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**CITY OF COLUMBIA**  
**BOARD OF ZONING APPEALS MINUTES**  
September 13, 2016 - 10:00 AM

City Council Chambers  
1737 Main Street, 3<sup>rd</sup> Floor • Columbia, SC

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**In attendance:** Pat Hubbard, Reggie McKnight, Calhoun McMeekin, Chuck Salley, Preston Young

**Absent:** Tyler Gregg, Regina Williams

**Staff:** Brian Cook, Andrew Livengood, Andrea Wolfe

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

Chuck Salley, chairperson, called the meeting to order at 10:24AM, introduced the members of the Board of Zoning Appeals (BOZA), and introduced staff. Quorum was confirmed.

Andrew Livengood, Deputy Zoning Administrator, briefed the conduct and order of the meeting. Mr. Livengood noted changes to the agenda since publication and proceeded with review of the Consent Agenda.

**II. CONSENT AGENDA**

**A. APPROVAL OF MINUTES**

1. **Approve August 9, 2016 Minutes**

**B. OLD BUSINESS**

None.

**C. NEW BUSINESS**

2. **16-043-V Dist. 4 1155 Clemson Frontage Road (TMS# 25700-02-04)** Variance to the parking requirements for a multifamily development. (Austin Thornton, Companion at the Palms, LLC) (C-3)
3. **16-048-V Dist. 2 1721 Gadsden Street (TMS# 09010-10-09)** Variance to the lot coverage requirements to construct an addition to a single family residence (Maureen O'Hare and John Hewett) (RG-3, -DD, -DP (Individual Landmark Group III))

No one spoke in favor or opposition of the requests, or requested removal for discussion.

**Motion by Mr. Hubbard to approve the items on the Consent Agenda subject to any conditions that may be found within the case file for that application and to adopt as the findings of the Board, those findings in each case prepared by Staff, also found within each case number, and also subject to any exhibits within the file; *motion seconded by Mr. McKnight.* Motion approved 5-0.**

**III. REGULAR AGENDA**

**A. OLD BUSINESS**

**4. 16-024-V Dist. 3 1210 Atlas Road (TMS# 16306-07-02)** Variance to the vehicular surface area interior landscaping requirements (The Underbrush Company d/b/a Advantage Self Storage) (M-1)

**Withdrawn**

**5. 16-006-SE Dist. 3 120 Atlas Court (TMS# 16306-07-06)** Rehearing of Special Exception to establish a recycling center (Kevin Bailey, Pratt Recycling, Inc.) (M-2)

**Withdrawn**

**6. 16-042-SE Dist. 3 N/S, 2801, 2813, 2835 Devine Street, 720 & 803 Maple, (TMS# 11316-13-12, 11316-04-19, 20, 21, & 22, 11316-03-04)** Special Exception to permit shared parking for a mixed use development. (Devine Station, LLC) (C-2, RG-1, and RG-1-DP)

At the request of Andrew Livengood, Deputy Zoning Administrator, Mr. Salley stated the Board would hear item 8 on the agenda next.

**B. NEW BUSINESS**

**7. 16-044-V Dist. 4 325 Veterans Road (TMS# 16406-06-07)** Variance to the required setbacks to construct a private commercial storage building (William Coley Brown, Jr., Veterans Road Holdings LLC) (C-2)

**Withdrawn**

**8. 16-045-SE Dist. 2 2501 Laurel Street (TMS# 11412-01-19)** Special Exception to establish a roominghouse (Patricia Mims, CJK and Company LLC) (RG-2)

This application for Special Exception is to establish a rooming house within an existing single-story residence on the property. The applicant indicated that up to four residents would reside in the rooming house. A floor plan, sample lease documents and photos of the property were provided by the applicant.

If the Board approves the request for special exception, the applicant will need to provide four parking spaces on the property, as well as comply with all applicable codes, including but not limited to the landscaping, building, fire, and business license codes.

The immediate area surrounding the subject property is a mixture of single family and small scale multifamily residences with the Two Notch corridor to the east.

Patricia Mims, applicant, presented on the request.

Willie Washington, neighboring resident and property owner, voiced opposition to the request because of concentration of similar uses in the area, traffic issues, and having more than three unrelated people in the house.

Robert Scott, property owner, agreed with Mr. Washington's comments and concerns, voicing opposition to the request.

Ron Staley, spoke in favor of the request, stating he supported the Ordinance of three unrelated individuals residing in the home. Mr. Staley felt Ms. Mims should be commended for the renovations made to the home, and following proper procedures and protocol with her request.

Ms. Mims reviewed the criteria required for a request for special exception. She also spoke on the rules and regulations that would be required by residents in the house; restricting age of residents to 55 years or older; half of the residents are retired and will use the bus system for transportation or walk; the home must be maintained; and agreed to limit three residents in the home.

