

**MINUTES OF THE LANCASTER COUNTY BOARD OF ZONING APPEALS
REGULAR MEETING**

March 4, 2025 at 6:00 PM

1. Roll Call/Call to Order

Board Members present: Quorum is present (3 Board Members)
Charles Deese Mark Boland Aaron Fender

Absent: Gary Alden, James Faulkenberry

Staff: April Williams, Planning Director
Allison Hardin, Development Services Director
Aimee Sholar, Recording Secretary

Members of the press were notified in advance but were not present. All adjacent property owners were notified by mail. A notice of public hearing was published in the Lancaster News at least 15 days prior to the meeting. The agenda was posted on the County website, and posted in the lobby of the administration Building one week prior to the meeting. A copy of the agenda is on file.

THE FOLLOWING IS A SUMMARY ONLY; IT IS NOT A VERBATIM TRANSCRIPT.

Chairman Deese called the meeting to order at 6:02 p.m.

2. Approval of Agenda

M. Boland moved to Approve the Agenda; 2nd by A. Fender. The motion was approved by unanimous consent.

3. Approval of Minutes

a. Minutes of 2/4/2025 Training Meeting

Call for a motion. Motion to approve by M. Boland; 2nd by C. Deese

Vote: 2:0 (Fender abstained as absent) Minutes are approved

b. Minutes of 2/11/2025 Regular Meeting

Call for a motion. Motion to approve by M. Boland; 2nd by C. Deese.

Vote: 2:0 (Fender abstained as absent) Minutes are approved

4. **Public Hearing Items**

a. VAR-2024-0108 Bass

Application by Harold Bass on behalf of Evaristo Falcon Reyes and Karina Guerrero Hernandez for a Variance from UDO 1.4.7.B Accessory Structures: Location to allow for an alternate location for a garage due to lot constraints, at 254 Giles Lane (TM # 0002-00-008.01)

CONTINUED FROM 2/11/2025

**STAFF PRESENTATION: Allison Hardin for Planning and Zoning:
See Staff Report.**

APPLICANT STATEMENT: Harold Bass from F and G Construction for owners Evaristo Reyes and Karina Hernandez

SCDHEC does not have records of original septic system, as they only go back 5 years.
Workmen on site did locate the septic system (see drawing attached)

Questions to Applicant:

M. Boland: The septic system is in the front, why can't the garage be located behind the house?

Applicant: There's a low area that makes it difficult to build there. [Refers to location photos]

M. Boland: There have been improvements, at what point are circumstances considered "extraordinary?"

PUBLIC HEARING: VAR-2025-0108 (see sign-in sheets) No one signed in.
A public hearing was held on 2/11/2025

CALL FOR A MOTION TO POSTPONE, APPROVE, OR APPROVE WITH CONDITIONS:
Motion to Approve by Mark Boland; 2nd by Charles Deese.

VOTES ON 4 CRITERIA:

CALLED VOTES: VARIANCE CRITERIA

Agree (A) or Disagree (D)

- i. THAT THERE ARE EXTRAORDINARY AND EXCEPTIONAL CONDITIONS PERTAINING TO THE PARTICULAR PROPERTY

M. Boland: A C. Deese: A A. Fender D

2:1

- ii. THAT THESE CONDITIONS DO NOT GENERALLY APPLY TO OTHER PROPERTY IN THE VICINITY

M. Boland: A C. Deese: A A. Fender D

2:1

- iii. THAT BECAUSE OF THESE CONDITIONS, THE APPLICATION OF THE ORDINANCE TO THE PARTICULAR PROPERTY WOULD EFFECTIVELY PROHIBIT OR UNREASONABLY RESTRICT THE UTILIZATION OF THE PROPERTY

M. Boland: A C. Deese: A A. Fender D

2:1

- iv. THAT THE AUTHORIZATION OF A VARIANCE WILL NOT BE OF SUBSTANTIAL DETRIMENT TO ADJACENT PROPERTY OR TO THE PUBLIC GOOD, AND THE CHARACTER OF THE DISTRICT WILL NOT BE HARMED BY THE GRANTING OF THE VARIANCE

M. Boland: A C. Deese: A A. Fender D

2:1

The following criteria are satisfied . **ALL FOUR CRITERIA ARE SATISFIED**

The Variance is **GRANTED**.

