
CITY OF COLUMBIA
BOARD OF ZONING APPEALS MINUTES
October 9, 2018 - 10:00 AM
City Council Chambers
1737 Main Street, 3rd Floor • Columbia, SC

In attendance: Reggie McKnight, Marcellous Primus., Chuck Salley, George Schafer, Josh Speed, Jenna Stephens

Absent: Gene Dinkins, Jr.

Staff: Rachel Bailey, Hope Hasty, Erica Jaen, Andrea Wolfe

I. CALL TO ORDER and DETERMINATION OF QUORUM

Chuck Salley, chair, called the meeting to order at 10:06AM. 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 and consent agenda.

II. CONSENT AGENDA

A. APPROVAL OF MINUTES

1. Approve September 11, 2018 Minutes

B. OLD BUSINESS

NONE

C. NEW BUSINESS

- 2. 2018-0076-V 2408 Clark Street (TMS# 09012-05-05)** Variance to side yard setback requirements for an addition to a single-family residence (Celia Means) (RS-3)
- 3. 2018-0077-SE 1736 Frye Road (TMS# 11714-06-14)** Special exception to permit an alternative parking surface (Susan M. Brown, Happy Daddy Inc. DBA Happy Daddy Towing Service) (C-2)
- 4. 2018-0078-V 3620 Wheat Street (TMS# 13807-10-07)** Variance to the fence height requirement (Sharon W. McLeod) (RS-3, -CC)
- 5. 2018-0089-V 2907 Stratford Road (TMS# 13904-14-09)** Variance to lot coverage requirement for an addition to a single-family residence (Ryan and Melissa Gentry) (RS-2)
- 6. 2018-0090-V 3400, 3406 & 3412 West Avenue; 1811, 1813, 1815 & 1819 Marshall Street (TMS#s 11504-15-09, 10, 11, 12, 13, 14, 15)** Variance to off-street parking requirement for a commercial use (Tony Megna, Genesis Healthcare, Inc. and HTR Properties, LLC) (C-1)
- 7. 2018-0091-V 2903 Blossom Street (TMS# 11316-05-14)** Variance to secondary front and side yard setback requirement (J. Timothy Hance) (RG-1,-CC)

- 8. **2018-0092-V** **3400, 3406 & 3412 West Avenue; 1811, 1813, 1815 & 1819 Marshall Street (TMS#s 11504-15-09, 10, 11, 12, 13, 14, 15)**
Variance to landscape buffer requirement for a commercial use (Tony Megna, Genesis Healthcare, Inc. and HTR Properties, LLC) (C-1)
- 9. **2018-0094-V** **1354 & 1360 Rosewood Drive (TMS#s 11208-02-14 & 15)** Variance to off-street parking requirement for an automatic carwash (George Renard, Renard Enterprises, Inc.) (C-3)
- 10. **2018-0095-SE** **1354 & 1360 Rosewood Drive (TMS#s 11208-02-14 & 15)** Special exception to permit a drive-through automatic carwash (George Renard, Renard Enterprises, Inc.) (C-3)

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

Motion by Mr. Salley to approve the Consent Agenda subject to comments of staff as presented.

Motion seconded by Mr. Schafer and Mr. McKnight simultaneously. Motion passes 6-0.

III. REGULAR AGENDA

A. OLD BUSINESS

NONE

B. NEW BUSINESS

- 11. **2018-0079-SE** **6820 N. Main Street, Suite N (TMS# 11813-05-01)** Special exception to establish a drinking place (Shikia Wilson) (C-3)

Rachel Bailey, zoning administrator, introduced the request.

Shikia Wilson, applicant, presented the request to establish Icon Bar and Lounge which is an establishment where customers can eat and order drinks. The establishment will contain seven televisions and offer seating for up to 40 people at a time.

Ms. Wilson attended the North Columbia Civic Club Meeting and met with Gloria Woodard, president of the association, as well as neighbors of the community who provided support for the request. Support has also been provided by Senator Scott, Representative Hart, Councilman Davis, as well as surrounding area business leaders. She did not speak to the Eau Claire Community.

Tentative hours of operation will be 2PM to 12AM Monday through Friday, weekends 2PM to 1AM; capacity seating limit of 40 people which includes the bar area; parking will be under 100 spaces which was addressed with the neighborhood; no changes will be made to the outside of the building, and there will be no outside seating; the establishment is not close to any neighborhoods on either sides; security will be on-site; and ages will be checked, preferably individuals ages 25 and over.

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

Craig Sampson, Greenview Community resident, said he would support a restaurant that would serve beer or wine however voiced opposition to a bar.

Ms. Wilson then reviewed the criteria required for a request for special exception.

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

Motion by Mr. Salley to approve the application with the condition that the establishment will not be open past 12AM on weekdays and 1AM on weekends; and subject to the written and verbal testimony of the applicant, and all comments by staff.

Motion seconded by Mr. McKnight. Motion carries 6-0.

- 12. 2018-0093-SE 621 Whaley Street (TMS# 08913-13-05)** Special exception to establish a convenience store (S. Jahue Moore) (M-1, -PD)

Rachel Bailey, zoning administrator, introduced the request.

Jake Moore, attorney representing the client, presented the request for a special exception to establish convenience store on the subject property. The property contains a vacant single family home that the applicant plans to demolish and replace with a total brick convenience store. An existing convenience store/gas station is located on the adjacent property at 631 Whaley Street and will remain. The applicant intends to combine both parcels into one tax parcel. A conceptual site plan was included in the packet.

The applicant committed to a "Good Neighbor Plan", which was included in the board packet.

Mr. Moore reviewed the criteria required for a special exception.

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

Bob Guild, president of the Granby Neighborhood, appeared on behalf of the Capital City Mill Neighborhood who voiced opposition to the request

Joe Weider, resident, opposed

Richard Burts, resident and adjoining property owner, opposed

Josh Boltinhouse of Bobbitt Design Build, in-house architect for the project, spoke on the design of the project and voiced support of the request

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

In board discussion with Mr. Moore with regard to the demolition of the existing house on the property and establishment of a new convenience store, Mr. Moore spoke of withdrawal of the request.

Mr. Schafer reminded that the Board should address specific criteria that has not been met which would result in denial of the request and felt that had not been done with the applicant.

Mr. Moore requested deferral of the request rather and withdrawal to allow the applicant time to meet with the neighborhood.

Motion by Mr. McKnight to defer 621 Whaley Street to the November BoZA meeting.

Motion seconded by Mr. Primus. Motion carries 6-0.

IV. OTHER BUSINESS

None

V. ADJOURNMENT

There being no further business, motion to adjourn by Mr. Salley.

Motion seconded by Mr. Schafer. Motion approved 6-0. Meeting adjourned at 11:20AM.

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