
CITY OF COLUMBIA
BOARD OF ZONING APPEALS MINUTES

January 14, 2020 - 10:00 AM

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

In attendance: Chuck Salley, John Gregory, Marcellous Primus, George Schafer, Josh Speed, Jenna Stephens

Absent: Gene Dinkins Jr.

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 10:00AM.

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, announced that item 1 on the Regular Agenda, **2019-0069-SE, Broad River Road and Lake Murray Boulevard**, was withdrawn by the applicant; and item 2 on the Regular Agenda, **2019-075-SE, 1324 Richland Street**, was deferred by the applicant. Therefore, those items will not be heard. She then proceeded with review of the Consent Agenda consisting of the December Meeting Minutes.

II. CONSENT AGENDA

A. APPROVAL OF MINUTES

1. Approve December 10, 2019 Minutes

B. OLD BUSINESS

NONE

C. NEW BUSINESS

NONE

Motion by Mr. Gregory to approve the December 10, 2019 Minutes.

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

III. REGULAR AGENDA

A. OLD BUSINESS

- 1. 2019-0069-SE Broad River Road and Lake Murray Boulevard (TMS# 05000-03-02)** Special exception to establish a convenience store (Rob Wayne Jr., WS13 Arkitekton, LLC) (C-3)
- 2. 2019-0075-SE 1324 Richland Street (TMS#09015-09-06)** Special exception to establish an outdoor public table and seat space (Bruce Yeske, on behalf of Estate of Joseph Azar) (C-1, -5D, -D)

B. NEW BUSINESS

- 3. 2019-0084-SE 901 Harden Street (TMS# 11405-10-08)** Special exception to add a second drive through lane to existing restaurant (Jacob S. Barker, Graybill Lansch & Vinzani, LLC) (MX-1, -5PU)

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Ms. Bailey introduced the request for special exception to add a second drive through lane to an existing restaurant.

Jacob S. Barker, attorney for the applicant, spoke on the request. Plans are to renovate the building and add a second drive-through lane to alleviate off-site traffic issues by providing space for on-site stacking of vehicles. Off-street parking requirements will still be met on-site.

Conversations have been held with the Five Points Association who support the request. He then reviewed the criteria required for a special exception.

Randy Green, property owner, was available for questions.

A representative from Chick-Fil-A Support Center in Atlanta was available for questions.

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 for special exception subject to comments and stipulations in the application by staff.

Motion seconded by Mr. Gregory.

Motion carries 5-1 with Mr. Schafer in opposition.

4. **2019-0085-SE 2561 Two Notch Road (TMS# 11511-06-04)** Special exception to establish an automotive use (used tire shop) (Jacob Cruz Aguilar, Juan Tires, LLC. & Joseph Pagan, Latin American Accounting, LLC.) (C-3)

Ms. Bailey introduced the request for special exception to establish a used tire shop.

Jacobo Cruz Aguilar, applicant, presented the request to re-establish an automotive use. The outside of the building and parking lot will be updated, landscaping added, and the parking lines will be restriped.

There will be no tires stacked outside or left outside overnight.

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

Motion by Mr. Gregory to approve the request for special exception for the tire shop to be established at 2561 Two Notch Road subject to all staff stipulations and comments. Motion seconded by Mr. Schafer. Motion carries 6-0.

5. **2019-0086-SE 7347 Garners Ferry Road (TMS# 16409-05-04)** Special exception to establish a drive through facility for a restaurant use (Cason Development Group) (pending C-3)

Ms. Bailey introduced the request for special exception.

Frank Dougherty of the Cason Development Group, applicants, presented the request for a special exception. This building with an existing drive through window will be renovated into a

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new fast food restaurant with shared access to the property. A traffic study has not been done at this time.

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 responses in the written application and the testimony given today by the applicant subject to all comments and stipulations by staff.

Motion seconded by Ms. Stephens. Motion passes 6-0.

- 6. 2019-0087-V 1208 Confederate Avenue (TMS# 09113-13-03)** Variance to the side yard setback requirement to convert existing structure to an additional dwelling unit (Robert (Ben) Davis) (C-1, -DP)

Ms. Bailey introduced the request for variance to an existing accessory storage building that was built at the accessory structure setbacks. As the structure is being converted into a dwelling unit on the lot, the regular setbacks must be met for the district. The variance is required to make that conversion.

David Cooper, representative for the applicant Ben Davis, presented the request.

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 based on the application and testimony of the applicant; and subject to all comments stipulations of staff.

Motion seconded by Ms. Stephens. Motion passes 6-0.

IV. OTHER BUSINESS

NONE

V. ADJOURNMENT

Motion to adjourn the meeting by Mr. Salley.

Motion seconded by Mr. Gregory. Motion passes 6-0.

Meeting adjourned at 10:37AM.