

**BOARD OF ZONING APPEALS
CASE SUMMARY FOR
SPECIAL EXCEPTION**



NE/S Garners Ferry Road

January 8, 2019 at 10:00 A.M.
City Council Chambers, 1737 Main Street, 3rd Floor
Columbia, South Carolina

Case Number: 2018-0128-SE
Subject Property: NE/S Garners Ferry Road (TMS# 16315-02-02)
Zoning District: C-3 (General Commercial District)
Applicant: T. Kevin Connelly
Property Owner: Connelly Development, LLC
Summary Prepared: December 20, 2018

Requested Action: Special Exception to establish a multifamily development
Applicable Sections of Zoning Ordinance:
§17-258 Multifamily developments are permitted in the C-3 zoning district by special exception
§17-112 Standard criteria for special exceptions
Case History: N/A

Staff Comments: The applicant is requesting a special exception to establish a multifamily development. The subject property is undeveloped and consists of +/- 737,379 square feet of land and is located on Garners Ferry Road and Daphine Road.

Applicant intends to construct an apartment community of between 49-54 units within multiple three story structures and additional amenities. Applicant also states that there will be security cameras installed throughout the development in which local police will have 24-hour access. Parking requirements will be met on-site. Applicant provided an example of one of their other developments within the state.

Should the Board approve this request, the following items be conditions of approval:

- The applicant shall substantially conform to the application, submitted materials, and testimony before the board and shall conform to all relevant city development regulations;
- Developer will continue to work with staff pending decision and site plan approval.
- Following vacancy, abandonment, or discontinuance of this use for a period of 12 consecutive months, the special exception shall be considered completed and shall expire.

Any documents submitted by persons expressing support or concern about this application are attached hereto and made part of the record of the public hearing.

Zoning Map

Special Exception 2018-0128-SE

NE/S Garners Ferry Road
TMS# 16315-02-02



Department of Planning & Development Services

Legend

- RAILROADS
- CITY LIMITS
- FEMA FP

- | | | | |
|--|-------|--|---------------|
| | D-1 | | C-1 |
| | RS-1 | | C-2 |
| | RS-1A | | C-3 |
| | RS-1B | | C-3A |
| | RS-2 | | C-4 |
| | RS-3 | | C-5 |
| | RD | | M-1 |
| | RD-2 | | M-2 |
| | RG-1 | | PUD-C |
| | RG-1A | | PUD-LS |
| | RG-2 | | PUD-LS-E |
| | RG-3 | | PUD-LS-R |
| | UTD | | PUD-R |
| | MX-1 | | OUT OF CITY |
| | MX-2 | | DD DISTRICT |
| | | | DP DISTRICTS |
| | | | PD DISTRICT |
| | | | CC OVERLAY |
| | | | City Landmark |

