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**CITY OF COLUMBIA  
BOARD OF ZONING APPEALS MINUTES**

**March 12, 2019 - 10:00 AM**

**Busby Community Center  
1737 Main Street, 3<sup>rd</sup> Floor • Columbia, SC**

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**In attendance:** Chuck Salley (late arrival), Gene Dinkins Jr., Reggie McKnight, Marcellous Primus, George Schafer, Jenna Stephens

**Absent:** Josh Speed

**Staff:** Rachel Bailey, Hope Hasty, Andrea Wolfe

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

Gene Dinkins, Jr. vice-chair, called the meeting to order at 10:10AM. 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 February 12, 2019 Minutes**

**B. OLD BUSINESS**

**NONE**

**C. NEW BUSINESS**

- 2. 2019-0005-SE      1315, 1322 & 1324 Calhoun Street (TMS#s 09016-10-18, 09015-04-03, 09015-04-04) Special exception to permit shared parking arrangement (Jose B. Lirio IV, F.I.T.X) (C-4, -DD)**
- 3. 2019-0009-V      2237 Marion Street (TMS# 09113-11-02) Variance to the lot coverage requirement for an addition to a single family residence (Carl 'Scott' & Barbara Diller) (RS-3, -DP)**
- 4. 2019-0010-V      1323 Claremont Drive (TMS# 13909-02-08) Variance to fence height requirement (Barri Arnold Thompson) (RS-1)**
- 5. 2019-0013-SE      7302 Broad River Road (TMS# 05004-02-08) Special exception to permit a  
(a) gasoline service station (Greg Sistrunk, Keck and Wood, Inc.) (C-3)**  
**2019-0013-SE      7302 Broad River Road (TMS# 05004-02-08) Special exception to permit a  
(b) convenience store (Greg Sistrunk, Keck and Wood, Inc.) (C-3)**
- 6. 2019-0014-V      1517 Gregg Street (TMS# 11403-10-05) Variance to the parking requirement for an office/medical office use (Richard E. Carlisle, CAN Community Health, Inc.) (C-1, C-3)**
- 7. 2019-0015-V      2222 & 2238 Sumter Street (TMS# 09016-03-12) Variance to the maximum sign display surface area requirement (Frank Cason, Cason Development Group, LLC.) (MX-1, -NC)**

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

**Motion by Mr. McKnight to approve the Consent Agenda subject to any staff comments.**

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

### **III. REGULAR AGENDA**

8. **2019-0006-SE**      **2538 Two Notch Road Unit B (TMS# 11511-07-01)** Special exception to permit a liquor store (Ashok Kumar, Mehersai, LLC) (C-3)

Rachel Bailey, Zoning Administrator, introduced the request.

Ashok Kumar, applicant, presented the request. Mr. Kumar reviewed the criteria required for a special exception.

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

Diane Wiley, president of the Belvedere Neighborhood, voiced opposition to the request.

As no one else wished to speak, testimony closed for board discussion.

**Motion by Mr. Schafer to approve the request for special exception based on staff comments.**

**Motion seconded by Ms. Stephens. Motion carries 5-1 with Mr. McKnight in opposition.**

Mr. Salley, chairperson, had arrived by this time. Meeting turned over from Mr. Dinkins, Jr. to Mr. Salley.

9. **2019-0007-SE**      **1213 Heidt Street (TMS# 11410-01-15)** Special exception to permit a religious information center (First Nazareth Baptist Church) (RG-2, -DP)

Rachel Bailey, zoning administrator, introduced the request.

William Pyatt, Columbia attorney, represented First Nazareth Baptist Church. Mr. Pyatt presented the request.

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

James Baker, resident and member representing the Historic Waverly Neighborhood Association, voiced opposition to the request.

Denise Gipson, resident, voiced concerns regarding vehicular and pedestrian safety as there is a child care center across the street from the property, stating opposition to the request.

Frank Houston, president of Historic Waverly Community and part of the ministerial staff of First Calvary Baptist Church, spoke on the historical significance of the house. Mr. Houston voiced opposition to the request stating concerns regarding parking and traffic with regard to the daycare across the street.

As no one else wished to speak, testimony closed for board discussion.

**Motion by Mr. Salley to approve the request based on applicant testimony and the written application.**

**Motion seconded by Mr. Schafer. Motion fails 2-4 with Mr. Salley and Mr. Schafer in approval, and Mr. Dinkins, Jr., Mr. Primus, Mr. McKnight, and Ms. Stephens in opposition.**

**Motion by Mr. Dinkins, Jr. to deny the special exception to establish a religious information center.**

**Motion seconded by Mr. Primus. Motion approved 4-2 with Mr. Dinkins, Jr., Mr. Primus, Mr. McKnight, and Ms. Stephens in favor; and Mr. Salley and Mr. Schafer in opposition.**

- 10. 2019-0008-V      3018 Duncan Street (TMS# 13802-01-04) Variance to the fence height requirement (Linda Davis & Buddy McEntire) (RG-1, -CC)**

Rachel Bailey, applicant, introduced the request.

Linda Davis and Buddy McEntire, applicants, presented the request for variance to allow an 8-foot fence on the side yard which is to replace an existing fence. Ms. Davis received a letter a support from the neighboring multifamily residential structure owner.

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

**Motion by Mr. Salley to approve the request based on the testimony and written application, it has been shown that it meets the minimum requirements necessary, it does not negatively affect other properties in the neighborhood, it is in harmony with the intent of the Zoning Ordinance and all other criteria required for a variance.**

**Motion seconded by Mr. McKnight. Motion carries 6-0.**

- 11. 2019-0011-SE      2100 Two Notch Road (TMS#s 11509-02-11, -10 & -09) Special exception to permit a liquor store (City Gas at Two Notch, LLC) (C-3)**

Rachel Bailey, zoning administrator, introduced the request.

G. Singh Malik, applicant, presented the request to establish a liquor store that will be attached to the existing convenience store/gas station. Mr. Malik provided a petition with 300 signatures of support to the board for review.

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

Diane Wiley, neighborhood resident, voiced opposition to the request.

Donald Richardson, fuel supplier for other stores owned by applicant, voiced support of the request.

As no one else wished to speak, testimony closed for board discussion.

**Motion by Mr. Dinkins, Jr. to approve the special exception to establish a liquor store on the property.**

**Motion seconded by Mr. Schafer. Motion approved 5-1 with Mr. Primus in opposition.**

12. 2019-0012-V 2709 Canterbury Road (TMS# 11415-04-08) Variance to the front yard setback  
(John C. & Amanda A. Wolfe) **WITHDRAWN**

**IV. OTHER BUSINESS**

**ELECTION OF CHAIR AND VICE-CHAIR**

**Nomination by Mr. Dinkins, Jr. of Chuck Salley for chair, accepted by Mr. Salley.**

**Nomination seconded by Mr. McKnight**

**Nomination by Mr. McKnight of Gene Dinkins, Jr. for vice-chair, accepted by Mr. Dinkins, Jr.**

**Nomination seconded by Ms. Stephens.**

Chuck Salley appointed Chair for March 2019 – 2020

Gene Dinkins, Jr. appointed vice-chair for March 2019 – 2020

**V. ADJOURNMENT**

***There being no further business, motion to adjourn by Mr. Salley. Meeting adjourned at 11:25AM.***

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