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# CITY OF COLUMBIA BOARD OF ZONING APPEALS MINUTES

March 5, 2020 – 4:00PM

City Council Chambers  
1737 Main Street, 3<sup>rd</sup> Floor • Columbia, SC

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**In attendance:** Gene Dinkins, Jr., Chuck Salley, John Gregory, Marcellous Primus, George Schafer, Josh Speed, Jenna Stephens (arrived at beginning of case #4)

**Absent:** None

**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 4:00PM. 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 11, 2020 Minutes**

### **B. OLD BUSINESS**

**NONE**

### **C. NEW BUSINESS**

#### **2. 2020-0014-SE 100 Sparkleberry Crossing Road (TMS# 25705-07-32) Special exception to permit a drive through facility for a pharmacy use (Patrick B. Gamble, Landy's Pharmacy) (C-3)**

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

**Motion seconded by Mr. Schafer. Motion passes 6-0.**

## **III. REGULAR AGENDA**

### **A. OLD BUSINESS**

**NONE**

### **B. NEW BUSINESS**

Recusal from vote and discussion by Mr. Dinkins, Jr. from item #3 and item #4 on the Regular Agenda.

**Motion by Mr. Salley to move item #3, 5744 & NX5744 Farrow Road to the end of the agenda as the applicant was not in attendance at this time.**

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

#### **3. 2020-0007-SE 5744 & NX5744 Farrow Road (TMS# 11713-02-40, -05, -07) Special exception to establish an automotive repair use (Arthur Morant, Sr.) (C-3)**

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4. **2020-0013-V 1000, 1010, 1014 Lady Street & 1218 Park Street (TMS#s 09013-09-01, -02, -04 & -22)** Variance to the off-street parking requirement for a hotel use (Casey Gemunder on behalf of Choice Hotels International) (M-1, -DD)

Ms. Bailey introduced the request.

Leighton Lord of Nexsen Pruet, attorney for the applicant, provided a brief overview of the project for a Cambria Hotel. The hotel will be 4-stories with 144 guest rooms. The variance request is for parking. One hundred forty-four spaces are 144 spaces, and the applicant is requesting 38 spaces.

Mr. Lord reviewed the criteria required for a variance.

Meetings were held with the Vista Guild, and the Vista Neighborhood Association who provided letters of support of the project.

Casey Gemunder of Choice Cambria, David Anderson and Mary Beth Branham from LS3P Architects, and Doug Miller from High Side were also in attendance for questions.

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

**Motion by Mr. Salley to approve the request subject to the stipulations in the application by staff, and based on the written and oral testimony of the applicant at the meeting.**

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

Mr. Dinkins, Jr. resumed his seat on the Board.

5. **2020-0015-SE 625 & 615 Whaley Street (TMS#s 08913-13-05 & -06)** Special exception to establish a convenience store (S. Jahue Moore, Moore Taylor Law Firm) (M-1, -PD)

Ms. Bailey introduced the request.

Jahue Moore, attorney for the applicant, presented the request. Mr. Moore stated the current convenience store on the property will be demolished upon completion of the new building. The gas pumps will remain.

Two historic houses currently on the property will be donated to the community association who will relocate them in the neighborhood.

Meetings have been held for the past year with all neighborhood associations, and it is Mr. Moore's understanding that there is no neighborhood opposition.

He then reviewed the criteria required for a special exception.

Ms. Bailey stated that moving permits and building permits for the foundations of the houses have already been obtained, and the houses may already have been moved.

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

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Joe Wider, Granby Neighborhood Association and Mill District Alliance, voiced support of the application and stated they are pleased with the agreements. The homes will be moved back into the neighborhood as infill on Catawba Street.

**Motion by Mr. Salley to approve the application subject to the comments of staff and based on the applicant’s spoken testimony and written application.**

**Motion seconded by Mr. Dinkins, Jr. Motion passes 7-0.**

3. **2020-0007-SE**      **5744 & NX5744 Farrow Road (TMS# 11713-02-40, -05, -07)** Special exception to establish an automotive repair use (Arthur Morant, Sr.) (C-3)

Ms. Bailey introduced the request for special exception.

Arthur Morant, Sr. and Arthur Morant, Jr., applicants, were sworn in. Mr. Morant, Sr. stated they had been in the automotive repair use business for many years and were looking for an upgrade to the business.

Mr. Morant, Jr. presented the request and proceeded with review of the criteria required for a special exception. Plans are to have an educational mentoring program or grocery type store on site in the future.

The applicants agreed to the six additional conditions of staff for approval of the request.

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

**Motion by Mr. Salley to approve the request for special exception based on the written application and oral testimony of the applicant and subject to all stipulations of staff.**

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

**IV. OTHER BUSINESS**

**A. ELECTION OF CHAIR AND VICE-CHAIR**

Annual nominations for chairperson and vice-chairperson were due.

Mr. Dinkins, Jr. nominated Mr. Salley for chairperson

Mr. Salley nominated Mr. Dinkins, Jr. for vice-chairperson.

Mr. Speed doubled the nominations as made.

**Motion by Mr. Gregory to have Mr. Salley serve as chair and Mr. Dinkins, Jr. serve as vice-chair.**

**Motion seconded by Mr. Primus. Motion passes 7-0.**

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**V. ADJOURNMENT**

**Motion to adjourn the meeting by Mr. Dinkins, Jr.  
Motion seconded by Mr. Schafer. Motion passes 7-0.  
Meeting adjourned at 4:40PM.**