolph.

Chairman Willm: Come back up here please.

Mr. Taylor: Do you have any confirmation or documentation from Santee Cooper recommending this?

Mr. Rudolph: I do not; not on me. We worked with the tint shop, and they, that's what they do. They told 
us about it. We did submit the paperwork; actually, the tint shop submitted the paperwork for us and we did receive 
the rebate check. Leaning on memory, I believe was about 25, maybe it was about 25% of the purchase price that 
they rebated.
Mr. Taylor: Okay, and when exactly was this installed?
Mr. Rudolph: 2016.
Mr. Taylor: Okay.
Chairman Willm: Was awning not an option?
Mr. Rudolph: We have an awning, but the positioning of the property, the awning does not provide shade to the windows. Just that afternoon sun; when you sit on 17 it just blares right through the windows. The awning does not provide any protection to windows. We don’t have any trees there; there’s no trees. Some, some buildings benefit. The church right next to us has the trees that provide shade, and once again, someone even in the church, they don’t typically sit right by the window for an extended period of time. I go to church, and I sit (**.)
Chairman Willm: By the back door.
Mr. Rudolph: No, not there either. (Laughter)
Chairman Willm: Any other questions.
Mr. Murdock: I have one for the town. Do we have do we have any definition somewhere of what very highly tinted or mirrored glass?
Ms. Morris: We do not.
Mr. Murdock: It’s kind of waffled? I assume by citing the business owner that by your estimation it is meets that definition.
Ms. Morris: Yes, that’s correct, and again, we’ve required at least three. More have been notified, but three met the same criteria as the Bar-B-Que House, and those were removed.
Chairman Willm: Are you prepared to say which ones they were?
Ms. Morris: They were on the south end; I don’t have the name of the businesses, but it was in the strip center where the doctor's office, the chiropractor or doctor near 10th Avenue North [sic].
Chairman Willm: That was one of my questions, Doctor Rathburn’s office there, his seems to be the same case now.
Ms. Morris: He has blinds.
Chairman Willm: Those are blinds.
Ms. Morris: M huh.
Chairman Willm: There are some others, some of these, they were done prior to this ordinance [sic], overlay?
Ms. Morris: Then they’re grandfathered.
Chairman Willm: So, that’s what I couldn’t tell. I saw a lot of them. Valentino’s is the same way.
Ms. Morris: Right, and also, if they change ownership, if they change in ownership or they change use, they have to take it down, as well.
Mr. Taylor: Can you share with us the complaint?
Ms. Morris: They didn’t; it was; and actually our code enforcement officer has left the town, so, but it was, he said it was anonymous, but that's how we get our complaints. That's how we get three down on south end.
Mr. Murdock: Kind of follow-up my question, because I am familiar with matika [sic] films, I actually just went to their website under this this Sun Guard Architectural, which is their; I guess their commercial line, they have
various sundry products. They have a 70, a 55, a 35, a 20, a 35 [sic,] a 20 [sic,] you know, and it looks like this is a
15, if I’m reading and understand this correctly that's, that's the amount of visible light that is transmitted. I say that
from personal knowledge of what the, what the automotive is. I think 35 is, is the minimum that you can have, you
know, for automotive glass. But, my question is would, would you say 45 might be allowed where 15 is not, you
know, under the standard of highly tinted or mirrored, or 70 might be allowed versus 15?

Ms. Morris: Honestly, we’d have to see it. I can tell you that the last tinting that we approved was on
Graham’s Golf Cart, because you can see inside as well as outside.

Mr. Murdock: Got cha. So, in a sense it, it, in a sense, if we were to, if we were to apply a standard, the 35
standard that, that, that is used by the sheriff department for being able to see into cars, might be a reasonable
standard to apply.

Ms. Morris: I would agree with that because you can see inside and out. That's the, the intent of the
ordinance, again, is for security purposes. They can see; they can certainly see once their inside and they can see out,
but you can't see in.

Mr. Murdock: Okay.

Mr. Rudolph: Can I make a statement on the crime aspect? We are very committed to a safe workplace
environment. Without safety, you know, that's the foundation of anyone. It's extremely important to the employees
and customers. We want an absolutely safe; we do a lot of things to secure, and make sure it's safe. We have a 16
camera system inside and out. You see cameras everywhere when you go in, and I understand, like you said, if the
blinds are closed, you can't see through them, number one. There’s other restaurants that have, basically, plantation
shutters. You can’t see through ‘em. I’ve seen police departments with plantation shutters on the buildings to reflect
the heat and you can’t see in their windows. But, the police department doesn’t want you to see in their windows.
But, there’s other things that will restrict views other than tint, and once again, based on Google definitions, based
on the definition of the website, I don’t believe this is a highly tinted or mirrored. Thank you.

