

**BOARD OF ZONING APPEALS
MEETING MINUTES**

**Thursday, September 23, 2021
6:00 P.M.**

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

Members Present: Member Walt Shealy, Member Jesse Bray, Member Brad Grooms

Members Absent:

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

Guests: Mr. Robert Barber

Call to Order: Town Clerk Bowers called the meeting to order at 6:02 p.m., determined there was a quorum.

With the resignation of Chair Frank Mock and Vice Chair Steve Wall, nominations were held to elect a Chair for the remainder of the 2021 meeting calendar. Member Grooms nominated Jesse Bray. Town Clerk Bowers called for a vote electing Member Bray as the Chair. All in favor motion carried.

Chair Bray acknowledged the appropriate notifications in compliance with the SC Freedom of Information Act had been met.

Approval of Minutes: Member Grooms moved to accept the Board of Zoning Appeals (BZA) meeting minutes of September 2, 2021 as submitted. Member Shealy seconded the motion. All were in favor, motion carried.

New Business

Variance Request for variance for appeal no. 21-08-20-001 for property located at 104 Glenwood Drive: The ZBA reviewed a Notice of Appeal - Form 1 and Variance Application – Form 3 from Mr. Robert Barber requesting a variance from the Parking Requirements in Section 803 (a) of the Chapin Zoning Ordinance for property located at 104 Glenwood Drive.

ZA Singletary explained, in the absence of the applicant, this variance request to keep an RV in the driveway, located off the side yard at 104 Glenwood Drive. Section 803 (a) states no mobile recreational equipment or vehicle shall be parked or stored on any lot in a residential district for more than twenty-four (24) hours, other than in a carport, enclosed building, or rear yard. Mr. Barber's application cited being a wounded combat veteran, topography of the rear yard, and that the property is designed to be handicap accessible as reasons for the unnecessary hardship case. Staff's recommendation is to deny the variance request as staff does not believe this to be a hardship case as not all criteria for a hardship have been met.

Public Comments: Mr. Michael Cameron, a resident at 103 Glenwood Dr., spoke for zoning ordinance enforcement. He stated he was in violation of the same ordinance and once he was made aware, he remedied the situation. His suggestion to the BZA was for everyone living in town limits to feel like these types of requests be given a chance to comply. He only wanted everyone to be treated fairly.

Comments by the Zoning Board of Appeals: The Board requested a clarification of the zoning ordinance from the ZA.

Mr. Robert Barber joined the meeting at 6:19 p.m. Chair Bray allowed Mr. Barber to speak to his application request. He reiterated the point that the house was built to be handicap accessible and there was not much room to park RV in the rear yard due to topography.

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 not have an unnecessary hardship because there are extraordinary and exceptional conditions pertaining to the particular piece of property.
- 2) These conditions do 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 not effectively prohibit or unreasonably restrict the utilization of 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 be harmed by the granting of the variance.
- 5) The effect of the variance would not be to allow the establishment of a use not otherwise permitted in the zoning district, based on Section 803 (a) of the ordinance; would extend physically a nonconforming use of the land; and would not change the zoning district boundaries shown on the official zoning map.

Member Shealy made the motion to deny the variance request. Member Grooms seconded the motion. All in favor, motion carried. Variance request was denied.

Chairman Bray: Yes

Member Grooms: Yes

Member Shealy: Yes

Open Time for Staff and BZA: ZA Singletary informed the BZA that with the resignation of Frank Mock and Steve Wall, openings for the two BZA positions will be advertised and recommended to Council as soon as possible.

Adjournment: Chair Bray made the motion to adjourn the meeting. Member Shealy seconded the motion. Meeting adjourned at 6:45 p.m.

BZA APPROVED: _____

Jesse Bray, BZA Chairman

ATTEST:

Shannon Bowers, Town Clerk