

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



4600 Ryan Avenue

March 11, 2014 at 10:00 A.M.
City Council Chambers, 1737 Main Street, 3rd Floor
Columbia, South Carolina

Case Number:	14-012-SE
Subject Property:	4600 Ryan Avenue (TMS# 09208-09-10)
Zoning District:	RS-3 and Richland County RS-MD (Single Family Residential)
Applicant:	Mary Randolph
Property Owner:	Ryan Avenue Realty Trust
Council District:	1
Summary Prepared:	24 February 2014

Requested Action:	Special Exception to establish a day care facility	
Applicable Sections of Zoning Ordinance:	§17-265	Day Care services are permitted in various districts by special exception and subject to conditions.
	§17-112	Standard criteria for special exceptions

Case History:	None.
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Staff Comments:	This application for Special Exception is to establish a day care facility in the existing residence on the site for up to 6 children, classified as a family child care home by the state Department of Social Services (DSS).
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The subject property is surrounded by single family residential properties, and is on the corner of two residential streets. The property is currently administered by the City of Columbia, but is also split by the City boundary as is common in this area on the edge of the former Town of Eau Claire. Currently, the property is going through the process of annexation in order to clean up this "split".

The property currently has a fenced-in play area of approximately 3,800 square feet, and the driveway in front can accommodate the parking and drop-off requirements for this small facility.

I recommend that the Board approve this application, subject to the following conditions:

- **Construction, operation, and/or use shall be in substantial compliance with the documents placed on file in conjunction with this case;**
- **Operator must be licensed by the SC Department of Social Services or its successor for state licensing (DSS). Number of children permitted in this Day Care Facility shall be as determined by DSS, subject to meeting the parking requirements of the City of Columbia Zoning Ordinance.**
- **Play Area. A fenced play area of not less than 3,000 square feet shall be provided. The number of children in the fenced play area at any time shall**

not exceed the ratio of one child for every 150 square feet of fenced-in play area. No fence shall be less than four feet in height.

- **Loading and unloading.** An area adequate for loading and unloading of children to be accommodated shall be provided, and that area shall not be located within any public right-of-way.
- **Play equipment.** No play equipment shall be closer than 20 feet to any residential lot line.

The above recommendation is based upon the following findings as required within §17-112 of the Zoning Ordinance:

1. A day care facility is allowed by special exception within a RS-3 district, and the special exception would not adversely affect the public interest.
2. The proposed day care facility, when operated in conformance with the application and submitted documents presented to the Board prior to the public hearing:
 - a. Will not have a substantial adverse impact on vehicular traffic or vehicular and pedestrian safety and adequate provisions are made in the proposed exception for parking and for loading and unloading in that the day care facility will only have up to 6 children and a driveway is provided at the front of the property, connected to the residence via a walkway;
 - b. 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 as the day care facility will be established within an existing building;
 - c. 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 in the day care facility will be established within an existing building;
 - d. Will not have a substantial adverse impact on public safety or create nuisance conditions detrimental to the public interest or conditions likely to result in increased law enforcement response as the day care facility will need to comply with DSS regulations and is subject to inspection by DSS;
 - e. 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;
 - f. Is consistent with the character and intent of the underlying district as indicated in the zoning district description, and there are not any applicable zoning overlay district goals and requirements;
 - g. Is appropriate for its location and compatible with the permitted uses adjacent to and in the vicinity of the property as a family child care home, subject to the conditions of §17-265, can be reasonably assumed to serve the needs of a single family residential district.

Persons expressing support or concern about this application submitted the documents outlined below to staff. All documents are attached hereto and made a part of the record of the public hearing.

-None.

Zoning Map

Special Exception 14-012-SE

4600 Ryan Avenue
TMS# 09208-09-10



Department of Planning & Development Services

Legend

- INTERSTATES
- RAILROADS
- CITY LIMITS
- FEMA FP

- | | |
|---------------|-------------|
| ZONING | MX-2 |
| 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 |
| DD DISTRICT | |
| DP DISTRICTS | |
| PD DISTRICT | |
| CC OVERLAY | |

1 inch = 150 feet

ORIGINAL PREPARATION/DATE:

This map was prepared by:

Andrew Livengood
for
March 11, 2014
BoZA meeting

DISCLAIMER:

The City of Columbia Department of Planning and Development Services data represented on this map or plan is the product of compilation, as produced by others. It is provided for informational purposes only and the City of Columbia makes no representation as to its accuracy. Its use without field verification is at the sole risk of the user.