Chairman Willm: I've got a question for the town. The new hibachi over there, it has like awnings almost
down; (responding to unknown speaker) those aren’t windows at all? (**comments made from audience.)

Mr. Lanham: Question for the town. The ordinance has been discussed here seems a little bit subjective. I
was just wondering have you ever actually had the police department go out and look at these specific locations and
say, your know, this one is not too bad or this one (**).

Ms. Morris: We actually have done that before. We have not, we did not do this on this particular case. I
will tell you we have two certified CPTED (Crime Prevention through Environmental Design) professionals in town
that went to several hours of training and passed a pretty stringent exam, and that would be the police chief and
myself, and this is exactly what they were trying to detour [sic] is when you, if you, what their definition is, if you
drive by anywhere, or you're walking by, and you can see yourself, but you can't see inside the building, that's too
much tint.

Chairman Willm: In your opinion there’s some tint out there that would satisfy both parties?

Ms. Morris: Oh, yes. Absolutely. They actually have it in town now, and we could certainly direct it if
need be. But, back to the blinds, and the curtains, I completely agree with him. They’re allowed. We had that
argument before, but the argument, and we argued that with the prof [sic], the consultant with the CPTED design. His argument was you could pull back the curtain, or you could pull up the blind, and the shutters that he’s talking about, certainly open, as well. So, you can; it's up to, to the individual whether they want to offer the, I mean to have the surveillance or not, and with the tint that he has now, it doesn't offer that at all for the customers.

Mr. Taylor: I have a question. When I look at the design overlay district standards, there were some very specific, it says the requirements of this ordinance shall apply in any of the following circumstances, and reading these circumstances nowhere does it say an existing business. So…

Ms. Morris: You have the full; no, you only have that section.

Mr. Taylor: No, I have the whole book that you gave me, and it says new construction, which is, this is not the case; it says addition or enlargement of an existing building. This is not the case. It says change of use, which is not the case. Redevelopment of parking lots, not the case. Dwellings are converting to commercial business. This is not the case. When renovations to an existing building exceed 20%. That's not the case in this case, and when a building or 50% of a strip center has been vacant. So, I'm questioning, you know, why the design overlay standard is being applied to this specific business, when I know for a fact there are other businesses in town that do have mirrored…

Ms. Morris: And we are addressing those. I can’t answer that…

Mr. Taylor: But, I’m not exactly sure why.

Ms. Morris: …because the enforcement officer addressed this section. He felt it was appropriate, and there was [sic] renovations on this building.

Mr. Taylor: But not, not as applies to the windows.

Ms. Morris: No, they didn’t get a permit for that.

Mr. Taylor: I couldn't find anywhere else in the code that addresses windows other than that one line.

Ms. Morris: This is the only one. That’s the only one.

Mr. Taylor: And, yet we have let that, the genie was let out of that bottle 25 years ago. If you drive up and down in Business 17, and look at the windows and the in the storefronts, and whatnot, we have probably 30 or 40% of the businesses that you cannot see the inside of the business, because of displays, because of posters, for, because of blinds; the Doctor Rathburn’s; you know for all these other reasons. So I am having a real hard time with the safety issue, because if it was really a safety issue, we would be out there citing every one of these businesses to allow passers-by to see inside their business, and we don't do that.

Ms. Morris: We have addressed the mirror.

Mr. Taylor: Only the mirror. But that’s…

Ms. Morris: That’s because that’s the only thing in the ordinance. You know, we’re only allowed and we don't have, we don't have the luxury of deciding who gets it and who doesn’t. If it doesn’t meet the ordinance, we have to notify everyone that’s in violation of this ordinance. Shades are not a violation.

Mr. Taylor: That brings me back to where I’m at. I would like to see the board defer action on this request and send a recommendation back to planning and zoning that they re-look at the whole issue regarding windows, storefronts, safety, whatever, and that that we recommend the council that they ask staff to at least suspend or delay
any citations until planning and zoning and council can give us something more definitive than what we have right now.

