

**BOARD OF ZONING APPEALS
MEETING MINUTES**

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

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

Members Present: Chair Walt Shealy, Vice Chair Yvonne Hudson, Margo Seddon, and John Cybart

Members Absent: Member Pat Lewandowski

Staff Present: Zoning Administrator (ZA) Kevin Singletary, Town Clerk Shannon Bowers

Guests: Joe and Marie Keeton.

Call to Order: Chair Shealy called the meeting to order at 6:05 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 Sesson moved to accept the Board of Zoning Appeals (BZA) meeting minutes of January 20, 2022 as submitted. Member Cybart seconded the motion. Motion passed unanimously.

Chair Walt Shealy: Yes

Member John Cybart: Yes

Vice Chair Yvonne Hudson: Yes

Member Margo Seddon: Yes

New Business

Variance Request for variance for appeal no. 22-05-24-001 for property located at 113 Virginia Street: The ZBA reviewed a Notice of Appeal - Form 1 and Variance Application – Form 3 from Joe and Marie Keeton requesting a variance from the Architectural District Standards in 1009.1, 1A, 1G, 2A, and 11A of the zoning ordinances for the construction of a new spa and salon at the property located at 113 Virginia Street.

ZA Singletary explained that this property, unlike other properties in the Town Center overlay district, has several significant trees that would need to be preserved. Per the application, this property is historic in nature, as the current structure is on the National Historic Registry. To develop the property as required, the zoning regulations would prohibit the utilization of the unique factors of the property, per the applicant. Adjacent properties do not share these conditions and such conditions provide an historical and aesthetic value to the Town. The granting of the variance would not be detrimental to adjacent properties. Staff believes this case to be a hardship as stated by ZA Singletary and staff recommends granting the variance.

The applicant, Marie Keeton, spoke to the current property. The Robinson-Hiller House is currently on the National Historic Registry. They have plans, once the new building for the spa is constructed, to turn the current house into a bed and breakfast. This would make the businesses there a premier destination retreat in the center of town. Their plans include constructing the new building to be as close to the existing building aesthetically as possible.

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. The property has a historic and cultural value (as cited in the Chain Comprehensive Plan 2021 Figure 4.3, page 72) to the town of Chapin since it is listed as one of 2 historically significant resources. The property's historic value lies in its significant architecture, historical usage and several significant old trees located on the property.
- 2) These conditions do not generally apply to other property in the vicinity. There are no other nationally recognized historic properties or properties with historical trees located adjacent or in close proximity to the property being discussed.
- 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. If the proposed new building were to be placed 10 feet from the road (Architectural Standard 2A) it would require the destruction of identified significant trees and would also prohibit the visualization of additional significant trees located on the property. This standard would also take away from the existing historical structure on the property.
- 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 building will complement the Robinson Hiller House by not being placed in front of or in an overpowering position AND it will result in the preservation of the most historic trees and green space. The use of complimentary architecture (Architectural Standard 1D, 11A) and complimentary building materials will provide a "unified architectural design" (1D).
- 5) The effect of the variance would not 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 building and materials used will not change the boundaries or use of land in any way. The proposed use for the property is currently a permitted use in the General Commercial zoning district and does not create any changes to the zoning.

Vice Chair Hudson moved to approve the variance request as presented. Member Cybart seconded the motion. Motion passed unanimously. Variance request was approved.

Chairman Walt Shealy: Yes

Member Margo Seddon: Yes

Vice Chair Yvonne Hudson: Yes

Member John Cybart: Yes

Open Time for Staff and BZA: ZA Singletary informed the BZA that an introductory meeting with MRB Group is scheduled to begin the process for the unified development ordinance. The Planning Commission (PC) will act as the steering committee, and may solicit input from the BZA when the time comes for that update. This process will rewrite and combine the Town's zoning ordinances and subdivision regulations.

ZA Singletary also noted that there is a current opening on the PC. If any member of the BZA would be interested in serving on that board, they could contact ZA Singletary directly.

Adjournment: Member Cybart made the motion to adjourn the meeting. Member Seddon seconded the motion. Meeting adjourned at 6:25 p.m.

BZA APPROVED: _____

Walt Shealy, BZA Chairman

ATTEST:

Shannon Bowers, Town Clerk

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