
CITY OF COLUMBIA
BOARD OF ZONING APPEALS MINUTES
April 10, 2018 - 10:00 AM

City Council Chambers
1737 Main Street, 3rd Floor • Columbia, SC

In attendance: Gene Dinkins, Jr., Reggie McKnight, Calhoun McMeekin, Chuck Salley, Josh Speed

Absent: April Brown, Marcellous Primus

Staff: Rachel Bailey, Hannah Slyce, Andrea Wolfe, Michael Lizewski

I. CALL TO ORDER and DETERMINATION OF QUORUM

Chuck Salley, chair, called the meeting to order at 10:00AM. Members of the Board of Zoning Appeals (BOZA) were introduced along with Staff. Quorum was confirmed. Applicants and others who wished to speak were sworn in.

Rachel Bailey, zoning administrator, reviewed the meeting format, use of timers and consent agenda.

II. CONSENT AGENDA

A. APPROVAL OF MINUTES

1. **Approve March 13, 2018 Minutes**

B. OLD BUSINESS

NONE

C. NEW BUSINESS

2. **2018-0019-SE 1732 Heyward Street UTIL A** Special exception to establish a Wireless Communication Facility (cell node) (Doug Fulcher, Agent MasTec Network Solutions by Agent Dewberry Design-Builders, Inc., AT&T Mobility Corporation) (RS-3, -CC) **DEFERRED**
3. **2018-0020-SE 1108 Barnwell Street UTIL A** Special exception to establish a Wireless Communication Facility (cell node) (Doug Fulcher, Agent MasTec Network Solutions by Agent Dewberry Design-Builders, Inc., AT&T Mobility Corporation) (RG-3)
4. **2018-0021-SE 2231 Lady Street UTIL A** Special exception to establish a Wireless Communication Facility (cell node) (Doug Fulcher, Agent MasTec Network Solutions by Agent Dewberry Design-Builders, Inc., AT&T Mobility Corporation) (RG-2)
5. **2018-0026-V 1701 Pendleton Street (TMS# 11405-18-13)** Variance to the side yard setback requirement (Asheley Scott St. John, 1x1 Design, Inc.) (RD, -DP)
6. **2018-0027-V 104, 112, 116, 120, & 124 River Ridge Road (TMS# 07382-01-81, 83, 84, 85, & 86)** Variance to the side yard setback requirement (Edward

Tennent, Broad River Bluff II, LLC) (RG-2, -FP)

No one requested that any item be removed from the Consent Agenda.

Motion by Mr. McMeekin to approve the Consent Agenda subject to all conditions noted in staff comments.

Motion seconded by Mr. McKnight. Motion passes 5-0.

Recusal by Mr. Salley from item 7, 3006 Devine Street, as his company is involved in this property. Vice-chairperson, Calhoun McMeekin, will chair for this case.

III. REGULAR AGENDA

A. OLD BUSINESS

7. **2018-0013-V 3006 Devine Street (TMS# 13804-16-02)** Variance to the off-street parking requirement for proposed restaurant use (Frank Dougherty, Cason Development Group) (C-2)

Ms. Bailey introduced the request.

Frank Cason of Cason Development Group, property owners, presented the request for variance to the parking requirement for a proposed restaurant. Plans are to repurpose the building for retail, use the existing building footprint, have an outdoor covered seating area, off-street parking has been secured at three other locations to total 49 spaces, and the restaurant will close at 11PM every night.

Members of the public were invited to speak in favor or in opposition of the request.

Bob Hallman, Shandon resident, opposed
Lyn Phillips, Shandon resident, opposed
Keith Mueller, Shandon resident, opposed
Jim Daniel, resident, opposed
Theresa Wickham, Incarnation Lutheran Church, opposed

As no one else spoke in favor or opposition of the request, the applicant was allowed time for rebuttal of comments made by the public. Mr. Cason said he had spoken with several surrounding businesses and residents who voiced support of the request.

Testimony closed for board discussion.

Board members felt it would be beneficial for the applicant to pursue both a request for special exception and variance simultaneously, and that approval be conditional upon provision of a copy of the recorded leases for parking for more than twelve months.

Motion by Mr. McMeekin to defer the request to the May hearing.

Motion seconded by Mr. Dinkins, Jr. Motion approved 4-0

B. NEW BUSINESS

8. **2018-0018-SE 1723/1725 Laurel Street (TMS# 11403-03-05)** Special exception to establish a general farm, primarily crops (community garden) use. (Daniel Adam Nurick) (C-3)

Ms. Bailey introduced the request.

Daniel Nurick, applicant, presented the request.

As no one spoke in favor or opposition of the request, testimony closed for board discussion.

It is felt there will be no impact on vehicular traffic; no adverse lighting to the environment; any fertilizer will be stored in containment to not be offensive to neighbors; there will be no noise hazard; there will be no adverse impact on the environment as this is a green area; there will be no impact on public safety; there is a not a proliferation of this type of use in the area; it is consistent with the underlying district and zoning application; the location is compatible with permitted uses; will not adversely impact public interest, but will be beneficial to the public interest.

Motion by Mr. Salley to approve the application subject to comments of staff and based on the written application and public testimony of the applicant.

Motion seconded by Mr. McKnight. Motion passes 5-0.

9. **2018-0028-SE 3126 Two Notch Road (TMS# 11614-07-09)** Special exception to establish an automotive service use (Anthony Hunter, Hunter Construction) (C-3)

Ms. Bailey introduced the request.

Anthony Hunter, applicant, was not in attendance.

Diane Wiley, president of Belvedere neighborhood, spoke on behalf the neighborhood and voiced opposition to the request.

As no one else spoke in favor or opposition of the request, testimony closed for board discussion.

As item 10 was deferred by the applicant, Board members felt the applicant mistakenly thought item 9 was deferred as well as both requests were on behalf of Mr. Hunter, therefore he was not in attendance.

Motion by Mr. McKnight to defer the request.

Motion seconded by Mr. Salley. Motion passes 5-0.

10. **2018-0029-SE 3132 Two Notch Road (TMS# 11614-07-07 & 11)** Special Exception to establish a general farm, primarily crops (community garden) use. (Anthony Hunter, Hunter Construction) (C-3)

DEFERRED

V. OTHER BUSINESS

None

V. ADJOURNMENT

***There being no further business, motion to adjourn by Mr. Salley.
Motion seconded by Mr. McKnight. Meeting adjourned at 11:31PM.***

Respectfully submitted by Andrea Wolfe
Land Use Board Coordinator
Planning and Development Services Department
City of Columbia