Ms. Morris: If I could just throw something out; we, the council, excuse me, the planning commission just submitted a brand-new overlay design that mirrors the, no pun intended, mirrors the county, and this, the wording is in the exact same thing in the county and it's in the new ordinance. So, it's up for second reading. If you want, if the board decides that they want to do that I just to make sure you; I would certainly ask that they hold off on second reading until this is re-evaluated by the planning commission.

Mr. Taylor: Well, I’m kind of coming at this as a small business owner myself with similar issues with sunlight and windows and all those other things. And we are purportedly a business friendly community, and I think the last thing that a small business needs is some other regulation that's either going to cost them money or restrict the ability of their business to do what their business is. So I am just having a hard time with the selective application of the ordinance from an anonymous complaint. Had we not received an anonymous, anonymous complaint we wouldn’t be sitting here.

Ms. Morris: But, the law does not require you to give a name and we never (**)

Mr. Taylor: I understand that. I understand that.

Ms. Morris: Yeah, and I mean it's a legitimate complaint, because it, it does meet that require or that violation efforts.

Mr. Taylor: Just telling you how I feel.

Ms. Morris: I understand. I was just defending the ordinance.

Chairman Willm: Any other questions?

Mr. Lanham: Another comment. Following up on what he said, the blinds, shades are, they’re okay? But, from a safety standpoint, if the blinds and shades are down, and somebody was in there creating mayhem, the police wouldn’t be able to see there, through them either. So, it’s…

Ms. Morris: I agree with that completely.

Chairman Willm: I agree with that comment. It’s kind of a false sense of security, because if somebody’s in there trying to rob ‘em, they’re not gonna let you…oh, you have the right to open that blind (laughter.)

Mr. Taylor: So, it sounds to me like what we have is a situation where we have an anonymous complaint and a code enforcement officer that no longer works for the city decided to apply the design overlay ordinance to this particular instance.

Mr. Murdock: I don’t think he decided. I think the ordinance dictates its own enforcement. I think if he decided anything, he would’ve decided not to enforce it, and that would’ve been its own issue. I guess the concern I have, I have waffle language there is always a problem. In my mind, the applicable standard ought to attach to something and that probably should be the standard of what law enforcement gives for, you know, if that's the purpose of it, that law enforcement gives for being to see inside the vehicle, and there are certainly tint meters that do that. It seems to me like it's should say highly tinted is 35% or 40% or whatever that is, because certainly we have a measurement standard; we have a quantifiable standard to apply. In absence of that, I still would probably knowing the intent of it was still probably attached to that standard, and say that if I was to make a determination at
this point, you know, because when you apply something to the glass it could come out different. It might be listed
as a 15 and maybe 15 means something a little different in the residential standard than it does for the car standard.
You know, but I would put a meter on it, and if it doesn't meet the standard that's allowed for vehicles, and I would
apply that standard to it. So, I don't feel like I got enough information here, because it seems entirely subjective. So,
I would table it and ask that somebody put a meter on it and let's see what it actually does, and if it meets that the
car standard. That would be my suggestion. I don't know if that's, that means anything to anybody or not. But that
would be where I would weigh in on it.

(***several speaking at once.)

Mr. Taylor: I think that’s a reasonable approach.

Chairman Willm: Like when, for yours, I think how the ordinance was written, I don't think it matters
whether it’s new or old. You can’t tint your windows. So, you’re tinting them now and that doesn't come into play
whether it’s old or new. You can’t, after this ordinance, you can’t tint the windows. But, on the other hand, I also
agree with you that this is very subjective, and I think ordinance does need to be a lot more objective and have a
measurement so we can't say one person doesn't, the other person does, and there’s probably some cleanup to do
along with the curtains and the other issues like that. Would somebody like to discuss this some more or make a
motion?

Mr. Taylor: I'd like to move that we defer action and ask the town to go back and measure the tint, and
come up with a standard that we can apply to everybody.

Chairman Willm: I think that would require a change in the actual ordinance itself to put that in, or I guess
you could do a…

Mr. Murdock: Well, if we had the number, then again if it's going to be subjective, then we can apply that
subjectivity to…

Chairman Willm: To everybody.

Mr. Murdock: Yeah, but with a measurement so we know what it actually is, and if it is actually 15 as
applied and 15 is less than 35, then I would be disinclined to agree that it's okay. If as applied it was 30, I might be a
little bit more inclined to agree that maybe it is okay, and probably if it was 35, 36, something like that I’d say I
don't have a problem with it. So I would like that measurement.