5. Other Business: Allison Hardin:

- Order for VAR-2025-0022 Worldwide Premier
- Rules of Procedure : Draft of new rules provided [see attached redline draft]
Training Postponed to May meeting to allow attorney Ginny Merck-Dupont to attend.

6. Adjournment:

With there being no further business, M. Boland moved to adjourn; motion seconded by A. Fender. The motion was approved by unanimous consent. **Adjourned at 6:38 PM** .

SIGN IN ONLY IF YOU WISH TO SPEAK

Lancaster County



South Carolina



BOARD OF ZONING APPEALS Public Hearing Sign In Sheet

Item 4a: VAR-2025-0108 Bass

Application by Harold Bass on behalf of Evaristo Falcon Reyes and Karina Guerrero Hernandez for a Variance from UDO 1.4.7.B *Accessory Structures: Location* to allow for an alternate location for a garage due to lot constraints, at 254 Giles Lane (TM # 0002-00-008.01)

Council Chambers
101 N. Main Street, Lancaster South Carolina
Tuesday, March 4, 2025

Citizens are allowed 3 minutes per person to speak. Everyone speaking before The Board will be required to do so in a civil manner. The Board will not tolerate personal attacks on individual Board Members, County Staff or any person or group. Racial slurs will not be permitted. The Board's number one priority is to conduct business for the citizens of this county.

PLEASE PRINT

1.
2.
3.
4.

Connie M. Ussery
254 Giles Ln
Feb 25, 2025 at 1:03:40 PM
montybass@icloud.com

We have no septic records on file for this address.

Thank you,

Connie Ussery

Program Coordinator I

Division of Regional and Laboratory Operations

O: 803-285-7461

C: 803-830-2335

Connie.Ussery@des.sc.gov

DES.SC.gov



SC DEPARTMENT of
ENVIRONMENTAL
SERVICES

3/3/2025

Carlos Sanchez
Custom Grading LLC
2900 Eppington South Dr
Fort Mill, SC 29708
803 554 1902

Subject: Location of septic tank at 254 Giles Lane, Fort Mill, SC 29707

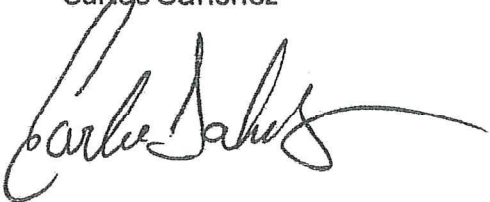
To whom it may concern:

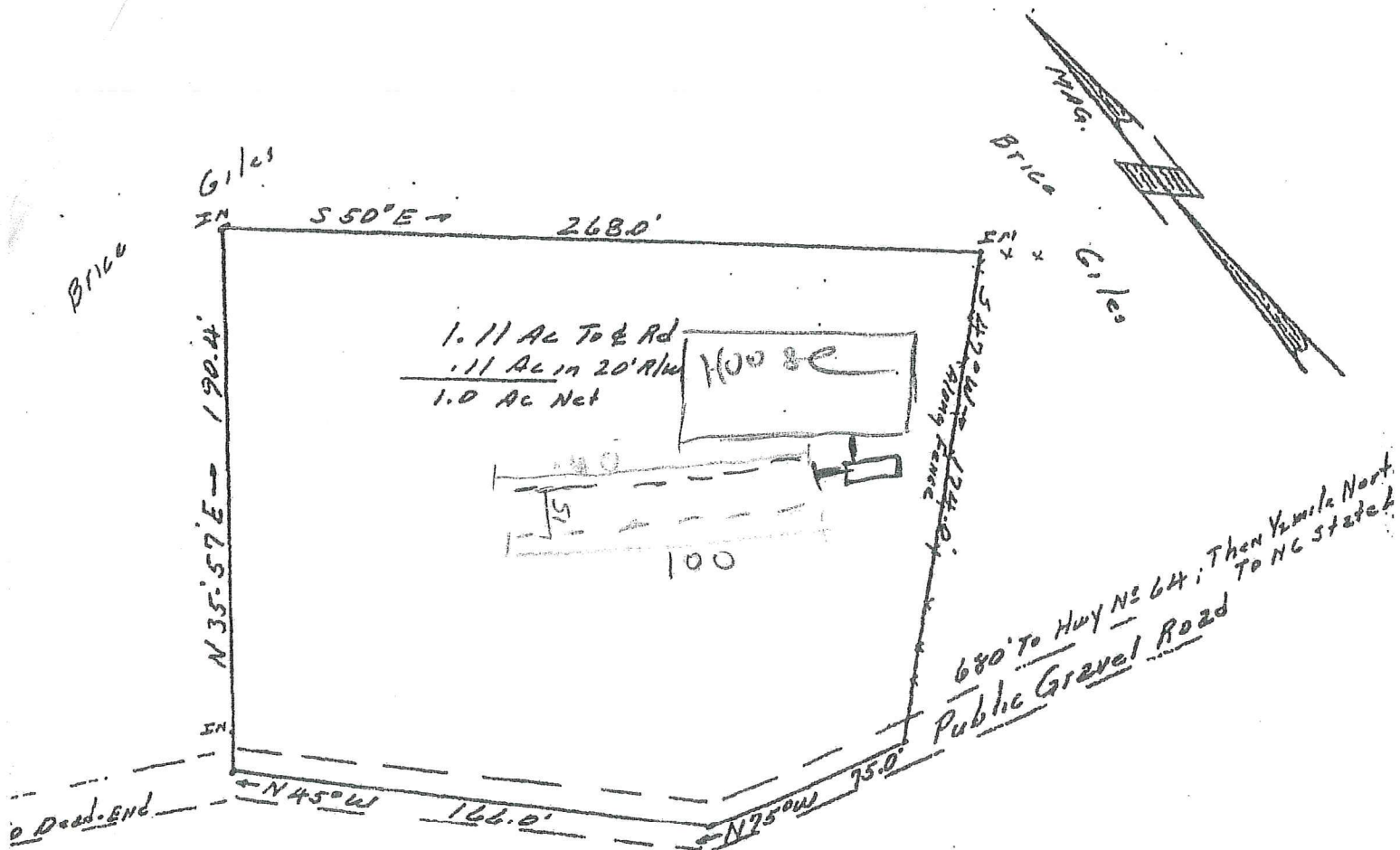
My name is Carlos Sanchez, and my company was grading the property on 254 Giles Lane, and we dug a little too deep and cracked the lid of the septic tank. To repair the damage we removed all of the dirt from the top of the tank and I could see the direction of the drainage trenches. The tank is in front of the home to the right side of the front door and the trenches run to the left side or west side of the yard.

If you have any more questions for me, please contact me at the phone number listed above.

Thank you for your attention to this matter,

Carlos Sanchez

A handwritten signature in black ink, appearing to read 'Carlos Sanchez', with a long, sweeping horizontal stroke extending to the right.



STATE OF SOUTH CAROLINA
COUNTY OF LANCASTER
PROPERTY TO BE CONVEYED TO

DAVID B. BLOOD and RUTH G. BLOOD

Located about 24 miles north of Lancaster, $\frac{1}{2}$ mile south of the N. C. State Line, on north side of a public gravel road running west from Paved Road No. 64. Being a portion of the lands conveyed to Brice E. Giles by deed recorded in Book B-6 at Page 944.

Scale: 1" = 60'

22 January 1982

Jack Smith
Jack Smith, RLS
100 Forest Drive
Lancaster, S. C.

FILED

1982 JAN -2- AM 10:49

Plat # 5499

CLERK OF COURT
LANCASTER COUNTY, S.C.