1 inch = 412 feet

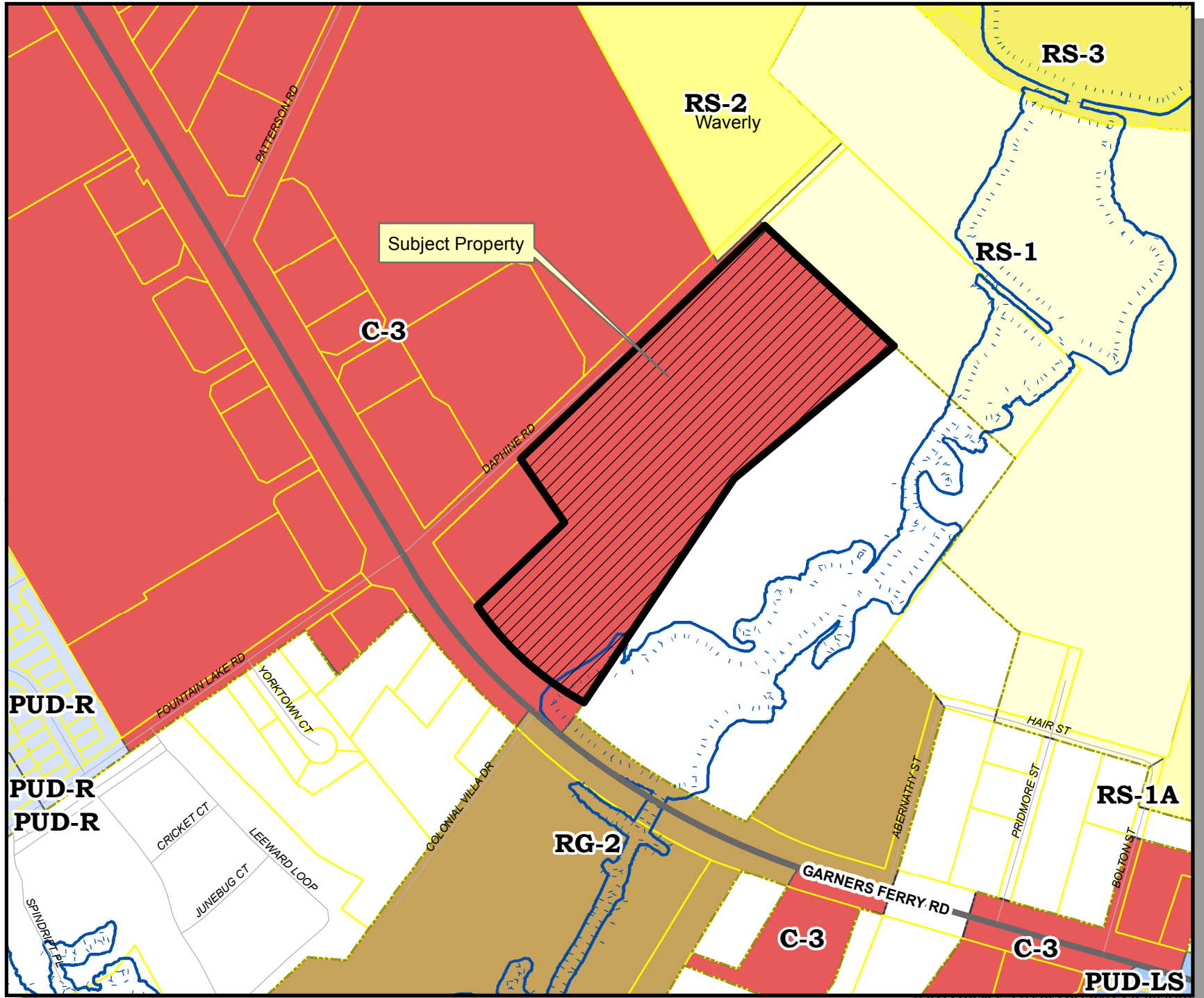
ORIGINAL PREPARATION/DATE:

This map was prepared by:

Hope Hasty
for
January 8, 2019
BoZA Meeting

DISCLAIMER:

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03/07/2011



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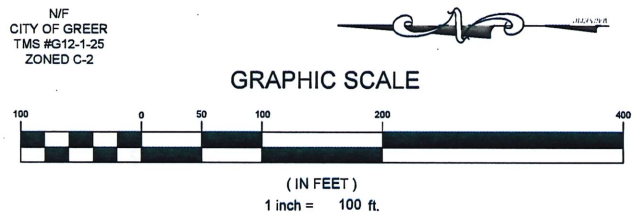
03/07/2011



EXAMPLE



Site Data	
TMS #:	G013000102203 (Portion)
Zoning:	DRD/ Design Review District
Site Area:	± 7.6 Acres
Units:	48 Units
Parking:	96 Spaces Required ±102 Spaces Proposed 5 Accessible Spaces Required 5 Accessible Spaces Proposed
Setbacks:	Front 30' Side 15' from Residential Zones Rear 20'



**CONNELLY
DEVELOPMENT
LLC**

Piedmont Pointe

Greer, South Carolina

**PARKS - PLAYER
ARCHITECTURE
& PLANNERS, LLC**

Date: 3-10-17

EXAMPLE



We Are Columbia

Office Use Only	Date Received: <u>12/12</u>	Case Number: <u>2018-0128</u>
	Staff Initial: <u>ES</u>	Invoice #: <u>00184019</u>