Chairman Willm: Would you like to restate your motion; we’ll have our discussion after that.

Mr. Taylor: Now, I’m confused. I will move that we defer action on this request and send it back to
planning and zoning to come up with a measurable definition of tinted or highly tempted windows that we can
apply. Does that make sense?

Mr. Murdock: Yeah, and a measurement in this case.

Mr. Taylor: Right.

Mr. Murdock: Okay, I would second that.

Chairman Willm: Any discussion?
Mr. Rudolph: I appreciate; I was only given when this happened these two pages here. Section 17-908 and
you read the intro to that and the whole book where that applied, and based on your reading and what you said that
this wouldn’t even apply to us anyway.
Chairman Willm: I think the board thinks it certainly does apply. But, we just need better direction. Do we
have a second?
Mr. Murdock: Yes, I second.
Chairman Willm: Any discussion amongst the board? I want to say something, but I’m not sure what.
(Laughter.) It’s like I said, I don’t know whether the ordinance needs to go back and actually be rewritten or
basically a standard is being used by the zoning department when they bring these things to us. This is what we’re
using as a standard, what you’re saying is through a reflective meter; whatever the police, and I also had the police
come by and have their opinion put into it before. I think whether it’s rewritten in zoning ordinance or not the
zoning department should have a basic standard and not, you know, you went to class and that kind of stuff. You
should be easy to come up with. All in favor the motion to defer back? All members voted aye. That motion favored,
so more to come.
Mr. Rudolph: Thank you.
Chairman Willm: So will this have to be resubmitted?
Ms. Morris: We’ll just reschedule and use the same application so that way it’s no fees.
Chairman Willm: No fees, okay.
Appeal No. ZA2018-04 by Dave Mastrianni at 710 Juniper Drive requesting a variance from Article
IV Section 17-402 Corner Lots of the Town’s Zoning Ordinance.
Chairman Willm: Who’s gonna speak? Both?
Mr. Mastrianni: Yeah, both of us. David Mastrianni.
Mr. Moselsky: I’m Jerry Moselsky.
Chairman Willm: Do y’all both swear to tell the truth, the whole truth, and nothing but the truth?
Mr. Mastrianni and Mr. Moselsky both responded: Yes.
Chairman Willm: Proceed.
Mr. Mastrianni: What we’re trying to do is we bought a duplex lot over on the corner of Cedar and Juniper,
and we’re trying to construct a duplex similar to, we brought a poster board of…
Mr. Moselsky: Shall I approach you, or…
Chairman Willm: Yes, sir.
Mr. Mastrianni: Similar to all those in the area, and we’re not doing it for rental reasons. We’re doing it,
this is, we’re trying to make this our retirement home. He wants to live on one side and I’m gonna live on the other.
We grew up together, and kind of want to retire together. We just don’t understand, we actually don’t understand the
ordinance. They’re saying that front doors need to face Juniper. None of those face the small side of the street so we
just really don’t understand. What are they forcing us to do? We’d like to work; you see us, we want to work with
you, and we’d like to live here, so it’s just we don’t know what we can do to make it right.
Mr. Moselsky:  We haven’t been able to find ordinances from our looking around. We’re not sure where that ordinance is or what it states, because we haven’t been able to find that.

Mr. Mastrianni:  Where it states that our two front doors need to face Juniper or the small side of the street.

Chairman Willm:  Okay, is that it? We’ll find out shortly.

Mr. Mastrianni:  I think so.

Chairman Willm:  And we’ll ask you, just have a seat and we’ll bring you back in a minute for questions.

Mr. Mastrianni and Mr. Moselsky:  Okay. Okay.

Chairman Willm:  We’ll let the town give us that information. Yes, ma’am, and your name is?

Ms. Morris:  Good evening. Sabrina Morris.

Chairman Willm:  Do you swear to tell the truth, the whole truth and nothing but the truth?

Ms. Morris:  I do.

Chairman Willm:  Thank you, ma’am. Proceed.