Contact List

Board of Zoning Appeals - Rules and Procedures

Article I Organization

Section 1. Rules. These rules and procedures for the Lancaster County Board of Zoning Appeals (hereafter "Board"), appointed by the Lancaster County Council, are adopted pursuant to South Carolina -C- (S.C.) Code Section § 6-29-790 and Chapter 9 Administration review procedures found in the most recent adopted version of the Lancaster County Unified Development Ordinance (UDO) ~~adopted-~~ November 28, 2016.

Section 2. Officers. The officers of the Board shall be a chair and vice-chair elected for one-year terms at the first meeting of the Board in June-July of each calendar fiscal year. The zoning administrator or ~~designee-designated staff member~~ shall serve as board secretary ~~of the Board.~~

Section 3, Chair. The chair shall be a member of the Board and has the power to:

- a) Call meetings of the Board to order;
- b) Preside at meetings and hearings;
- c) Act as spokesperson for the Board;
- d) Sign documents for the Board;
- e) Decide all points of procedure; and
- f) Perform other duties approved by the Board.

In addition to the powers outlined above, the Chair may make a motion, second a motion, and may vote on any issue before the Board.

Section 4. Vice-Chair. The vice-chair shall exercise the duties of the chair in the absence, disability, or disqualification of the chair. In the absence of the chair and vice-chair, an acting chair shall be elected by the members present.

Section 5. Secretary. The secretary shall:

- a) ~~Shall be~~ Be a staff member assigned by the Zoning Administrator, the Development Services Director, or their designee;
- b) Provide and publish all required notice of meetings and hearings in accordance with requirements in the UDO and SC State Code Section § 30-4-80 (Freedom of Information Act, also called "FOIA");
- c) See that all required signage for a property is properly posted;
- d) Prepare written meeting agenda and meeting scripts with assistance from the Zoning Administrator or designee
- e) Swear-in participants and witnesses;
- f) Collect and index relevant evidence presented during meetings and hearings;

- g) Keep digital recordings and written minutes of meetings and hearings in accordance with requirements of the UDO and SC State Code Section § 30-1-10 (Public Records Act);
- h) Serve written Board decisions to all affected parties by certified mail, return receipt requested;
 - ~~1. Transmit Board meeting minutes and records to the office of the Administrator of Lancaster County for filing as public records;~~
- i) Post approved minutes to the Lancaster County web site.
- ~~i)j) Attend to~~Receive and distribute Board correspondence;
- ~~j)k)~~ Perform other duties normally carried out by a secretary.

Article II Meetings

Section 1. Time and Place. Regular meetings shall be held on the ~~second-first~~ Tuesday of each month at ~~6:30~~6:00 p.m. in County Council Chambers. The annual regular meeting schedule for the coming year shall be posted in December on the County's ~~Website~~website. Revisions and adjustments to regular meeting dates can be approved by a majority vote of the Board at least thirty (30) days prior to any scheduled meeting date. Special meetings may be called by the chair or by a majority vote of the Board. Public notice of all meetings of the Board shall be provided to the news media and posted according to prevailing County practices found in the Unified Development Ordinance.

When there are no cases to be heard and the agenda is limited to review and approval of any set of minutes, discussion items, and/or a workshop, the Board may choose to meet electronically via online digital meeting platforms, following County procedures. The meetings must follow the normal notification and recordkeeping procedures and the public must have access to the meeting. All
~~of All the comments, motions, and votes of the members attending electronically or via telephone must be capable of being digitally recorded to be noted in the minutes of the meeting. All voting shall be done by roll call voting.~~

Section 2. Agenda. Any Board member may place an item on the next Board agenda by sending a written or electronic description of the matter to the chair and the secretary at least six days in advance of that meeting, but not after public notification and posting of a Board meeting. A written agenda for a meeting shall be furnished by the secretary to the members of the Board at least five days in advance of any meeting. The final written agenda shall be published and posted on a bulletin board in the Board meeting place (and on the County website) on the Friday evening before the meeting, or at least twenty- four hours in advance of any regular or special meeting. (S.C. Code § 30-4-80).

