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# CITY OF COLUMBIA

## BOARD OF ZONING APPEALS MINUTES

March 4, 2021 – 4:00 PM

Virtual Meeting

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**In attendance:** Gene Dinkins, Jr., John Gregory, Jenna Stephens, Kathryn Fenner, Marcellous Primus, John Guignard

**Absent:** None

**Staff:** Rachel Bailey

### I. CALL TO ORDER and DETERMINATION OF QUORUM

Rachel Bailey, Zoning Administrator, explained the format of the meeting. She stated that the public had the ability to call in and be placed in the queue to speak, leave a message to be read into the record, or send an email which would be read into the record.

Gene Dinkins Jr., chair, called the meeting to order at 4:00 P.M.

Members of the Board of Zoning Appeals (BOZA) were introduced along with Staff.

Mr. Primus had audio issues and was able to vote beginning with case #14.

Ms. Stephens had audio issues. She was present for roll call but was unable to vote until case #15.

### II. CONSENT AGENDA

#### A. APPROVAL OF MINUTES

##### 1. Approve February 4, 2021 Minutes

#### B. OLD BUSINESS

NONE

#### C. NEW BUSINESS

2. **2021-0010-SE 919 True Street Unit S (TMS# 16408-01-03)** Special exception to permit a beauty shop (Shakeema Means, Tynai Styles, LLC) (C-1)
3. **2021-0014-SE E/S Koon Road (TMS# 11709-03-03)** Special exception to establish a religious organization (Renee Davis, New Hope Christian Center) (RS-3)
- 4.. **2021-0015-V 804 Kawana Road (TMS# 13812-01-07)** Variance to the maximum lot coverage requirement to permit a carport (John K. Powell, AIA, Seed Architecture, LLC) (RS-2)
5. **2021-0016-V 804 Kawana Road (TMS# 13812-01-07)** Variance to the side yard setback requirement to permit a carport (John K. Powell, AIA, Seed Architecture, LLC) (RS-2)
6. **2021-0022-V 3500 & 3452 N. Main Street, 1209 Avondale Drive & 1217 Sunset Drive (TMS# 09112-06-06 & -07, 09112-07-01 & 06)** Variance to the maximum front yard setback (Hoyt Burnett, The LandPlan Group South, Inc) (MX-1, M-1, -NC)

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7. **2021-0023-SE** **3500 & 3452 N. Main Street, 1209 Avondale Drive & 1217 Sunset Drive (TMS# 09112-06-06 & -07, 09112-07-01 & 06)** Special exception to permit shared parking (Hoyt Burnett, The LandPlan Group South, Inc) (MX-1, M-1, -NC)
8. **2021-0024-SE** **3500 & 3452 N. Main Street, 1209 Avondale Drive & 1217 Sunset Drive (TMS# 09112-06-06 & -07, 09112-07-01 & 06)** Special exception to permit an alternative parking surface (Hoyt Burnett, The LandPlan Group South, Inc) (MX-1, M-1, -NC)
9. **2021-0026-SE** **3509 Phillips Street (TMS# 09112-06-04)** Special exception to permit an alternative parking surface (Hoyt Burnett, The LandPlan Group South, Inc) (MX-1, -NC)
10. **2021-0028-SE** **919 True Street Unit K (TMS# 16408-01-03)** Special exception to permit a barbershop (Alexis Perry, Gifted Hands Barber Lounge, LLC) (C-1)
11. **2021-0029-SE** **1600 St. Julian Place (TMS# 11416-07-11)** Special exception to establish a miscellaneous personal service (permanent cosmetics) (Debbie Walters, Beneath the Surface) (C-1)
12. **2021-0031-SE** **919 True Street Unit T (TMS# 16408-01-03)** Special exception to permit a miscellaneous personal service (day spa) (Shatara Reed, Studio Gleaux)

**Motion by Ms. Fenner to approve the Consent Agenda subject to staff comments.**

**Motion seconded by Mr. Guignard. Motion passes 4-0**

\*Ms. Stephens and Mr. Primus did not vote due to audio issues.

