
CITY OF COLUMBIA
BOARD OF ZONING APPEALS MINUTES

February 12, 2019 - 10:00 AM

City Council Chambers
1737 Main Street, 3rd Floor • Columbia, SC

In attendance: Chuck Salley, Gene Dinkins Jr., Reggie McKnight, Marcellous Primus, Josh Speed, Jenna Stephens

Absent: George Schafer

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 10:04AM. 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, proceeded with review of the consent agenda.

II. CONSENT AGENDA

A. APPROVAL OF MINUTES

1. Approve January 8, 2019 Minutes

B. OLD BUSINESS

NONE

C. NEW BUSINESS

- 2. 2019-0001-SE 201 South Assembly Street (TMS# 11301-15-03)** Special exception to permit a locksmith shop (Paul Bales, Ace Lock & Key) (C-2, -FP)
- 3. 2019-0003-SE 7539 Garners Ferry Road (TMS# 16315-04-02)** Special exception to establish a pawn shop (Randy B. Moore, Elite Pawn & Gun, LLC) (C-3)
- 4. 2019-0004-V 1604 Adger Road (TMS# 13907-03-11)** Variance to the side yard setback requirement for addition to a single family residence (Joanne Pool) (RS-1)

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

Motion by Mr. Dinkins, Jr. to approve the Consent Agenda subject to any staff comments.

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

III. REGULAR AGENDA

- 5. 2018-0101-SE 3624 Rosewood Drive (TMS# 13805-01-03)** Special exception to construct a 100' stealth Wireless Communication Tower (Jonathan L. Yates on behalf of optima Towers IV) (C-2)

DEFERRED

6. **2018-0123-V** **1525 Westminster Drive (TMS# 11412-05-04)** Variance to fence height requirement (Ray Holberger) (RS-2)

Rachel Bailey, zoning administrator, introduced the request for variance to a fence height requirement.

Raymond Holberger, applicant, presented the variance request to the fence height ordinance to construct a privacy fence along Forest Drive. A privacy fence of up to 6 feet is permitted in the secondary front and a fence up to 4 feet in the front. Because of the difference in grade topography, a maximum height of 9 feet is being requested instead.

Mr. Holberger contacted his neighbors and requested conditions for approval of the request to address neighborhood concerns: the top of the fence is as level as possible; all posts, bolts and the side of the fence facing Forest Drive will be stained; and extensive landscaping will be put in place between the fence and Forest Drive.

Members of the public were invited to speak regarding the request.

Charles Brooks, president of the Forest Hills Neighborhood Association, voiced support if certain conditions met

Sam Clark, resident, voiced support with conditions

Hillary McDonald, resident, voiced support with conditions

Mary McCants, resident and historian for national register nomination written for neighborhood, shared copies of images/maps/and documentation used for national register. She voiced concerns that certain national register criterion be maintained with this proposal

Barbara Rakes, property owner, voiced opposition if conditions not met

Eric Powers, resident, voiced opposition if conditions not met

Mr. Holberger reviewed the criteria required for a request for variance.

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

Motion by Mr. Salley to approve the request with the stipulation that the wall be even all the way across until 25' setback from Westminster; the wall be reduced to 4' within the 25' front setback from Westminster, the wall goes back to a four foot wall within that setback; that the applicant agrees to landscape the area between the fence and the property line along Forest Drive; and that the applicant agrees to match the gate and wall color.

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

7. **2019-0002-SE** **2807 Atlas Road (TMS# 13510-01-01)** Special exception to permit a convenience store and gasoline service station (Kai Burk, Bowman Consulting Group) (C-3)

Rachel Bailey, zoning administrator, introduced the request to permit 1) a gasoline service station and 2) convenience store. This request was placed on the regular agenda as it will require two separate motions. The special exceptions will be reviewed together but voted on individually.

Paul Lawler, civil engineer with Bowman Consulting Group, presented the requests and gave background on the projects.

The request is in two parts:

Part I: A request to permit a gasoline service station on the parcel. Circle K owns and operates the existing gas station on site and are looking at redevelopment of the site. They will also be replacing canopies and changing layout of gasoline and diesel pumps on-site as well as other improvements.

Part II: A request to permit a convenience store. The existing convenience store will be replaced with a larger building. Parking will be provided on-site. Other improvements include access improvements for the site, an onsite storm water pond will detain some increased impervious volume from the project, as well as utility improvements associated with the project.

The subject parcel received 2nd reading by City Council for annexation on February 5, 2019, so redevelopment will be in accordance to City of Columbia development regulations.

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

No one spoke in favor or opposition of the request.

Motion by Mr. Salley to approve the request for special exception to permit a gasoline service station based on the applicant's testimony, both written and verbal, as conditions for the special exception have been met, approval subject to any comments of staff.

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

Motion by Mr. Salley to approve the request to replace the existing convenience store based on written and verbal testimony of the applicant, and subject to conditions of staff.

Motion seconded by Mr. McKnight. 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. McKnight. Meeting adjourned at 11:15AM.

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