The agenda for the meeting shall not be amended once published, except in compliance with the Freedom of Information Act, Chapter 4 of Title 30, or any other provision of the S.C. Code of Laws. Once a Board meeting has begun, the agenda may be amended upon two-thirds vote of the Board members present and voting and in compliance with the Freedom of Information Act, Chapter 4 of Title 30, or other provision of the S.C. Code of Laws.

Section 3. Voting A member must be present to vote. For matters pertaining to an appeal or hearing on an application, the member must have been present at the hearing where any evidence, testimony or arguments on the matter were heard by the Board. Each member present for the hearing on the matter being voted upon shall vote unless recusing or disqualified by law (including, but not limited to, County ethics ordinances and S.C. Code § 8-13-700, Ethics). Disqualification shall be decided by the member affected. The member shall furnish a statement of the reason for recusal or disqualification to the secretary and presiding officer. The presiding officer shall cause the statement to be printed in the minutes and shall require that the member be excused from any votes, deliberations, and other actions on the matter for which a recusal or disqualification exists.

Section 4. Quorum. A majority of the Board's members shall constitute a quorum. A quorum shall be present before any business is conducted other than rescheduling a meeting. To maintain the integrity of the Board and ~~insure~~ensure a quorum, members are expected to attend every meeting unless ~~and an~~ non-medical absence is declared at least thirty (30) days before the affected regular meeting, or a medical absence is notified to the secretary at the earliest possible time prior to the meeting start. Board members shall make an immediate notification of their unexpected, unavoidable meeting absence so Board member polling can be ~~made~~done to verify a meeting quorum and/or initiate other actions or make adjustments. ~~Also see section 9.1.5(B)(2) of the Unified Development Ordinance regarding a withdrawn Board member.~~

Section 5. Rules of Order. ~~Robert's~~Robert's Rules of Order Newly Revised, latest edition, shall govern the conduct of meetings except as otherwise provided by these Rules and Procedures.

Section 6. Cancellation, ~~7.~~ Other than the scheduled first meeting of the fiscal year where the board selects officers, whenever there are no appeals to be considered or other business to be transacted by the Board, the ~~secretary~~secretary shall notify each Board member of these cancellations as soon as it is known but not less than twenty-four (24) hours prior to the time of a regular meeting. When the first meeting of the fiscal year coincides with a holiday, the Board shall chose an alternative date to hold the first meeting of the fiscal year. This shall be done at one of the autumn meetings when the calendar of meetings is set by Board vote.

Section 7. Open to the Public. All meetings shall be open to the public, except that the Board may go into executive session in accordance with the provisions of the Code of Laws of South Carolina and the ordinances of ~~the Lancaster~~Lancaster County.

Article III Application Prehearing Procedure

Section 1. Form. Appeals from administrative decisions, applications for variances, and applications for special exceptions shall be filed on approved forms provided to applicants by the Planning and Zoning Office. The Board may require additional information deemed necessary. The failure to submit a completed application and required documentation ~~necessa~~lly-necessary for the Board to address the matter may be grounds for dismissal. An application filed by an agent shall be accompanied by written designation of the agent and signed by the applicant or party in interest.

Section 2. Calendar and Docket. Appeals and applications shall be marked with the date of receipt, and placed on the docket in the order in which received. Appeals shall be heard in the order on the calendar unless otherwise set by the Board for good cause shown. Forms shall be numbered serially, begin anew on January of each year and shall be hyphenated with the number of the year in which the appeal is filed.

Section 3. Time for Application/AppealsTime of Hearing. All completed appeal or hearing applications must be filed within thirty (30) days after the actual written notice of a decision per SC state Code § 6-29-800(B) and Administration regulations in the Lancaster County UDO. A deadline of thirty (30) days before the next regular scheduled Board meeting is set to receive applications or appeals unless a different date is specifically set for such hearing by the Board. Appeals and applications are received by the Board secretary, who shall notify the official appealed from. The official from whom appeal is taken must immediately transmit to the Board all the papers constituting the record upon which the action appealed from was taken.

