

**BOARD OF ZONING APPEALS  
MEETING MINUTES**

**Thursday, June 23, 2022  
6:00 P.M.**

**Town Hall  
157 NW Columbia Ave, Chapin**

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**Members Present:** Chair Rosie Husbands, Vice Chair John Cybart, Member Margo Seddon, Member Brian Harbison, Member Pat Lewandowski

**Staff Present:** Planning and Zoning Manager Reid Radtke, Town Clerk Shannon Bowers

**Guests:** Frank Dougherty and Tripp Bradley – Cason Development

**Call to Order:** Chair Husbands called the meeting to order at 4:00 p.m., determined a quorum and acknowledged the appropriate notifications in compliance with the SC Freedom of Information Act had been met.

**Approval of Minutes:** Member Harbison moved to accept the December 19, 2024 meeting minutes as submitted. Member Lewandowski seconded the motion. Motion passed unanimously.

Chair Rosie Husbands:	Yes
Vice Chair John Cybart:	Yes
Member Pat Lewandowski:	Yes
Member Margo Seddon:	Yes
Member Brian Harbison:	Yes

**Action Items**

**Variance Request for variance for appeal no. 25-02-04-001 for property located at TMS# 000721-02-024:** The Board of Zoning Appeals (BZA) reviewed a Notice of Appeal - Form 1 and Variance Application – Form 3 from Cason Development requesting a variance from the Architectural District Standards in Article 4, section 4.5.3.b and Article 6, section 6.11.3.c.7.a of the Unified Zoning and Development Ordinance (UDOO) for the construction of a drive-through ATM for a bank at the property located at TMS# 000721-02-024.

Mr. Radtke explained that 6.11.3.c.7.a prohibits drive-throughs in the Village Commercial Zoning district, and 4.5.3.b requires that ATM's shall be located within or on the exterior façade of the principal use. For pedestrian accessible machines, it is encouraged to place adjacent to existing sidewalk connection. He stated that the intent of the code was to limit high-service type drive through, and the layout of the site will not impact traffic congestion as it is contained within the Publix shopping center. He noted this variance is being requested because the applicant wants to put the ATM detached from the building, in the same manner as an existing ATM in the same shopping center.

The applicants of the variance, Frank Dougherty and Tripp Bradley with Cason Development, explained that they have been working closely with the town staff for the past eight months to get the design where it is. They are asking for a variance to the UDO to allow for a drive-through ATM that is away from the building. They have designed it to be in line with the existing Bank of America ATM in the same shopping center, and the principal building is oriented to Lexington Avenue. They further explained this would not generate any other traffic issues, as the access would be internal to the development, and is only opened from 9 a.m. to 5 p.m. daily, and closed on weekends.

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There were no public comments.

After consideration of the evidence and arguments presented, the Board makes the following findings of fact and conclusions:

*The Board concludes that:*

- 1) Applicant does have an unnecessary hardship because there are extraordinary and exceptional conditions pertaining to the particular piece of property. Property constraints as no access is available from Lexington Avenue and placement of building drive-thru/teller ATM would allow more visibility from Chapin Road.
- 2) These conditions do not generally apply to other property in the vicinity. Other properties in the district does not have frontage on Chapin Road with restrictions that make it difficult for the layout of the building on the parcel.
- 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. Due to the layout of the parcel and orientation of proposes site plan, building would not be visible from Chapin Road and use of an ATM would be impacted.
- 4) The authorization of the 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. The placement of the proposed drive-through ATM will not impact adjacent properties as it is internal to the shopping center and the proposed site plan, and will be consistent with the character of the surrounding properties.
- 5) The effect of the variance would allow the establishment of a use not otherwise permitted in the zoning district; would not extend physically a nonconforming use of the land; and would not change the zoning district boundaries shown on the official zoning map. The proposed placement of the drive-through ATM would allow for the drive-through element as an existing drive-through ATM exists in the same shopping center. This would not extend a non-conforming use of the property and will not change the zoning district.

The board then concluded that the variance was granted, subject to the regulations set in the UDO.

**Chair/Vice Chair Elections:** Member Seddon moved to nominate Rosie Husbands as the Chair. Member Harbison seconded the motion. Motion to approve passed unanimously.

Vice Chair John Cybart: Yes  
Member Pat Lewandowski: Yes  
Member Margo Seddon: Yes  
Member Brian Harbison: Yes

Member Harbison moved to nominate John Cybart as the Vice Chair. Member Lewandowski seconded the motion. Motion to approve passed unanimously.

Chair Rosie Husbands: Yes  
Member Pat Lewandowski: Yes  
Member Margo Seddon: Yes  
Member Brian Harbison: Yes

**Staff Updates:** Mr. Radtke gave the BZA an update on the SCDOT project and the S-48 widening of Columbia Avenue and other development updates.

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**Adjournment:** Member Cybart made the motion to adjourn the meeting. Member Seddon seconded the motion. Meeting adjourned at 4:39 p.m.

BZA APPROVED: \_\_\_\_\_

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Rosie Husbands, BZA Chairman

ATTEST:

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Shannon Bowers, Municipal Clerk

DRAFT