Ms. Morris:  Okay, actually, we, this started out when the, when the surveyor in the town came to meet with myself, and showed me the survey that he was proposing, which you have in your packets tonight, and he had read the ordinance and he felt that there was some issues with it, so before he finished or before he notified the property owner, he wanted to make sure that the town's interpretation and his interpretation were about the same. First, I like say the owner that just spoke and said that there's a several houses that are addressed on one lot, and you have owners on… that is exactly the truth, and that is why the ordinance changed in 2011. I did not write this, and I wasn’t even in the town when this happened. But, I did the research, and I found the old files and read them, and that's why that it does give you a background here. When they submitted it, the ordinance on Section 17-402 states for the purpose of this section, the lot line having the shorter dimension along the street line shall be considered the front of the lot. We have had, and I'm not exaggerating when I say, we have had at least a dozen property owners that want to build on corner lots and they would like their front to face the longer side of the property, and have their address as it's written here for the front of the lot. The ordinance says that’s the front of the lot, which means that’s where your home should be facing. Once we tell them that, we have never had an issue. They don't like it, but they build it to meet; to the small; the front side is the front. That means the front setback; that means the front door. When I did the research it did say that the reason they were changing is 911 and the fire department, and police department and the ambulance service had issues looking for the addresses. They would drive down the street and the address would say, whatever, 711 Juniper, but they would not think that was the home, because that's the side of the home and the front, which was the egress and ingress of the home, was located on another property, I mean on the other side of the lot. When I, when we explained this to the others who were building the property, they certainly complied. We have two under construction right now meeting the same requirement. I mean meeting same the same that wanted it the other way and decided to do it front facing, facing the front. The other reason for the change was the setback requirements. Corner lots having a shorter dimension would automatically be the front. If the longer property line was considered the front, the home would be unable to meet setback requirements. The front setback is 25 feet; side is 10, and then with the street is 15, and the rear is 20, and if you look at the survey that we provided tonight, which is the owners’ survey, the lot width is only 60 feet on Juniper, and you could just get a home there,
but it would be a rather small home. The front, which is the Juniper, is 25 feet and the way the surveyor has it drawn
out now both of these duplexes face Cedar, and when we met with the owner and we met with the surveyor, we
asked that they design the homes to have both the entrances on Juniper as we have required in the past since 2011,

Mr. Taylor: They could have like the garage entrances on Cedar, as long as the front is on…

Ms. Morris: Yes, as long as they have the two front doors, yes, exactly right, yes, sir.

Chairman Willm: Any other questions?

Mr. Taylor: The way, the way that this plan looks, they would not, if it was allowed, the front to be on
Cedar they couldn't meet the front setback.

Ms. Morris: As it is drawn now, you're exactly right. Right. They understand that, and when we met with
the surveyor, we asked if they could somehow design the duplex to have front door here and maybe the actual wall
and a door here. The owner said that he did not see that as being feasible.

Mr. Taylor: Right.

Chairman Willm: So, he's not asking for two different addresses, Juniper and Cedar? He’s wanting both to
be on Cedar?

Ms. Morris: Right, and we feel that it's necessary both to follow the ordinance and for a safety standpoint
that it be on Juniper. It does allow for duplex. It does not guarantee a duplex.

Unknown speaker: Not unreasonably restricted.

Chairman Willm: Any other questions by the board.

Mr. Lanham: I’d like to ask the appellant.

Chairman Willm: Sir, can you come back up for a minute?

Mr. Lanham: The ordinance seems pretty specific in this case. I was wondering if you had another
architect drawing to try to get the front of it on Juniper?

Mr. Mastrianni: Well, it’s what you want to call or consider the front. I don't mind having a Juniper
address. The address doesn't matter. But both front doors being on Juniper is kind of difficult. We did come up with
an alternative plan. We put it on piers, and then both front doors would face Juniper, if that's acceptable.

Chairman Willm: It seems like under the current plan you have here you’re not, it’s not gonna fly anyway,
because it’s not gonna hit the setback, front setbacks, Do you understand that part?

Mr. Mastrianni: If you called Cedar the front, you’d never meet the setbacks, no.

Chairman Willm: So you want to make it facing Cedar, but call it Juniper. I’m not following this part.

Mr. Mastrianni: Have our address Juniper. I’d put one front door on Juniper. The other door would be off
of Cedar, but that's not acceptable.

Chairman Willm: I’ll tell you from a house that I have currently, a duplex that has two different addresses,
you don’t want that. It’s an insurance, it’s a financial banking and all kind of issues, because they’ll actually try to
issue you two different insurance policies, because you’ve got two different addresses. I know. Any other questions?

Mr. Lanham: Yeah, your comment about putting it on piers, and having the front on Juniper…

Mr. Mastrianni: Yes.

Mr Lanham: Both fronts would be on Juniper?
Mr. Mastrianni: Yes. They would be underneath.

Mr. Lanham: Is there a problem with that?

