
CITY OF COLUMBIA BOARD OF ZONING APPEALS MINUTES

May 7, 2020 – 4:00 PM

Virtual Meeting

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

Absent: None

Staff: Rachel Bailey

I. CALL TO ORDER and DETERMINATION OF QUORUM

Rachel Bailey, Zoning Administrator, explained the format of the meeting. She stated that the public had the ability to call in and be placed in the queue to speak, leave a message to be read into the record, or send an email which would be read into the record.

Chuck Salley, chair, called the meeting to order at 4:00 PM.

Members of the Board of Zoning Appeals (BOZA) were introduced along with Staff. Quorum was confirmed.

Rachel Bailey, zoning administrator, proceeded with review of the Consent Agenda.

II. CONSENT AGENDA

A. APPROVAL OF MINUTES

1. Approve March 5, 2020 Minutes

B. OLD BUSINESS

NONE

C. NEW BUSINESS

2. **2020-0018-SE** **400-Blk Sunset Drive (TMS# 09107-02-02)** Special exception to establish a religious organization (Russell T. Spencer, Deliverance & Revival Center Church) (RG-2)
3. **2020-0019-V** **2824 Blossom Street (TMS# 11315-03-08)** Variance to the side yard setback requirement for an addition (Bryan & Dia Dooley) (RG-1, -CC)
4. **2020-0020-SE** **2509 Forest Drive (TMS# 11412-04-01)** Special exception to reestablish a drive through facility for a restaurant use (John K. Powell, Seed Architecture, LLC) (C-3)
5. **2020-0021-V** **523 Superior Street (TMS# 11212-19-02)** Variance to the minimum parking requirement for a membership sports and recreation use (Harris Cohn, 523 Superior Street, LLC) (M-1)
6. **2020-0024-SE(a)** **1501 Broad River Road and 1231 Bush River Road aka 215 Bush River Road (TMS#s 07308-01-07 & -06)** Special exception to establish a gasoline service station (Greg Sistrunk, Keck & Wood, Inc.) (C-3 and pending C-3)

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2020-0024-SE(b) 1501 Broad River Road and 1231 Bush River Road aka 215 Bush River Road (TMS#s 07308-01-07 & -06) Special exception to establish a convenience store (Greg Sistrunk, Keck & Wood, Inc.) (C-3 and pending C-3)

Request by Ms. Bailey to move case# 2020-0025-V to the Regular Agenda due to public comment.

Motion by Mr. Salley to approve the Consent Agenda, with the exception of case 2020-0025-V, which was moved to the Regular Agenda.

Motion seconded by Mr. Schafer. Motion passes 7-0.

III. REGULAR AGENDA

A. OLD BUSINESS

NONE

B. NEW BUSINESS

Recusal from vote and discussion by Mr. Dinkins, Jr. from item #7 on the Regular Agenda (formerly Item #7 on the Consent Agenda).

- 7. 2020-0025-V 1515/1516 Garden Plaza (Former site of Gonzalez Gardens) (TMS#s 11411-04-01, 11411-05-01, et al)** Variance to the maximum height requirement for a proposed senior apartment building (Columbia Housing Authority) (RG-2)

Ms. Bailey introduced the request for variance. She stated that a variance was granted in 2017 for height of the senior apartment building, and the proposed building location has changed from that time. The variance request has also been reduced from 55' height to 50' height.

Matthew Davis, applicant's representative, provided a project summary. He stated that the proposed senior building will now be located at the corner of Forest Drive and Millwood Drive. The height variance is being requested due to a drop off on the west side of the property.

Chase Toler, resident of the community, stated that he was concerned that the site is not being used for mixed-use/mixed-income development, as promised by the developer.

Ms. Bailey reiterated to the public that this request is only for the height variance to the senior housing building and any planned changes to the development must go to Planning Commission for site plan review.

Adam Dalenburg, Columbia Housing Authority, stated that the Housing Authority has been transparent throughout the development process, and that while the original intent was for the

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project to be mixed-use/income, the Authority is in the position of requiring tax credits to financially make the project work.

LuCinda Herrera, Columbia Housing Authority, stated that the variance is only needed for the senior housing portion of the project, and that the Housing Authority has engaged with residents throughout the process.

Kristina Miles, former Dreher High School student, spoke in support of the request.

Willa Martin Bailey, citizen, spoke in opposition to the request. Ms. Bailey was concerned that the sign posted at the site stated the meeting time as 10 am.

Motion by Mr. Salley to approve the request subject to staff conditions.

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

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

- 8. 2020-0017-V 2326 Lincoln Street (TMS#s 09012-13-02)** Variance to the maximum lot coverage requirement for an accessory storage structure (Marian P. Meriwether) (RS-3, -DP)

Ms. Bailey introduced the request for variance.

Marian Meriwether, applicant, presented her request to the Board. She stated that her intent is to replace an old storage building on the lot with a new, slightly larger building in the same location. The variance request is for 34% lot coverage rather than the 30% allowed in the RS-3 district.

No one spoke in favor or opposition of the request.

Motion by Mr. Salley to approve the request subject to staff conditions.

Motion seconded by Mr. Dinkins. Motion passes 5-2.

- 9. 2020-0022-V 118 S. Edisto Avenue (TMS# 11310-14-12)** Variance to the maximum lot coverage for an attached carport (Margaret Wallace) (RS-3, -CC)

Ms. Bailey introduced the request for variance.

