

ZONING BOARD OF APPEALS MINUTES MEETING

Thursday, April 25, 2019
6:00 P.M.

Town Council Chambers
157 NW Columbia Ave, Chapin

Members Present: Members Brad Grooms, Frank Mock, and Steve Wall

Members Absent: Members Jesse Bray and Walt Shealy

Staff Present: Town Clerk Julie Hammond

Guests: Jaime Bohnke, John Thomason, JJ Casey, and Kay Hollis

Call to Order: Member Mock called the meeting to order at 6:00 p.m. and determined there was a quorum. The appropriate notifications in compliance with the SC Freedom of Information Act had been met. Chairman Jerry Shealy resigned in March because of his appointment to the Chapin Planning Commission (a member cannot serve on two boards).

Election of Chairman: Member Wall moved to nominate Member Mock to serve as the Chairman of the Zoning Board of Appeals. Member Grooms seconded the motion. All were in favor, motion carried.

Election of Vice Chairman: Member Grooms moved to nominate Member Wall to serve as the Vice Chairman of the Zoning Board of Appeals. Chairman Mock seconded the motion. All were in favor, motion carried.

Approval of Minutes: Vice Chairman Wall moved to accept the Zoning Board of Appeals (ZBA) meeting minutes of January 29, 2019 as written. Member Grooms seconded the motion. All were in favor, motion carried.

Old Business

None

New Business

Variance Request from Jaime Bohnke, Bohnkers LLC, from the General Sign Requirements in Section 903 of Chapin Zoning Ordinance for Property at 1200 Chapin Rd: The ZBA reviewed a Notice of Appeal - Form 1 "Exhibit A" and Variance Application – Form 3 "Exhibit B" requesting a variance from the General Sign Requirements in Section 903 of the Chapin Zoning Ordinance for property located at 1200 Chapin Rd.

Jaime Bohnke explained the challenges of restoring the property at 1200 Chapin Rd and her motto of "Times Change – But Values Don't." Early on in this process she was advised not to remove the existing sign until she was ready to replace it, with the understanding that it would be grandfathered in.

Dr. Bohnke felt it was important to keep the existing pole and eliminate inefficiencies combined with new advertising to maintain the look, the feel, and the history of the building. The LED portion of the sign was an upgrade from the original message board (advertising the daily/weekly special could be changed electronically instead of manually). Her presentation included pictures of the old logo S&S (Shealy & Slice) and the new logo Destination S&S (Sweets & Sandwiches).

Dr. Bohnke briefed the ZBA on the extraordinary and exceptional conditions of this corner property:

1. Limited opportunity to erect a sign;
2. No other pole signs (tied to a building in Historical District);
3. Inhibit and disappoint restoration;
4. Keeping character of the Historical District with its history.

ZBA Members reviewed the Staff Report “Exhibit C” provided by the former Director of Planning & Zoning which indicated the following:

The applicant is requesting a variance from restrictions in Article 9 of the Chapin Zoning Ordinance prohibiting the use of *Pole Signs* (**901.H**) and an *8-foot maximum height* limitation (**903.3**).

- 1) There are extraordinary and exceptional conditions pertaining to the particular piece of property.*

The existing building on this site is currently included as one of the 10 structures seeking a historical designation. The sign, not being viewed as an historic object on its own, is not part of that historical consideration. The sign does, however, lend itself to the more recent past going back nearly 40 years on this site and original to another Chapin Rd. establishment. This building is located on a narrow lot between Chapin Rd. and a CSX Railroad right-of-way. There are minimal area and vantage points to erect a sign under the current guidelines that would enable full visibility at key angles allowing adequate advertising for business.

- 2) These conditions do not generally apply to other property in the vicinity.*

These exact conditions do not apply to other properties within the Town of Chapin. There are no other Chapin Pole signs in use like this one or any signs trying to be replaced/renovated for preservation purposes exactly like this one. The combination of the sign’s relationship to the building, noted previous uses, small lot availability, and the investments already made to beautify and restore the existing structures at this site makes this unique and special.

- 3) Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unusually restrict the utilization of the property.*

Denying this variance would unreasonably inhibit the restoration and preservation plans from being as accurate as possible. Denying this variance may unreasonably inhibit the

ability to advertise the business in the most effective way. Denying this variance will unreasonably increase costs to this small family owned business.

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

The owner has a long history running a business in Chapin and has always put the Chapin infrastructure, other small business and Chapin’s own best interest first. The character of the district with its history, will be enhanced by this sign’s originality, class, and functionality through valuing and preserving the past form of advertising on this high-profile corner. The design is vintage in nature or *a sight to be seen*, not a detriment to neighboring businesses.

Former Planning & Zoning Director Powell gave the following recommendation:

Staff recommends approval of this request in whole or in part. Although this sign is out of keeping with current codes, it is in keeping with Chapin’s past and several, previous iterations of business advertising at this site. This is nearly the last sign of its type along Chapin Rd. and will be the first in quite some time to return to an appealing, functional form. It is not being requested to deem this sign as historical in nature as the building itself. It is the owners desire to provide an optimal sign location for the new business and recollect the district’s past in an appropriate and appealing manner.

Public Comments: John Thomason, Chapin Historical Association (CHA), was in favor of the variance request. He explained the building located at 1200 Chapin Rd was included in a grouping of contributing buildings for the Chapin Historical District Nomination which is scheduled to be presented on July 26, 2019 to the State Board of Review at the South Carolina Department of Archives and History (SCDAH) and accepted by the National Register six weeks later.

Mr. Thomason noted Dr. Bohnke’s preservation and enhancement of the structure including incorporation of the existing pole and updated signage. He stated “The CHA strongly endorses her Variance Application for new caboose signage.”

Comments by Town Zoning Board of Appeals: Member Grooms questioned the LED portion of the sign and how the Town’s Zoning Ordinance applies to it.

Chairman Mock indicated it would be a variance to the ordinance and inquired to the amount of light the sign would generate/put out.

Dr. Bohnke couldn’t site specifics but indicated it would not be the brightest thing on the corner, nor would there be any flashing or rolling (animation) of the sign. It would not be distracting or mistaken for a traffic sign, it would simply indicate the specials or congratulate community activity.

Vice Chairman Wall moved that the Zoning Board of Appeals approve VA-0319 subject to the findings of fact and conclusions. Chairman Mock seconded the motion. Sign Permit, Variance Request #03112019 was approved by a majority vote:

Chairman Frank Mock	Yes	Vice Chairman Steve Wall	Yes
Member Brad Grooms	Yes		

Adjournment: Meeting adjourned at 6:30 p.m.

ZBA APPROVED: May 23, 2019