

# Construction Board of Appeals

Kiawah Island Municipal Center

Council Chambers

January 22, 2015; 1:00 PM

## MINUTES

Mr. Spicher thanked all the members for volunteering their services and expertise to the Board. He stated that Mr. Fullerton, the Board Chairman, was unable to attend the meeting today and he would be presiding since it is the first meeting and no co-chair was in place. He indicated that by state law, the Board is required to have an annual meeting, the date and time of that meeting will be set and vote for a co-chairman will take place at that time.

Mr. Spicher stated that his role with the Board was when an appeal is received, within two weeks he would provide members with the necessary code information, answer questions, and retrieve any additional information if required.

- I. **Call to Order:** *Mr. Spicher called the meeting to order at 1:17 pm.*
- II. **FOIA:** Notice of this meeting has been published and posted in accordance with the Freedom of Information Act and the requirements of the Town of Kiawah Island.
- III. **Roll Call:**
  - Present: Tom Walkley  
Steve Sager  
Marshall Beverly  
Andrew Lingle  
Kevin Haddigan  
Bat Chief James Ghi
  - Absent: Brooks Fullerton, Chairman
  - Also Present: Bruce Spicher, Town Building Official  
Petra Reynolds, Town Clerk
- IV. **Citizens' Presentations or Comments:**
  - None
- V. **Old Business:**
  - None
- VI. **New Business:**
  - A. **Approval of Board By-Laws**

Mr. Spicher pointed out the Board's Charter and asked that all members review the document and to make sure that they do not have any questions or concerns.

Mr. Spicher indicated that the Board of Construction Appeals will convene when an appeal had been submitted to the Town. He explained that an individual will have to fill out application when a dispute or challenge the intent of a Town's Code arises. The Board will hear and make a decision on the appeal. He clarified that the Board cannot grant variances to any codes or FEMA regulations.

Board members discussed "who and why" an individual would be make and appeal and agreed that an different interpretations of a code would be the most likely scenario for an appeal.

#### **B. Election of 2015 Officers**

Mr. Spicher stated that the election of the Board's officers would take place at the next meeting. He asked members to think about if the Board required a Treasurer since the there is no money involved that the Town Clerk would be responsible for the minutes of the meetings. He indicated that the Chairman of the Board is Mr. Brooks and a Co-Chairman would need to be selected to officiate at meetings that the Chairman is unable to attend. He asked for members to make a selection of a nominee to serve as Co-chairman to be voted on at the next meeting.

#### **C. 2015 Meeting Schedule**

Ms. Reynolds asked Board members if there is a day of the month and time that would suite members to schedule proposed meetings. Mr. Spicher clarified that the annual meeting is typically held in the first quarter of the year and that the Board would be voting on the date and time of the annual meeting. Appeal meeting can be pre-established or left to be scheduled as they are received. Board members agreed that early afternoon would be the best time.

#### **VII. Citizen Comments:**

None

#### **VIII. Board Member Comments:**

Mr. Lingle questioned is there was an established time period in which an appeal had to be heard by the Board. He noted that a contractor may have a jobsite schedule to keep a long delay between the time the appeal is made and heard could be very detrimental to the contractor. Mr. Spicher indicated there was not a statute or

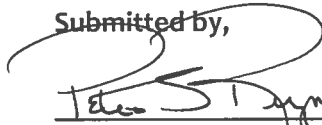
regulation that dictated a time line, but could be a procedure established and then voted on by the Board. He pointed out that since there had never been a Construction Board of Appeals that policies and procedures can be established to take into consideration the hardship that an appeal may have on a homeowner, contractor or subcontractor.

***Battalion Chief Ghi made a motion for the next meeting to take place on February 18, 2015 at 1:00 pm. The motion was seconded by Mr. Haddigan and unanimously passed.***

**IX. Adjournment:**

The meeting was adjourned at 1:40 pm.

Submitted by,

  
\_\_\_\_\_  
Petra S. Reynolds, Town Clerk

Approved by,

  
\_\_\_\_\_  
Brooks Fullerton, Chairman

Date

2/8/15