
CITY OF COLUMBIA
BOARD OF ZONING APPEALS MINUTES
DECEMBER 10, 2013- 10:00 AM

City Hall Council Chambers
1737 Main Street • Columbia, SC

In attendance: Ernest Cromartie, III, Patricia Durkin, Dr. Pat Hubbard, Reggie McKnight, Calhoun McMeekin, Chuck Salley

Absent: Preston Young

Staff: Brian Cook, Andrew Livengood, Andrea Wolfe

I. CALL TO ORDER and DETERMINATION OF QUORUM

Ernest Cromartie, chairperson, called the meeting to order at 10:03AM, and introduced the members of the Board of Zoning Appeals (BOZA).

II. APPROVAL OF MINUTES

Approve November 12, 2013 Minutes

Motion by Mr. Hubbard to approve the November 12, 2013 Minutes; seconded by Ms. Durkin. Motion approved 6-0.

III. CONSENT AGENDA

A. OLD BUSINESS

Mr. Hubbard recused himself from Consent Agenda item 2, 900 Senate Street and 1007 Park Street. Consent Agenda to be heard as two separate parts.

Item 1, +/-0.6 acres north of Quail Lane and south of Gregg Parkway, moved for discussion at request of Board member, Chuck Salley, to be heard at the beginning of the Regular Agenda.

None.

B. NEW BUSINESS

1. 13-65-V Dist. 4 +/- 0.6 acres north of Quail Lane and south of Gregg Parkway (TMS# 16705-05-01(portion))
Variance to rear yard setback requirements (Larry Brazell, East Richland County Public Service District) (PUD-R, -FP)

2. 13-066-SE Dist. 2 900 Senate Street and 1007 Park Street (TMS# 08916-10-01, -02, -10, -11, -12, -15, -16) Special
Exception to allow leased remote parking to meet

parking requirements (Jack W. Claypool, University of South Carolina Alumni Association) (C-4, -DD)

3. **13-068-SE** **Dist. 1** **5309 North Main Street (TMS# 11705-03-12)**
Special Exception to establish a day care facility (Erika Jones, Leaders of Tomorrow CDC) (UTD)

Motion by Mr. Hubbard to approve Consent Agenda item 3, **5309 North Main Street**, subject to any exhibits and conditions that may be found within the case summary 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 summary; *seconded by Mr. McMeekin*. **Consent Agenda item approved 6-0.**

Motion by Mr. Salley to approve Consent Agenda item 2, **900 Senate Street and 1007 Park Street**, subject to any exhibits and conditions that may be found within the case summary 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 summary; *seconded by Mr. McKnight*. **Consent Agenda item approved 5-0.**

IV. REGULAR AGENDA

A. OLD BUSINESS

None.

B. NEW BUSINESS

1. **13-65-V** **Dist. 4** **+/- 0.6 acres north of Quail Lane and south of Gregg Parkway (TMS# 16705-05-01 (portion))**
Variance to rear yard setback requirements (Larry Brazell, East Richland County Public Service District) (PUD-R, -FP)

Existing pump station in Richland County jurisdiction and a property line going into Gregg Park Neighborhood. Applicant wants an addition to the pump station that will encroach into City jurisdiction where there are easements and an agreement with Gregg Park Neighborhood Association.

It will be a bar-screen structure to improve liability and redundancy of the facility to prevent possible overflow from Gills Creek. It is a grabbing flow system, and must be built by way of the land flow to function correctly. Approval has been given by the Richland County BoZA for a variance request to have a zero setback; as a portion of the property is in the City, they must receive City BoZA approval.

Mr. Salley said his main concern is with the paved gravel area. In reviewing the plans, there is no existing landscape buffer between the structure and the community swimming pool adjacent to the structure; but there is an existing nice wooden area. It appears an equipment storage lot will be built there without any screening.

Ed Shooler, Deputy Director with East Richland County Public Service District, said the screening structure will be used for operation maintenance only and have a parking/turn-around area for the repairmen. A wooden ten-foot high privacy fence will be installed all the way around the new part of the property so it will be screened from the pool and the clubhouse. Part of the existing property is in the

County, and they have permanent easement from the Gregg Park Homeowners Association which is in the City; both are required. Mr. Shooler is unsure of the history of the pump station.

