

Minutes

McClellanville Town Council

August 2, 2021 – 7:00 PM

McClellanville Town Council met on the above-noted date. Notice of the meeting had been published in compliance with the Freedom of Information Act. Mayor Rutledge Leland presided at the meeting. Council members Aaron Baldwin, Chris Bates, Bob Gannon and Jim Scott were present. Others present included: Town Administrator Michelle McClellan, Zoning Administrator Kathryn Basha, Fire Chief Mike Bowers, and Deputy Monique Martinez.

Mayor Leland asked Council to review the July 6 minutes. Councilman Gannon made a motion to approve the minutes. The motion was seconded by Councilman Baldwin and carried by a unanimous vote of Council members.

Deputy Martinez gave a monthly crime report for the Charleston County Sheriff's Office. Chief Bowers gave a monthly report for the Awendaw-McClellanville Fire District.

Next, Mayor Leland opened the public hearing for an Ordinance to Amend Chapter 3, Article II, Vicious Animal Statute. No members of the public were present at the meeting. Next, Council held a Final Reading of the Ordinance to Amend Chapter 3, Article II, Vicious Animal Statute. Councilman Gannon had a question about Section 3.200(d)(1) which stated, "Emergency cases are those that involve physical injury to a person or domestic animal and that is reported to the Town Administrator and/or Marshal who shall immediately proceed with an investigation." Councilman Gannon felt that the Town Administrator should not be tasked with investigating the case and felt that should be the responsibility of the Town Marshal. Council agreed to change the wording to read: "In emergency situations, the Town Marshal shall immediately proceed with an investigation." Councilman Gannon made a motion to hold the final reading of the ordinance with the above noted change. The motion was seconded by Councilman Bates and carried by a unanimous vote of Council members.

Next, Council considered four zoning amendments submitted to them by the Planning Commission. Council held First Reading: An Ordinance to amend Sections 5.2.4(d), 5.3.5.4, and 5.5.3.4 of the Town's Zoning and Land Development Ordinance to increase the maximum building height allowed for structures in the Residential, Village Commercial and Marine Commercial districts respectively to 38 feet above the minimum elevation required by the adopted Flood Damage Prevention Ordinance. Council had questions regarding how this would affect areas of Town that were in an X flood zone and if it would allow them to build up enough to park cars under their houses. Councilman Gannon made a motion to refer the amendment back to the Planning Commission to discuss these concerns. The motion was seconded by Councilman Bates and carried by a unanimous vote of Council members.

Council held First Reading: An Ordinance to amend Section 5.1.6.3(c) of the Town's Zoning and Land Development Ordinance to increase the rear setback requirement to 10 feet from the property line and decrease the side setback requirement to 3 feet from the property line for

commercial structures in the historic district where overlaying the Village Commercial district. Councilman Gannon made a motion to hold the first reading of the ordinance. The motion was seconded by Councilman Bates and carried by a unanimous vote of Council members.

Council held First Reading: An Ordinance to amend Section 3.4.4(c)(3) of the Town's Zoning and Land Development Ordinance to permit non-habitable accessory structures 120 square feet or less to be established prior to establishment of a principal use. Councilman Baldwin made a motion to hold the first reading of the ordinance. The motion was seconded by Councilman Gannon and carried by a unanimous vote of Council members.

Council held First Reading: An Ordinance to amend Section 3.4.4(c)(6), subsection a., of the Town's Zoning and Land Development Ordinance to require a setback of 6 inches from the property line for fences along the perimeter of properties. MS. Basha said this would alleviate issues relating to fences being on neighboring properties. Councilman Gannon made a motion to hold the first reading of the ordinance. The motion was seconded by Councilman Scott and carried by a unanimous vote of Council members.

Ms. McClellan advised Council that the Planning Commission was holding a public hearing regarding the four zoning amendments on Monday, August 23, 2021, at 6:00 PM. She noted that per Section 13.4.4 (a) of the Town's Zoning Ordinance, Council may elect to consider the amendment proposal without holding a second public hearing.

Next, Council considered a donation request for Begin with Books which serves the McClellanville/Awendaw area. Councilman Gannon made a motion to donate \$500. The motion was seconded by Councilman Scott and carried by a unanimous vote of Council members.

Next Councilman Gannon made a motion to go into executive session. The motion was seconded by Councilman Scott and carried by a unanimous vote of Council members.

Council returned from executive session. Mayor Leland noted that no votes had been taken during executive session.

There were no comments regarding July's financial statements.

There being no further business, the meeting was adjourned at 8:15 PM.

Respectfully submitted,

Michelle A. McClellan
Clerk of Council