CITY OF COLUMBIA | ZONING DIVISION
 1136 Washington Street, 1st Floor | Columbia, SC 29201
 Office: 803-545-3333 | E-mail: zoning@columbiasc.net
www.columbiasc.net

SPECIAL EXCEPTION APPLICATION

CITY OF COLUMBIA

BOARD OF ZONING APPEALS

Property Information

Address of Subject Property: Daphne Road, Columbia, SC 29209
 Tax Map Number(s): R-16315-02-02 Zoning District: C-3 Overlay District: _____
 Current Use of Property: Vacant Land
 Estimated Value of Project: \$9,000,000 Type of Development: Apartments

Applicant Information

Applicant: T Kevin Connelly
 Name of Company (if applicable): Connelly Development, LLC
 Mailing Address: 125 Old Chapin Rd
 City: Lexington State: SC Zip: 29072
 E-mail Address: TKC@connellybuilders.com Phone: 803-798-0572

Are you the Property Owner? Yes No *If No, please complete the following section and obtain a proper signature*

As the property owner, I hereby appoint the above listed applicant as my agent to represent myself in this application.

Signature of Property Owner: [Signature] Date: 12-12-18
 Print Name of Property Owner: EDENS JARLON PARTNERS
 Mailing Address: PO Box 528, Columbia, SC 29202
 E-mail Address: tmilliken@naiavant.com Phone: 803-744-9837

Code Section from which a Special Exception is Requested:

Please provide the specific section of the City of Columbia Zoning Ordinance of which a special exception is being requested. To find the applicable section please see Chapter 17 of the City of Columbia Code of Ordinances, which is available online at www.municode.com.

What is the section of the Zoning Ordinance from which a special exception is being requested? (ex. 17-258)

17-240 17-258

Description of Request:

Please describe your proposal in detail. Be sure to provide a breakdown of square footage attributed to each use if multiple uses are being considered. You may attach a separate sheet if necessary. Additionally you may provide any supporting materials that are applicable to your request (i.e. photographs, site plan, plat of property, etc).

49-54 unit Multi- Family housing apartment community. Buildings would consist of multiple structures three stories in height. Management office, Play ground area and additional amenities.

Please Note: Applicants must fully complete applications and submit by the application deadline (please refer to the official BOZA Calendar of Regular Meetings, available on our web site www.columbiasc.net). Any failure to submit a complete application or to provide requested documentation may result in applications being returned, withdrawn, or their case to be scheduled at a later date. An application is not complete unless all applicable sections are answered and the associated fee is provided.

CASE #:

It is strongly encouraged that all applicants contact and schedule a pre-application meeting with Zoning Staff prior to submitting their application. Although it is not required it can be beneficial for both staff and the applicant. To schedule a meeting please contact our Zoning staff at 803-545-3333.

Applicant Response to Section 17-112(2):

In addition to the definitive standards applicable to the proposed use as detailed in Chapter 17 of the City of Columbia Zoning Ordinance, the Board of Zoning Appeals shall approve an application for a special exception only upon finding that the following SPECIAL EXCEPTION CRITERIA are met. (see section 17-112(2)b. of *The City of Columbia Zoning Ordinance* which can be found online at www.municode.com). The members of the Board will use your answers, among other things, as they evaluate your application. You may attach a separate sheet if necessary.

1. Describe in what ways the proposed special exception will not have a substantial adverse impact on vehicular traffic or vehicular and pedestrian safety and how adequate provisions are made in the proposed exception for parking and for loading and unloading.

With property being located within walking distance to services many of our residents would walk decreasing the amount of daily traffic in the area. The development will meet all applicable code requirements for parking. The proposed parcel is located off the main traffic corridor which the residents would use secondary road for exiting and entering the development during peak hours.

2. Describe in what ways the proposed special exception will not have a substantial adverse impact on adjoining properties in terms of environmental factors such as noise, lights, glare, vibration, fumes, odors, obstruction of air or light, and litter.

The proposed development is residential and would not pose any environmental or adverse conditions to the surrounding properties. The development will also have management and maintenance staff to monitor property on a daily basis.

3. Describe in what ways the proposed special exception will not have a substantial adverse impact on the aesthetic character of the area, to include a review of the orientation and spacing of buildings.