### III. REGULAR AGENDA

#### A. OLD BUSINESS

NONE

#### B. NEW BUSINESS

13. **2020-0086-V** **1307 Mason Road (TMS# 11813-01-02)** Variance to the maximum height requirement for a multifamily development (Garden Lakes, Anthony Lawrence, GDA Development Partners) (pending RG-2)

Ms. Bailey reiterated the outline of the meeting including the public input aspect and then introduced the variance request.

Anthony Lawrence, applicant, provided a summary of the proposed project and explained the need for the variance.

Members of the community were invited to speak in favor of or opposition of the requests.

As nobody spoke in favor or opposition of the request, testimony closed for Board discussion.

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**Motion by Ms. Fenner to approve the variance request subject to all staff comments and pursuant to all terms of the application and presentation of applicant.**

**Motion seconded by Mr. Guignard. Motion passes 3-1. Dinkins opposed.**

\*Ms. Stephens and Mr. Primus did not vote as audio issues continued.

- 14. 2021-0011-SE 2939 Truman Street (TMS# 11609-01-04)** Special exception to permit an auto towing service (Chad Washington, Imperial Towing, LLC) (C-3)

Ms. Bailey introduced the request for the special exception.

Chad Washington, applicant, provided a summary of the request and claimed he met with community leaders and neighborhood association and assured them they will make improvements to the site. He also emphasized that inoperable vehicles would not be kept on site and operable vehicles will be stored until owners or insurance companies picked them up.

Kenneth Myers, co-owner, discussed the intent to install a black screen along Truman Street initially, to follow later with a more permanent type of fencing.

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

In opposition:

Sylvia Jenkins, resident  
Denise Mitchell-Jenkins, resident  
Cora Jenkins, resident  
Florence Butler, resident  
Patricia Johnson, resident  
Velma James, resident  
Anita Brown, resident  
Ms. Buck, resident

Applicants were given an opportunity to address the community's concerns and reiterated their intention to clean up the site and provide screening along Truman Street.

Testimony closed for Board discussion.

**Motion by Ms. Fenner to approve the variance subject to all staff comments and pursuant to all terms of the application and presentation of applicant and with the stipulation that a permanent wall must be installed along the Truman Street frontage by December 31.**

**Motion seconded by Mr. Primus. Motion passes 5-0.**

\*Ms. Stephens did not vote due to audio issues.

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**The Board took a five-minute recess. Ms. Stephens rejoined the meeting.**

- 15. 2021-0012-V 2225 & 2223 Rembert Street (TMS# 09012-09-12 & -13)** Variance to the maximum fence height in the front yard setback (Egon F. Kaplan & Alexander V. Santana) (RG-2, -DP)

Ms. Bailey introduced the variance request.

Egon Kaplan, applicant, provided a summary of the proposed project and need for the fence height that includes the slope in the side yard and a 4-foot-tall fence would prevent privacy he deemed necessary for a new swimming pool.

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

As nobody spoke in favor or opposition of the request, testimony closed for Board discussion.

**Motion by Mr. Gregory to approve the variance request subject to all staff comments and pursuant to all terms of the application and presentation of the applicant.**

**Motion seconded by Mr. Dinkins. Motion passes 6-0.**

- 16. 2021-0013-V 7 Heathwood Circle (TMS# 13905-14-06)** Variance to the maximum height requirement for a wall (John B. Runy) (RS-1, -CC)

Ms. Bailey introduced the variance request.

Mr. Runy, applicant, provided a summary of the proposed project and need for the variance to enclose the backyard in order to match the neighbors existing wall.

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

As nobody spoke in opposition of in favor of the request, testimony closed for Board discussion.

**Motion by Ms. Fenner to approve the variance request subject to all staff comments and pursuant to all terms of the application and presentation of the applicant.**

**Motion seconded by Mr. Guignard. Motion passes 6-0.**

- 17. 2021-0019-SE 2420 Shop Road (TMS# 13610-01-08)** Special exception to permit a scrap yard (Shelby Dickensheets, American Scrap Iron & Metal, LLC) (M-2, -FP)

Ms. Bailey introduced the request for special exception.

Tim & Shelby Dickensheets, applicants, introduced Laura Dukes to present the case on their behalf. Laura Dukes, landscape architect, described the type of industry the applicant will be engaged in and why the location is appropriate for the business.

Tim Dickensheets Sr., of American Metal, then gave a summary of his experience with health, safety, and regulatory compliance of the industry for the past 40 years.