Section 4. Withdrawal of Appeal or Application. An appeal or application may be withdrawn by written notice delivered to the secretary prior to action by the Board. Withdrawn applications for variances and special exceptions may be re-filed after six (6) months and shall be placed on the calendar according to the date re-filed. An appeal from an administrative decision that is withdrawn may not be refiled after the thirty (30) day time period for appeal has expired.

Section 5. Continuances and Deferrals. The Board may continue or defer an application for good cause ~~shown~~ upon its own motion or at the request of any applicant. An applicant's request for deferral made prior to the meeting must be in written ~~signed document~~ communication by the applicant or agent listing the specific reasons for a deferral. An applicant's request for continuance or deferral made during a hearing may be made verbally and will be noted in the minutes. A continuance or deferral will be heard at the next regularly scheduled meeting and one only one such deferral or continuance will be allowed.

Section 6. Notice. Public notice of a hearing of the Board shall be published in a local newspaper, posted in the County Administrative Building, on the County's website and via the County's social media outlets, ~~on or adjacent to the property affected~~ at least fifteen (15) days prior to the hearing. Parties in interest shall also be sent notice of the hearing. In cases involving special exceptions or variances, conspicuous notice shall be posted on or adjacent to the subject property and visible to each public thoroughfare abutting the property, per S.C. Code § 6-29-790(D) and Lancaster County UDO requirements.

Requesting persons and media on file with the ~~Clerk of Council~~ Board secretary will receive at least a twenty-four (24) hours notification. Meeting ~~Initial meeting~~ agenda and information packet will be mailed to Board members at least seven (7) ~~day~~ days before a scheduled meeting. In addition to any other matters required by law, the notice shall contain a description of each matter to be heard and identify the applicant and property affected. ~~UDO Chapter 9 notice requirements will also be followed.~~ Additional notice requirements are found in the administrative section of the UDO.

Article IV Hearing Procedure

Section 1. Appearances. The applicant or any party in interest may appear in person, by agent or attorney. The Board may postpone or proceed with disposing of a matter on record before it on behalf of an applicant or appellant even in the event of their absence from the proceedings.

Section 2. Equal Consideration. The Board shall make every effort to afford equal treatment to all appearing before it as well as other Board members with all due respect. The Chairperson shall be addressed as Mr. Chairman, Madame Chair or "Chair [Last Name]." It shall be the standard to address all ~~males with the title "Mr."~~ and all ~~females with the title "Ms."~~ board members with the generic title of "Board Member" before their last name. All evidence presented to the Board shall be given due consideration when ~~weighting~~ weighing conclusions.

Section 3. Witnesses. Witnesses must present testimony under oath or affirmation. Witnesses may be ~~compelled~~compelled to attend by a subpoena, approved and signed by the Board chair, requested at least ten (10) days prior to a hearing. The Board may call its own witnesses when deemed appropriate, as provided in S.C. Code 6-29-800(D). Each witness shall state their name and address for the record.

Section 4. Cross examination. No party shall have the right to cross-examine witnesses; however, the opportunity to examine opposing witnesses may be granted when conducted in an orderly manner. ~~Intimidation~~Intimidation of witnesses will not be allowed. In case of contempt by a party, witness, or other person before the board of appeals, the board may certify this fact to the circuit court of the county in which the contempt occurs and the judge of the court, in open court or in chambers, after hearing, may impose a penalty as authorized by law as found in Contempt of the Board may certify this fact to circuit court pursuant to S.C. Code Section 6-29-810.

Section 5. Evidence. Relevant documents, photographs, maps, plans, drawings, etc., will be received in the record without authentication in the form of legible copies. Relevant testimony which is not cumulative or hearsay will be received, but the board cannot make critical findings of fact based solely on hearsay evidence. The chair will rule on all evidentiary matters. Evidence ~~will~~may be placed in the record with an objection noted if an objection arises.