We Are Columbia

SPECIAL EXCEPTION APPLICATION

CITY OF COLUMBIA BOARD OF ZONING APPEALS

Applications for Special Exception are due on or before 4:00pm on the due date (see attached calendar). Please review the following checklist to ensure that your application is complete. You should schedule a pre-application conference with staff (803-545-3333) prior to the application deadline to discuss your specific case and its requirements. **Failure to submit a complete application or to provide requested documentation may result in your application being returned or your case scheduled for a later date.**

- Completed and Signed Application
- Letter of Agency *(if applicant is not the property owner)*
- Calendar *(included in this packet for your information)*
- Application Fee
 - o \$50 for residential applications
 - o \$75 for commercial applications (projects valued under \$50,000)
 - o \$125 for commercial applications (projects valued \$50,000 or more)
- Supporting Materials, i.e.:
 - o Site Plan
 - o Plat of property
 - o Photographs

Staff Contact:

Andrew Livengood

Deputy Zoning Administrator
City of Columbia Zoning Division
1136 Washington Street
Columbia, SC 29201

803-545-3333

www.columbiaplanning.net
atlivengood@columbiasc.net

OFFICE USE ONLY:

Date Received 2/18/14
Staff AFC
Fee Paid _____

Case Number 14 - 012 -SE
Zoning Dist. RS-3 (+ RC RS-MD)
Overlay _____

Case # 14-012SE

THE CITY OF COLUMBIA
PLANNING AND ZONING DEPARTMENT

Property and Applicant Information:

Address of Subject Property: 4600 RYAN AVENUE

Tax Map Number (Example: 12345-67-8910) R09208-09-10

Zoning District: RS-2 Single-Family Residential

Describe your proposal in detail:

To start a in home daycare caring for 5 to 6 children's through The Department of Social Services

List pertinent section(s) of City of Columbia Zoning Ordinance: Single-Family Residential

What is the current use of the property?: Living

Applicant Name (Please Print): Mary Randolph

Name of Company (If applicable): N/A

Address: 4600 Ryan Avenue

City, State, ZIP: Columbia SC 29203

Email Address: mary60green@gmail.com

Phone Number(s) 803 (363 7639) 803 (363-2458)

Are you the property owner? Please circle **Yes** or **No.**
If No, please complete and submit a Letter of Agency.

Criteria for approval of special exception applications:

In addition to the definitive standards applicable to the proposed use as detailed in Chapter 17 of the Code of Ordinances of the City of Columbia, the Board of Zoning Appeals shall approve an application for special exception only upon a finding that the following criteria are met.

Please explain *in detail* how your application meets the following criteria (attach separate sheets if necessary):

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

There is adequate ^{space} for traffic or vehicular drop off with the inclusion of parking, loading and unloading of children(s)

2. 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 property is not exposed to such conditions named above.

3. 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 property does not have substantial adverse impact on any other house, building etc" space is separate.

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

No the property is in a safe environmental area which is ~~not~~ patrolled by law enforcement daily.

5. 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.

No there is no similar types of special exceptions.

6. 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.

No

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

Yes which consists of environmental safety

8. The proposed special exception will not adversely affect the public interest.

No with consentual agreement there will be no misunderstandings.

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 Board of Zoning Appeals will render a written order regarding my application as soon as possible following the public hearing.
5. 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.
6. The Board may prescribe appropriate conditions and safeguards in conformity with Ch. 17, including, but not limited to items like the following: (1) hours of operation; (2) landscaping; and (3) screening of activities or structures.
7. Violation of the conditions and safeguards prescribed in conformity with Ch. 17, when made a part of the terms under which a special exception is granted, shall be deemed a violation, punishable under the penalties established therein.
8. 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.
9. The proposed use and construction complies or will comply with all other requirements of the City of Columbia Zoning Ordinance.

Signature Mary Randolph

Date _____

Print Name Mary Randolph

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