

**MINUTES OF THE REGULAR MEETING
OF THE
BOARD OF APPEALS**

**Monday, February 27, 2017
6:00 PM**

**Council Chamber
Manning City Hall**

Present:

Mark Bellamy
James Zimmerman
Jerome Kindell

Absent (A) / Excused (E):

Ted Gardner, Chairman (A)

Staff Present:

Scott Tanner- City Administrator
Charmel Mack- Administrative Assistance Clerk

- I. Welcome / Introductory Remarks:** Mr. Zimmerman advised everyone that he will conduct the meeting in the absent of Mr. Gardner, Chairman. The meeting was called to order.
- II. Invocation :** Mr. Bellamy
- III. Approval of Minutes (January 23, 2017)**

Mr. Zimmerman stated January 23, 2017 minutes will be considered a later date.
- IV. Reconsidering request No. 2016-E-04 by Charles Hodge to be allowed a Special Exception to operate an “Alcohol Beverage Establishment” located at 302 South Brooks Street and 304 South Brooks Street, Tax Map # 187-03-02-021-00 and 187-03-020-00, zoned Residential (RS-20). Pending rezoning approval.**

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PROPOSERS

Kathye Rabin, Representative

Mrs. Rabin stated that her husband (Bubba Rabin) and she have a business partnership with Mr. Charles Hodge Mill Street Grill, The Drayton House, and The Charleston Place. Mrs. Rabin requested a special exception to allow alcohol on premise for special events.

Mr. Zimmerman asked Mrs. Rabin if alcohol will be brought in or provided by the proprietor.

Mrs. Rabin stated that the facility will be available to rent, guest will bring their own alcohol and a server will be available to serve guest alcohol. Mrs. Rabin stated that it is against the law to sell alcohol as a caterer. Guest will have to obtain a Special Event License from the Department of Revenue.

Crystal Nelson stated that she is the manager of the Matrix Center, located in Manning, South Carolina which is a banquet hall that serves alcohol to guest. She also mentioned that she has been employed with the Matrix Center for 9 years, and she hasn't had any issues with serving alcohol to guest for her business. She supports Mr. Hodge's businesses.

Sharon Thames stated that she is a small business owner in Manning, South Carolina and she supports The Drayton House business opportunity. She informed the Commissioners that she recently volunteered for the Habitat for Humanity and an issue they encountered was locating a venue that would accommodate 300 plus guest that will allow on premise consumption of alcohol. Mrs. Thames stated that she believe Mr. Hodge's businesses will be a great asset to the community.

City of Manning Mayor, Julia Nelson stated that she is a citizen of Manning, South Carolina, as well as the City of Manning Mayor. Mayor Nelson stated that the City of Manning have been trying to recruit businesses to Manning. She also stated that she support the Drayton House and believe the business will be a great asset to the community. She mentioned to the Commissioners that the business will not be an alcohol beverage store that sells alcohol and she asked the Commissioners to overturn their formal decision.

OPPONENTS

Author Lambert stated that he believes the Drayton House will be a great asset to the community however; Mr. Lambert stated that the Drayton House is visible from his home. He is concerned that the Drayton House's noise level, hours of operation, and traffic will be an issue for residents. Mr. Lambert requested that guest travel in the direction of Brooks Street. Mr. Lambert stated by directing traffic towards a commercial access would ease one of his concerns. Mr. Lambert also mentioned that the noise level could affect the community property value.

Jerome Dupree stated that he was on the January 23rd, 2017 agenda for a Special Exception to allow a pool parlor establishment for the property located at 112 South Church Street and was denied. Mr. Dupree stated that he supports Mr. Hodge's businesses; however, he believes that the City of Manning and Clarendon County do not provide equal business opportunities for everyone. He said the Board of Appeals informed him that he could appeal the Board's decision to Circuit Court. Mr. Dupree stated that he provided an attorney a down payment to Appeal the Board decision, yet, Mr. Hodge's request was reconsidered at no cost. Mr. Dupree stated that he previously requested to rezone 214 Walker Street to General Commercial for a store but the request was denied. He requested the Board to reconsider rezoning 214 Walker Street to General Commercial since Mr. Hodge request was reconsidered.

Mr. Zimmerman informed Mr. Dupree that the Board of Appeals does not rezone properties and to report to City Hall.

Mr. Dupree asked for clarification of why he was informed that the Board decision could only be appealed to Circuit Court.

Mr. Bellemy advised Mr. Dupree that according to the law, an applicant can appeal the Board of Appeals decision through Circuit Court. Mr. Bellemy mentioned that Mr. Hodge had two other properties that were approved and according to his understandings, Mr. Hodge submitted a reconsideration request through City Council whom approved the reconsideration request for the Board of Appeals to reconsider. Mr. Bellemy asked for clarification as to who approved Mr. Hodge's reconsideration request.

Mr. Tanner advised Mr. Bellemy that Mr. Zimmerman requested to reconsider Mr. Hodge's Special Exception request.

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Mr. Zimmerman stated that according to documentations provided from January 23rd, 2017 meeting, he assumed that Mr. Hodge's business was a drinking establishment that operated for 10-12 hours a day. Mr. Zimmerman stated that he has a more informed understanding that the Drayton House will be a venue for special events that will serve alcohol on premises for a scheduled period of time. Mr. Zimmerman stated that similar businesses have operated in the past with no issues, therefore he requested to reconsider Mr. Hodge's request.

REBUTTAL

Kathye Rabin, Representative

Mrs. Rabin stated that their venue will be for celebrations held for a couple of hours. She mentioned that the facility will be rented upon request for special occasions. She also informed the Board that weddings have been held at the Drayton House in the past.

PROPONENT

Carrie Strange stated that the Drayton House is a great idea for the community due to the fact that individuals would not have to travel to other areas for an event. She also mentioned that the Drayton House could potentially attract visitors to businesses in the area.

Lannes Prothro stated that he is the president of Clarendon County Chamber of Commerce and he supports Mr. Hodge business's proposal. Mr. Prothro also mentioned that Clarendon County growth rate has been steady and that the Drayton House will be a great asset to the community.

Mr. Bellamy made a **motion** to approve Charles Hodge's request for a Special Exception to operate an "Alcohol Beverage Establishment" located at 302 South Brooks Street and 304 South Brooks Street. Mr. Kindall seconded the motion. All were in favor of the motion.

V. Board Comments – No comments from the Board

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VI. Adjournment

Mr. Bellamy made a **motion** to adjourn. Mr. Kindell seconded the motion. All were in favor of the motion. Adjourned at 6:33 PM

Respectfully

Charmel Mack, Administrative Assistant Clerk