Section 6. Conduct of Hearing.

a. The following statement and oath/affirmation shall be administered by the secretary.

"Would the (applicant)/(county representative) please step forward and state your name. Please raise your right hand. Do you -(name)- solemnly affirm that the testimony you are about to give is the truth and nothing but the truth?"

b. As a guideline, the order of hearing, subject to modification by the board, should be:

- i. Statement by staff, secretary or chair of matter to be heard, including a summary of the request;
- ii. Presentation by applicant (eight (8) minute limit);
- iii. Presentation by zoning staff (eight (8) minute limit);
- ~~iv.~~ Citizen comments~~Persons with standing comments~~ or presentation (four (4) minute limit per ~~opponents~~speaker);
- ~~iv-v.~~ Unsworn public comment when the Board deems it appropriate;
- ~~v-vi.~~ Rebuttal applicant or appellant (three (3) minute limit);
- ~~vi.~~ The above, prior to speaking, the chair may grant a request for a stated amount of addition time.Rebuttal by staff (three (3) minute limit).

c. All presenters after being recognized or called by the chair shall approach the podium; state their full name, address, phone number, and whom they represent.

d. ~~Chair~~The Chair shall call for ~~citizen's~~public comments. Upon being recognized by the chair, citizens shall approach the podium; state their full name, address and sign the appropriate sign-in sheet at the podium. The Chair will first ask for comments from citizens-citizens with standing (those adjacent to the property in question or directly impacted by the request) who will be sworn in. Citizens with general comments should be redirected to the unsworn public comment period at the end of the rebuttal period.

e. The Board may question participants at any point in the hearing. Matters in which additional time is granted may be moved to ~~end~~the end of the agenda. No person shall speak at a Board meeting unless invited to do so by the Board.

f. Modification of Procedure.

- i. The chair may modify the procedure of hearing.
- ii. Any Board member may move to modify the procedure or to overrule the chair's decision to modify the procedure. Both motions are debatable and require a majority vote in order to be adopted.
- iii. The intent of the rules is that the procedure at the hearing will reflect such concerns as fairness and the importance and complexity of the matter at issue. Therefore, modifications in procedure should be used where a change will substantially improve the decision process and should be made in terms of such concerns as the importance and complexity of the decision, repetition, agenda length and time spent as a result of questions from the Board, and fairness.

g. Following the conclusion of evidence presentation, the chair shall call for voting as outlined in the Administrative section of the UDO. The Board shall affirm (wholly or partly) or shall modify the order, requirement, decision, or determine or the determination appealed and shall make any order, requirement, decision or determination that in its opinion should be made in the matters brought before it. In the execution of its duties, the Board may subpoena witnesses in the case of contempt.

Section 7. Voting and Disposition. A Board member must be present to vote and shall vote on every question unless ~~member~~the member is recused or is otherwise disqualified. The Board may deliberate and make final disposition of a matter by

majority vote of members qualified to vote. In the case of a tie vote the motion fails. The vote may be taken at the same or a subsequent meeting. A member may not vote on a matter which they have not heard. Deliberating and voting shall be done in public. Where the Board authorizes any variation or imposes any condition with respect to an appeal or application, such variation and condition shall be specifically stated in the motion.

Section 8. Adjournments. When all appeals and applications cannot be disposed of on a set day, the Board may adjourn and set a continuance date of the meeting with further notice not required.

Section 9. Form of Order. All final decisions and orders of the board must be in writing and be permanently filed in the office of the board as a public record. The Board has all powers of the official from whom the appeal was taken and may issue or direct the issuance of a permit, as stated in S.C. Code § 6-29-800(E). A written order must be issued disposing of the matter and may reverse or affirm, wholly or in part, or may modify the official's order, requirements, decision, or determination. A matter may be dismissed for lack of jurisdiction or prosecution. Findings of fact and conclusions of law shall be separately stated in the written order, per S.C. Code § 6-29-800(F). An order, signed by the chair or vice-chair, shall be issued disposing of a matter by granting or denying relief with such conditions as may be deemed necessary or by affirming, modifying, remanding, or reversing an administrative decision. A matter may be dismissed for lack of jurisdiction or prosecution. The final written decision must contain all the findings and conclusions and shall be stated in the document. The hearing transcript, record, and official minutes shall be considered as evidence and indications of findings and conclusions.