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

**Motion by Mr. McMeekin to deny the request for special exception for 2501 Laurel Street, case 16-045-SE, as it has not been substantiated that there will not be an adverse impact on traffic and pedestrian safety, or public safety and nuisance conditions; testimony has stated that there is a concentration of boarding houses in the area; it is not compatible with uses adjacent to the vicinity of the property; and there will be an adverse impact on public interest. By not approving the request for special exception, City Ordinances will not deny the use of the property as the house can be rented to 3 individuals. It is felt that this request does not meet the Ordinance under the RG-2 district.**

***Motion seconded by Mr. McKnight.***

Mr. Salley commended Ms. Mims on the exceptional job she did in fixing up the home. Based on the pictures provided, the home looks very inviting; saying he knew she put a lot of work into the home.

**Motion carries 4-1 with Mr. Salley in opposition.**

- 9. 16-046-V Dist. 3 2150 South Beltline Boulevard (TMS# 13605-02-01)**  
Variance to the height requirements for an interstate sign (Karl McCarthy, Gator Sign Company, Inc.) (M-1, -FP)

The applicant is requesting a variance to the height as permitted for an interstate sign. The height normally allowed is 50 feet tall; however the Ordinance does permit a sign adjacent to an interstate frontage to be up to 75 feet in height. The applicant is requesting 125 feet instead, a variance of 50 feet.

Karl McCarthy, Gator Sign Company, spoke on the request and reviewed the criteria required for a request for variance.

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

**Motion by Mr. Sally to approve the request based on the testimony of the applicant and subject to any conditions contained in the application by staff.**

***Motion seconded by Mr. McMeekin. Motion approved 5-0.***

- 10. 16-047-V Dist. 2 933 Main Street (TMS# 08916-06-03)** Variance to the parking requirements to construct apartments (933 Main Street Partners LLC)(C-4, -DD)  
**Deferred to 10/11/16**

Mr. Cook stated item 6 would be heard at this time.

6. **16-042-SE Dist. 3 N/S, 2801, 2813, 2835 Devine Street, 720 & 803 Maple, (TMS# 11316-13-12, 11316-04-19, 20, 21, & 22, 11316-03-04)** Special Exception to permit shared parking for a mixed use development. (Devine Station, LLC) (C-2, RG-1, and RG-1 -DP)

Mr. Cook stated the applicant requested this case be withdrawn at this time.

Item 12, **16-050-SE**, would not include 803 Maple Street at this time.

11. **16-049-SE Dist. 3 724 Maple Street (TMS# 11316-04-23)** Special Exception to allow parking for commercial uses (mixed use) on a residential lot (Estates Properties, LLC) (RG-1)

This parcel is the current site of Shandon Terrace Apartments, a 20-unit, 5-building apartment complex built in 1945. This is a non-conforming apartment complex, both in terms of the number of units and the amount of existing parking spaces on site.

The separate special exception request 16-050-SE contains the applicant's request to incorporate this parcel with the mixed-use shared parking arrangement in force on several neighboring properties.

Theresa Hodge represented Devine Station, LLC and spoke on the request. Ms. Hodge reviewed the criteria required for a request for special exception.

Derek Riley, president of the Old Shandon Neighborhood, voiced opposition to item 6, however spoke in strong favor from the neighborhood of item 11 and 12.

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

**Motion by Mr. Hubbard to grant the request for shared parking. This was considered at the last month meeting as well, and the record has shown both months that the shared parking was a very good idea and efficient use of the parking spaces. It is felt all the criteria are satisfied.**

**Motion seconded by Mr. McMeekin. Motion approved 5-0.**

12. **16-050-SE Dist. 3 724, 720 & 803 Maple Street and N/S, 2801, 2813, and 2835 Devine Street (TMS# 11316-04-19 through -23, 11316-13-12, and 11316-03-04)** Special Exception to permit shared parking for a mixed use development (Estates Properties, LLC) (C-2, RG-1, and RG-1 -DP)

For the record, Mr. Cook stated that 803 Maple Street had been removed from this request.

The request would combine with special exception request 16-049-SE to incorporate for mixed-use. The information is the same as presented at last month's meeting, minus 803 Maple Street.

Theresa Hodge represented Devine Station, LLC and spoke on the request. Ms. Hodge reviewed the criteria required for a request for special exception.

Mr. Salley noted the reference made by the president of the Old Shandon Neighborhood Association who voiced support of the neighborhood for the request.

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

**Motion by Mr. Hubbard to grant the request as it is felt the proposal will be very good for Devine Street and Columbia. The requirements for the request, in general, have been met.**

***Motion seconded by Mr. McKnight. Motion approved 5-0.***

**IV. OTHER BUSINESS**

**V. ADJOURNMENT**

**There being no further business, meeting adjourned by Mr. Salley at 11:36AM.**

Respectfully submitted by Andrea Wolfe  
Sr. Admin. Secretary  
Planning and Development Services Department  
City of Columbia