

**MINUTES  
MEETING OF THE  
ZONING BOARD OF APPEALS**

**Tuesday, January 26, 2017  
6:00 P.M.**

**Town Council Chambers  
157 NW Columbia Ave, Chapin**

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**Members Present:** Chairman Jerry Shealy, Crystal Campbell, and Frank Mock

**Members Absent:** Mike Sorrells and Walt Shealy

**Staff Present:** Zoning Administrator Chris Clauson and Town Clerk Julie Hammond

**Guest:** Trey Harrell

**Call to Order:** 6:01 p.m.

**Approval of Minutes:** Member Mock moved to approve the Zoning Board of Appeals (ZBA) Minutes of August 16, 2016 as presented. Member Campbell seconded the motion. All were in favor, motion carried.

**Variance Request from Harrell, Martin, and Peace for Setback Requirements to Install a Sign:** The ZBA reviewed a Notice of Appeals Application “Exhibit A” requesting a variance from setback requirements to install a sign within five feet of the property line located at 118 Columbia Ave for Harrell, Martin, and Peace.

Administrator Clauson presented the variance request explaining that Mr. Harrell has had a sign installed at this location since 1996, however the last tenant to vacate the building cut down the previous sign when leaving. The applicant then requested to install a replacement sign in its place. The first post was positioned approximately 22 feet from the centerline of the road. As Columbia Avenue has a minimum of a 50-foot right-of-way the first post should be positioned at least 25 feet from centerline to be on the applicant’s property and 30 feet from centerline to be in compliance with section 904.B of the Town Sign Ordinance. Since the nonconforming sign was removed the new sign will need to be positioned at least 30 feet from the centerline without a variance. With a variance it would only allow it to be positioned 25 feet from centerline. The previous post located at 22 feet from centerline would not be allowed unless an encroachment permit were acquired from South Carolina Department of Transportation (SCDOT) along with the variance.

He stated that the Variance Application “Exhibit B” met the four-part test of a variance which requires proof of hardship:

- 1) There are extraordinary and exceptional conditions pertaining to the particular piece of property;
- 2) These conditions do not generally apply to other property in the vicinity;
- 3) Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and

- 4) The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the granting of the variance will not harm the character of the district.

Administrator Clauson recommended approval of the variance request, with modifications for the sign to be moved back to no closer than 25 feet from centerline, based upon the facts that the requirements of the state-mandated four-part test have been met; there is a hardship in this case.

The ZBA discussed distances between the edge of the right-of-way and the driveway. Chairman Shealy entertained a motion. Member Mock moved to accept Variance Request #01092017 as presented. Member Campbell seconded the motion. All were in favor, motion carried.

**Adjournment:** Member Campbell moved to adjourn the ZBA meeting. Member Mock seconded the motion. All were in favor, motion carried. Meeting adjourned at 6:11 p.m.

ZBA APPROVED: September 28, 2017