Section 10. Service of Order. -The secretary shall deliver a copy of an order to the applicant and each party in interest by certified mail within ten (10) calendar days after the decision of the Board is rendered and confirmed by approval of the minutes of the relevant meeting.

Section 11. Appeal. Appeals from the Board may be made to circuit court pursuant to S.C. Code of Laws Annotated Section 6-29-820, which provides:

"A person who may have a substantial interest in any decision of the Board of appeals or an officer or agent of the appropriate governing authority may appeal from a decision of the Board to circuit court in and for the county by filing with the clerk a petition in writing setting forth plainly, fully, and distinctly why the decision is contrary to law. The appeal must be filed thirty days after the decision of the Board is mailed. "

Section 12. Rehearing. Requests for rehearing may be filed within fifteen (15) days after delivery of the order. The request shall be delivered to the ~~Zoning Administrator~~secretary in writing, setting forth plainly, fully, and distinctly why the decision of the Board is in error, and setting forth the new evidence or evidence of a clerical error or mutual mistake of fact affecting the outcome. Unless the Zoning Administrator finds that the submitted and substantial new evidence could not reasonably have been presented at the previous hearing, or upon a finding of fraud,

misrepresentation or other misconduct of a party, no request for a rehearing will be granted within twelve (12) months of a denial by the Board shall be entertained.

~~Numerous-Repeated~~ requests for ~~rehearing~~a rehearing without new information shall be denied. Once the request for rehearing is placed on the agenda, the party requesting the rehearing shall be notified to appear before the Board and the case shall be put on the calendar for a hearing. Rehearing shall be subject to the same notice as original hearings.

Article V Conduct and Communication

Section 1. Conduct. Board members shall avoid all situations, communications and circumstances that may lead to a bias or prejudice opinion upon matters presented to the Board. Also, Board members shall not issue individual opinions regarding matters to be considered by the Board prior to the hearing and until the effective date of the final decision.

Section 2. Contact. Any contact and communication with applicants, other parties of interest or opponents of any matter to come before the Board shall be reported to the chair. ~~It shall~~It shall be the duty of each Board member to conduct themselves to discourage such contact and/or communication.

Article VI Records

Section 1. Minutes. The secretary or designee shall record all meetings and hearings of the Board electronically which shall be preserved in accordance with the records retention schedules as publicized by the South Carolina Department of Archives and History and as adopted by Lancaster County. The secretary or designee shall prepare minutes of each meeting for approval by the Board at the next regular meeting. Minutes shall be maintained as public records and will contain the following:-

- a. The date, time, and place of the meeting.
- b. The members of the Board recorded as either present or absent and any reason for absence given by a member.
- c. The file number and description of each hearing topic, and the votes taken for each.
- a.d. Any other information required under FOIA regulations.

Section 2. Orders and Documents. The secretary or designee shall assist in the preparation and service of all orders of the Board in appropriate form. Copies of all notices, correspondence, documentary evidence, orders and forms shall be maintained as public records in accordance with S.C. Code 30-1-10, et seq.

Article VII Amendment and Adoption

Section 1. Adoption. These rules and procedures are adopted the members of the Board at a regular public meeting on _____. These rules and procedures may be amended at any regular meeting or at any special meeting of the Board by majority vote of the members of the Board at least seven calendar days after a written copy of the proposed amendment is delivered to all members of the Board.

ADOPTED by a majority vote of the Board of Zoning Appeals, at a duly called meeting, this ____ day of _____, 20__.

Signed: _____

Chairperson, Board of Zoning Appeals

Witness: _____

Secretary, Board of Zoning Appeals