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Tim Dickensheets Jr., applicant, described that operations will consist of dismantling vehicles and the wholesale distribution of parts and recycling. He also stated that this will not be a public facility for general recycling services.

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

In opposition:

Whitney Denton, resident  
Carmony Adler, Gills Creek Watershed Association representative  
Tom Kohlsaas, Gills Creek Watershed Association representative

The applicant was provided time for a brief rebuttal.

Testimony closed for Board discussion.

**Motion by Ms. Fenner to approve the variance request subject to all staff comments and pursuant to all terms of the application and presentation of the applicant and with the stipulation that proper screening must be installed around any inoperable vehicles.**

**Motion seconded by Mr. Primus. Motion passes 6-0.**

- 18. 2021-0021-SE 201 Moore Hopkins Lane (TMS# 07309-02-19)** Special exception to permit a multifamily development (Rob Coats, The Banyan Foundation, Inc.) (C-3)

Ms. Bailey introduced the request for special exception.

Rob Coats, applicant, provided a summary of the proposed project while addressing each of the special exception criteria.

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

Ms. Bailey then read into the record a letter Carolina Gas Transmissions submitted informing the Board that their property adjoins the proposed project and their operations may be offensive to a residential use nearby.

Applicant was given an opportunity to address the concerns of the adjoining business and emphasized the buffer they intend to install along the northern property line would be sufficient.

Testimony closed for Board discussion.

**Motion by Mr. Gregory to approve the variance request subject to all staff comments and pursuant to all terms of the application and presentation of the applicant.**

**Motion seconded by Ms. Stephens. Motion passes 6-0.**

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- 19. 2021-0025-V 3500 & 3452 N. Main Street, 1209 Avondale Drive & 1217 Sunset Drive (TMS# 09112-06-06 & -07, 09112-07-01 & 06)** Variance to the buffer transition yard requirement (Hoyt Burnett, The LandPlan Group South, Inc.) (MX-1, M-1, -NC)

Ms. Bailey introduced the variance request.

Mr. Burnette, applicant, introduced the property owner Scott Middleton to provide overview.

Mr. Middleton, owner, gave a brief overview of the project, including the fact that the building is of historic significance and how he intends to utilize the property for this project.

Mr. Burnette then provided a summary of the project and the need for the reduced buffer transition yard.

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

As nobody spoke in opposition of in favor of the request, testimony closed for Board discussion.

**Motion by Mr. Dinkins to approve the variance request subject to all staff comments and pursuant to all terms of the application and presentation of the applicant.**

**Motion seconded by Mr. Guignard. Motion passes 6-0.**

- 20. 2021-0027-V 3509 Phillips Street (TMS# 09112-06-04)** Variance to the buffer transition yard requirement (Hoyt Burnett, The LandPlan Group South, Inc.) (MX-1, -NC)

Ms. Bailey introduced the variance request.

Mr. Burnette, applicant, then provided a summary of the project and the need for the reduced buffer transition yard.

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

As nobody spoke in opposition of in favor of the request, testimony closed for Board discussion.

**Motion by Mr. Dinkins to approve the variance request subject to all staff comments and pursuant to all terms of the application and presentation of the applicant.**

**Motion seconded by Mr. Guignard. Motion passes 6-0.**

- 21. 2021-0030-V 300 Clemson Road (TMS# P/O 25700-02-03)** Variance to the minimum parking requirement for a multifamily residential development (Charlie Irick, Fitch Irick Partners) (RG-2, -FTJAX)

Ms. Bailey introduce the variance request.

Mr. Irick, applicant, provided a summary of the proposed development and the need for reduced parking.

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

Allen Goff, applicant's civil engineer, called into the public input line to answer any board member's questions, but there were none.

Testimony closed for Board discussion.

**Motion by Mr. Dinkins to approve the variance request subject to all staff comments and pursuant to all terms of the application and presentation of the applicant.**

**Motion seconded by Ms. Fenner. Motion passes 6-0.**

**V. OTHER BUSINESS**

**NONE**

**VI. ADJOURNMENT**

**Motion to adjourn the meeting by Ms. Fenner**

**Motion seconded by Mr. Dinkins. Motion passes 6-0.**

**Meeting adjourned at 7:20 P.M.**