Ms. Morris: As long as it meets the setbacks and both the duplex front doors front on Juniper.

Chairman Willm: Just asking, how are the other three places you’re talking about complying with this?

Ms. Morris: They built single families, and they front on the smaller end of front, they complied.

Mr. Lanham: You know if you have piers you have more parking.

Mr. Mastrianni: Yes, I do. We realize that afterwards, yes. (Laughter.)

Mr. Murdock: I have a question. When did you purchase the property?

Mr. Mastrianni: August.

Mr. Murdock: Okay, so you about it after this was in effect then.

Mr. Mastrianni: Correct. But, we were instructed, and we, as a matter of fact, we did make a phone call and asked the question. The only answer we got was, and it was partially our fault for not pushing it, and investigating further, is that our address would have to be Juniper. I said I don’t have a problem with the address being Juniper as long as we can do a duplex house. Like I said, we both kind of wanted to retire same place. That was the whole goal. So, I mean, we were not willing to, I mean we’re not, not unwilling to modify or that’s why I said we would, we would do the pier, pier stilt house or whatever and put both of our front doors facing Juniper. If that's acceptable, we’ll just change the plan. I mean, it still meets our goal as far as wanting to do a duplex there.

Chairman Willm: Any other questions?

Mr. Lanham: The only point I’d like to make is I don’t think we should let these gentlemen leave thinking they can build a pier house there and then go back and no, you can’t do that either.

Ms. Morris: Right, and I will tell you, I haven’t seen the plans. We can’t approve or deny. I’d have to see it on the plan. But from speaking with the surveyor, and I think the owner was there at the time…

Mr. Mastrianni: He was supposed to come here today. I don’t know what happened. He couldn’t make it.

Ms. Morris: I mean, according to him and they had tried everything and could not face the two on Juniper.

Mr. Mastrianni: Well, it’ll essentially be the same shape house. It’d be within the setbacks. We’ll keep it within the setbacks. Just put it up on piers and have both doors in the garage facing Juniper.

Mr. Lanham: I guess our decision here has to be made on this, and (**).

Mr. Mastrianni: I mean this isn’t what we originally wanted to go this way, but…

Chairman Willm: Any other questions? Entertain a motion.

Mr. Lanham: I think we ought to deny it. I make a motion to deny it.

Mr. Murdock: I second that.

Chairman Willm: Any discussion?

Mr. Murdock: I know, I know these things can be mystifying and it makes you wonder why in the world…

Mr. Mastrianni: I’ve been building houses for 30 years. So it's like…
Mr. Murdock: Yeah, it's, you, you've got, you've got hoops you have to jump through everywhere, and this unfortunately, is just one of those hoops. You know, but it is it is the requirement, so.

Mr. Mastrianni: Can I just?

Chairman Willm: No, no. We're already done. We're into the board's discussion.

Mr. Murdock: But, we haven't voted, yet.

Chairman Willm: But we're in board discussion. Any more discussion? All in favor of the motion to deny?

All members: Aye.

Chairman Willm: And, the motion passes.

7. Public Comments – General Comments. There were no comments.

8. Board Comments:

Chairman Willm: I appreciate the board that serves and the people who come out to watch, and I think as you can see through all our meetings that the board takes everything very seriously, looks in depth in it, puts their time in it, and gives it thoughtful consideration before they make their opinion. I appreciate y'all coming.

9. Adjournment. Ms. Taylor moved to adjourn the meeting at 7:19 p.m. Mr. Lanham second. All voted in favor. MOTION CARRIED.

Prepared and submitted by,

Debra E. Herrmann, CMC, Town Clerk

Approved: ____________, 20___

Darrell Willm, Chairman

Holly Watson, Vice Chairman

Terri Lauer, Board Member

Guy Lanham, Board Member

Jon Dougherty, Board Member

Phil Murdock, Board Member

Steve Taylor, Board Member

Clerk’s Note: Be advised that these minutes represent a summary of items with a verbatim transcript of the hearing section insofar as can be determined by the recording thereof and are not intended to represent a full transcript of the meeting. The audio recording of the meeting is available upon request; please provide a flash drive on which to copy the audio file. In accordance with FOIA §30-4-80 (A) and (E), meeting notice and the agenda packet were distributed to local media and interested parties via the town’s email subscription list. The agenda was posted on the entry door at Town Council Chambers. Meeting notice was also posted on the town website at www.surfsidebeach.org and the marquee.