The residential development would blend with the adjacent apartment developments in the area. We would present all designs for approval before construction begins.

4. Describe the ways in which the proposed special exception will not have an adverse impact on public safety or create nuisance conditions detrimental to the public interest or conditions likely to result in increased law enforcement response.

Connelly Development has over 35 affordable housing properties in two states and will have management staff on site as well as camera systems throughout with access to the local police for 24 hour access.

5. Explain how the establishment of the proposed special exception does not create a concentration or proliferation of the same or similar types of special exception use, which concentration may be detrimental to the development or redevelopment of the area in which the special exception use is proposed to be developed.

The area is mostly comprised of commercial developments. Adding multi-family developments would provide a mix of housing and business for the area. The land is heavily littered with trash and occupied by several homeless people. This community will offer the residents affordable and safe housing for the area.

6. Explain how the proposed special exception is consistent with the character and intent of the underlying district as indicated in the zoning district description, with any applicable zoning overlay district goals and requirements.

The surrounding area has a large supply of commercial businesses. Providing Multi-Family housing on infill acreage is an ideal use for the land in this area.

CASE #: _____

7. Describe how the proposed special exception is appropriate for its location and compatible with the permitted uses adjacent to and in the vicinity of the property.

The special exception is appropriate for this location because the parcel is located off the main traffic corridor as well as an infill lot. The parcel is also located adjacent to neighboring apartments and is within close proximity of services.

8. Explain in what ways the proposed special exception will not adversely affect the public interest.

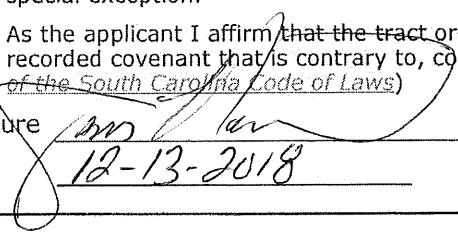
This development will provide much needed Multi-Family housing for the residents while providing access to the many walkable services in the area.

Please Note: In addition to scheduling a pre-application meeting, the applicant is strongly encouraged to meet with and/or contact the adjacent or surrounding neighbors and neighborhood association(s) to communicate details of the proposed project. Neighborhood Association contact information may be obtained from Zoning staff.

APPLICATION FEE:		<i>Please attach the required application fee upon submittal of this application</i>		
Residential Projects	\$50.00	Commercial Projects	Valued under \$50,000	\$75.00
			Valued \$50,000 or more	\$125.00

By signing below, I, the applicant, understand and/or acknowledge that:

1. I have completely read this application and understand all that it includes.
2. While the members of the Board of Zoning Appeals will carefully review and consider this application, the burden of proving conformance with the criteria for grant of special exception rests with me.
3. The Board of Zoning Appeals conducts public hearings on the second Tuesday of each month in City Council Chambers, 3rd floor of City Hall, 1737 Main Street, Columbia, South Carolina, 29201.
4. The proposed use and construction complies or will comply with all other requirements of the City of Columbia Zoning Ordinance.
5. The Board of Zoning Appeals will render a written order regarding my application as soon as possible following the public hearing.
6. Any time frames related to an appeal of a decision of the Board of Zoning Appeals shall start from the date that the written and signed Order of the Board is mailed to the applicant.
7. The Board may prescribe appropriate conditions and safeguards in conformity with Ch. 17, including, but not limited to the following items: (1) hours of operation; (2) landscaping; and (3) screening of activities or structures.
8. Violation of the conditions and safeguards prescribed in conformity with Ch. 17, when made part of the terms under which a special exception is granted, shall be deemed a violation, punishable under the penalties established therein.
9. Failure to begin or complete an action for which a special exception is required, within the time limit specified, when such time limit is made a part of the terms under which the special exception is granted, shall void the special exception.
10. As the applicant I affirm that the tract or parcel of land subject of this application is not restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the requested activity. (See Section 6-29-1145 of the South Carolina Code of Laws)

Signature 
 Date 12-13-2018

Print Name JAMES NORMAN COMULBY DAW

CONTACT:

City of Columbia Zoning Division | Phone: 803-545-3333 | E-mail: zoning@columbiasc.net