A ten-foot privacy fence would be allowed in that area without requirement of a special exception. The screening structure is a bar screen which is a vertical bar into the ground where flows go through and captures large objects to protect the pumps in the sewer line. There is an existing bar screen that is old and needs to be replaced, and this project provided the opportunity to allow that replacement. The only two new structures will be the bypass pump structure and the bar screen structure. The odor control system will function in the same way as the existing system. There will be no increase in capacity.

No one was in attendance to speak in favor or opposition of the request. Testimony closed for Board discussion.

Motion by Mr. Cromartie to approve the request for variance as presented by the applicant and staff for +/- 0.6 acres north of Quail Lane and south of Gregg Parkway to rear yard setback requirements the request for approve request for variance based upon testimony provided.

There are extraordinary and exceptional conditions that pertain to the subject property; these conditions do not generally apply to other property in the area; because of these conditions, the application of this particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; additionally, this variance would not be of substantial detriment to the adjacent property, or to the public good, and the character of the district will not be harmed by granting the variance. Testimony has been provided that here will be a ten-foot high privacy fence surrounding the property so as not to be injurious to the public good, or the character of the district; as well as odor screens.

Motion seconded by Mr. Hubbard. Request for variance approved 6-0.

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| 4. | 13-067-
SE | Dist. 1 | 4901 Monticello Road (TMS# 09212-04-09) Special
Exception to expand a day care facility (Donna Jackson,
Nay's Early Learning Academy) (C-1) |
| Deferred | | | |
| 5. | 13-069-
SE | Dist. 1 | 1110 Fiske Street (TMS# 11711-13-21) Special
Exception to establish an automotive repair shop
(Darrell W. Samuel, Tire Town 2) (C-3) |

Request to establish an automotive/tire repair shop. Should the Board be included to approve the request, staff asks that approval be conditioned that all work must be performed in the building, as well as all storage of materials.

Darrell Samuel, applicant, spoke on the request. He testified that no work would be done outside; automobiles will be pulled into the shop, tires changed, and cars pulled out.

The use as a tire shop will not affect environmental factors or aesthetics. Equipment / tires will be stored inside of the building; nothing will be stored outside of the building. Mr. Samuel testified that if his request is approved, approval would be conditional on having no storage outside.

With regard to public safety, no one could be hurt or exposed to anything because all materials and tires will be stored inside the building so no one can fall/trip or be exposed to mosquitoes due to standing water in tires.

The proposed use is consistent with the character and compatibility of the surrounding properties because there is a need for a tire shop for elderly people to have their cars/tires repaired for use. It would help develop the area to be there as part of an established [business] due to abandoned houses in the area.

No one was in attendance to speak in favor or opposition of the request. Testimony closed for Board discussion.

Motion by Mr. Hubbard to approved the request for special exception for 1110 Fiske Street to establish an automotive repair shop; the criteria have been satisfied in terms of the testimony and the documents in the file – in terms of vehicular and pedestrian safety; environmental factors, aesthetics; public safety; and nuisance concerns; concerns with concentration; character of the neighborhood. It is certainly compatible with adjoining usage, and it is not contrary to the public interest. Approval subject to the work being performed inside the building and there will be no outside storage of tires or equipment.

Motion seconded by Mr. McMeekin. Request for special exception approved 6-0.

V. OTHER BUSINESS

EXECUTIVE SESSION

Discussion of a matter covered by attorney-client privilege regarding assertion of claims against the board.

Motion by Mr. Cromartie to move into Executive Session to discuss attorney-client information at 10:31 a.m.; seconded by Mr. Hubbard. Motion approved 6-0.

Motion by Mr. Cromartie to exit Executive Session and resume regular meeting at 10:44 a.m.; seconded by Mr. Hubbard. Motion approved 6-0.

VI. ADJOURNMENT

There being no further business, motion by Mr. Cromartie to adjourn the December 10th, 2013 meeting; seconded by Mr. Hubbard. Meeting adjourned at 10:45 a.m.

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