Margaret Wallace, applicant, presented her request to the Board. She stated that she would like to add a carport to provide off-street parking at this residence. The proposed carport would bring the lot coverage to 33%, which is over the 30% allowed in the RS-3 district.

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E-mail from Susan James, neighborhood resident was read into the record. Ms. James expressed concern over the design materials and construction of the proposed carport.

Motion by Mr. Dinkins to approve the request subject to staff conditions.
Motion seconded by Mr. Gregory. Motion passes 5-2.

- 10. 2020-0016-V 118 S. Edisto Avenue (TMS# 11310-14-12)** Variance to the side yard setback for an attached open carport (Margaret Wallace) (RS-3, -CC)

Ms. Bailey introduced the request for variance.

Margaret Wallace, applicant, presented her request to the Board. She stated that she would like to add a carport to provide off-street parking at this residence. The proposed carport is requested to be 2 feet from the side property line instead of the required 5 feet in the RS-3 district.

E-mail from Susan James, neighborhood resident was read into the record. Ms. James expressed concern over the design materials and construction of the proposed carport.

Motion by Mr. Dinkins to deny the request.

Motion seconded by Mr. Schafer. Motion passes 5-2.

Recusal from vote and discussion by Mr. Gregory from item #11 on the Regular Agenda.

- 11. 2020-0023-SE Broad River Road & Lake Murray Boulevard (TMS# 05000-03-02)** Special exception to permit a gasoline service station and convenience store (Karamjit Singh, DK Fuel & Foods, LLC) (C-3)

Ms. Bailey introduced the special exception request to permit 1) a gasoline service station and 2) convenience store. The special exceptions will be reviewed together but voted on individually.

Tom Britt, project engineer, presented the request to the Board. Mr. Britt stated that a traffic impact study was submitted to SCDOT and approved. There is to be no access from Broad River Road. He also stated that per city regulations, all lighting will be directed downward. Although the business will be open from 6 am until midnight, deliveries will be limited to typical business hours only. The Harbison Community Association would require a 20' buffer along roads and 10' buffer on the side, using as much existing vegetation as possible. There is an existing natural buffer adjacent to the neighborhood across Broad River Road.

Dave Grove, Executive Director of the Harbison Community Association, stated that the postings on the property displayed incorrect information regarding meeting time and place, and requested that the meeting be postponed.

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Fernando Williams, resident, stated that the notification for the meeting was inaccurate and that the email address on the city website was also incorrect. Mr. Williams stated he was concerned about a potential increase in traffic in the area. He stated that there are already numerous gas stations in the area, and that the sale of alcohol and other paraphernalia would negatively impact the surrounding residential areas.

Raymond Lord, longtime resident, stated his opposition to the project. He stated that the project would cause traffic to worsen and that there are already numerous gas stations in the area to meet residents' needs.

Marilyn Johnson, resident, stated her opposition to the project. Her concerns included a decrease in property values, increase in traffic, and negative impact on safety of neighborhood children. She stated that there are already many gas stations in the area. She was also concerned about the postings containing the wrong location and time.

Johnny Barnett, resident, stated his opposition to the project. He was concerned about the impact on traffic and noted that there are already many gas stations in the area. He stated that he felt more people would comment had the correct time and location been displayed on the postings, and asked that the meeting be rescheduled.

Cindy McIntee, adjacent property owner, stated that the city website was misleading and that customer care did not give out accurate meeting information, and requested that the meeting be postponed. She was concerned about alcohol sales associated with the proposed use and delivery trucks that would be driving through daily. She also stated there are many other gas stations in the area.

Marguerita Deitrick, resident, stated her opposition to the request, noting that there are several gas stations already in this area.

Betty Brooks, resident, stated her opposition to the request due to traffic concerns.

Kevin Simons, resident, stated his opposition to the request. He felt it would negatively impact existing residents. He also requested to delay the meeting.

Vanessa Abercrombie, resident, stated her opposition to the request. She stated there is already a nearby gas station and that she was concerned about traffic.

Lynn Pinion, resident, stated her opposition to the request. She stated that the project would have an effect on noise, light pollution, and property values, and that quality of life would be negatively impacted.

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Gail Morales, longtime resident, stated her opposition to the request. She stated that a commercial business does not belong in a residential community, and was concerned that the project would result in crime and vagrants and would bring down property values.

Tom Britt, project engineer, addressed some of the concerns stated by residents. He stated that the approximately 5,000 square foot convenience store and 6 gas pumps would service existing residents and would not bring in outside traffic. He stated he had measured the closest existing gas station to be 8/10 mile away. He also stated that the Harbison group had granted preliminary approval to the project. Mr. Britt stated that the project team did not meet directly with residents.

Beatrice Fields, resident, stated that she was concerned with the project's proximity to the nearby church and EMS station. She stated that traffic patterns on Broad River Road affect the traffic on Lake Murray Boulevard.

Motion by Mr. Dinkins, Jr. to deny the request for special exception to permit a gasoline service station

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

Motion by Mr. Dinkins, Jr. to deny the request to permit a convenience store

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

Mr. Gregory resumed his seat on the Board.

IV. OTHER BUSINESS

V. ADJOURNMENT

Motion to adjourn the meeting by Mr. Salley.

Motion seconded by Ms. Stephens. Motion passes 7-0.

Meeting adjourned at 7:10 PM.