

**BOARD OF ZONING APPEALS  
CASE SUMMARY FOR  
VARIANCE REQUEST**



**3006 Devine Street**

May 8, 2018 at 10:00 A.M.  
City Council Chambers, 1737 Main Street, 3<sup>rd</sup> Floor  
Columbia, South Carolina

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**Case Number:** 2018-0013-V  
**Subject Property:** 3006 Devine Street (TMS# 13804-16-02)  
**Zoning District:** C-2 (Neighborhood Commercial),  
**Applicant:** Frank Dougherty  
**Property Owner:** Cason Development Group  
**Summary Prepared:** March 29, 2018

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**Requested Action:** Variance to parking requirements for an eating place  
**Applicable Sections of Zoning Ordinance:** §17-258 Parking requirement is 8 for each 1,000 square feet of gross floor area  
§17-112 Standard criteria for variances

**Case History:** N/A

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**Staff Comments:** The applicant is requesting a variance to the parking requirements for a proposed restaurant. The parking requirement is 36 spaces. Applicant can provide 18 parking spaces on-site.

An associated application (2018-0036-SE) is before the Board. Applicant is requesting a special exception to lease remote parking on an adjacent parcel. Applicant is requesting to lease 10 remote parking spaces on the adjacent lot from 5:30PM to close on Monday-Friday and for the full hours of operation on Saturday and Sunday. At all other times, Applicant has requested a variance to provide 18 spaces on-site.

The existing building has a total of +/- 4,500 square feet and is situated on a +/-13,998 square foot lot. Applicant intends to renovate the existing office building to fit the needs of a proposed restaurant. A conceptual plan is attached.

**Should the Board approve this request, the following items shall be conditions of approval:**

- Construction and operation to be in substantial conformance with the application and supporting materials submitted by the applicant and shall conform to all relevant city development regulations.

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**Any documents submitted by persons expressing support or concern about this application are attached hereto and made part of the record of the public hearing.**

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# Zoning Map

Variance 2018-0013-V

3006 Devine Street  
TMS# 13804-16-02



Department of Planning & Development Services

### Legend

- RAILROADS
  - CITY LIMITS
  - FEMA FP
- |       |               |
|-------|---------------|
| D-1   | C-1           |
| RS-1  | C-2           |
| RS-1A | C-3           |
| RS-1B | C-3A          |
| RS-2  | C-4           |
| RS-3  | C-5           |
| RD    | M-1           |
| RD-2  | M-2           |
| RG-1  | PUD-C         |
| RG-1A | PUD-LS        |
| RG-2  | PUD-LS-E      |
| RG-3  | PUD-LS-R      |
| UTD   | PUD-R         |
| MX-1  | OUT OF CITY   |
| MX-2  | DD DISTRICT   |
|       | DP DISTRICTS  |
|       | PD DISTRICT   |
|       | CC OVERLAY    |
|       | City Landmark |

1 inch = 83 feet

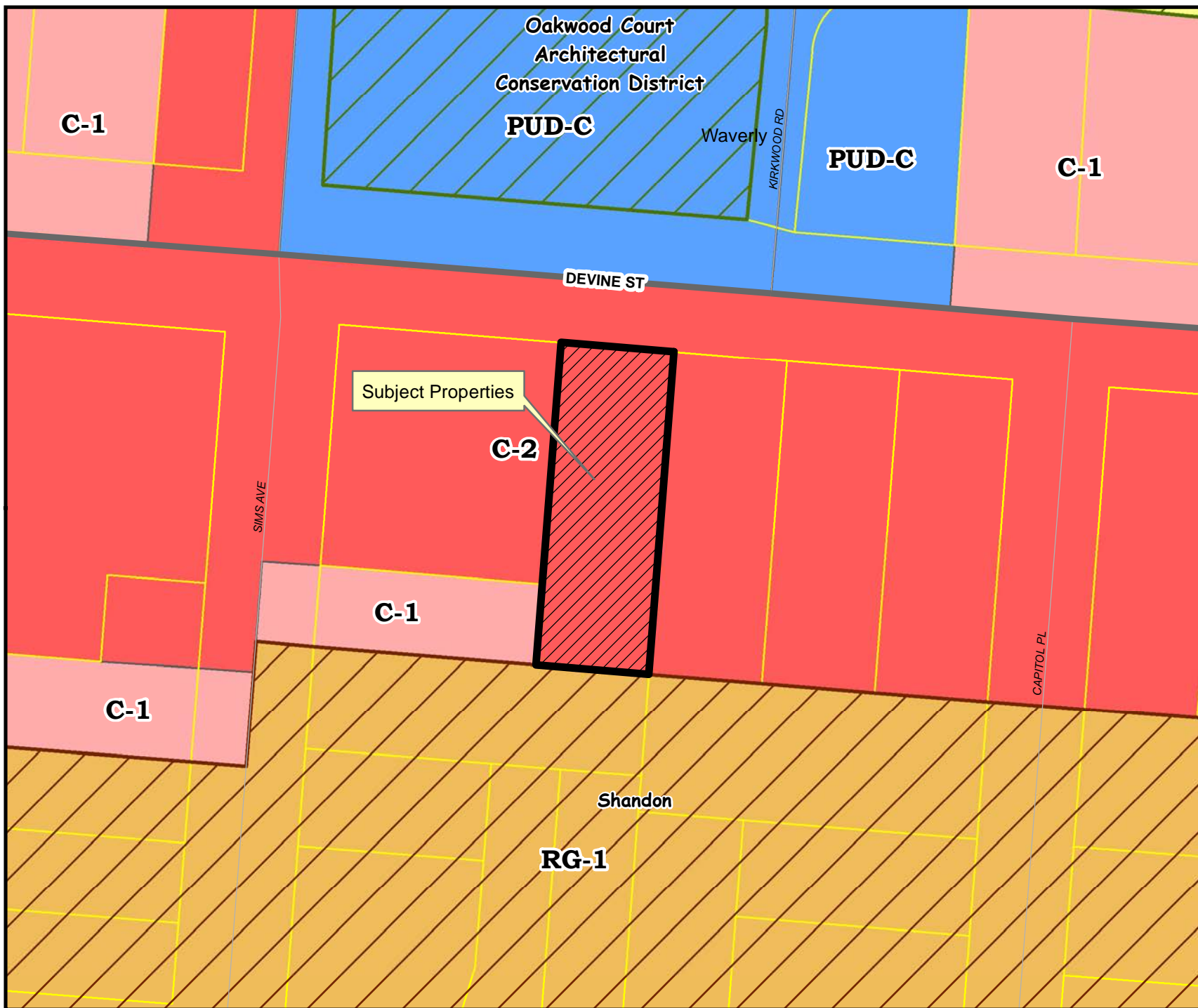
### ORIGINAL PREPARATION/DATE:

This map was prepared by:

Hannah Slyce  
for  
March 13, 2018  
BoZA Meeting

### DISCLAIMER:

The City of Columbia Department of Planning and Development Services data represented on this map or plan is the product of compilation, as produced by others. It is provided for informational purposes only and the City of Columbia makes no representation as to its accuracy. Its use without field verification is at the sole risk of the user.





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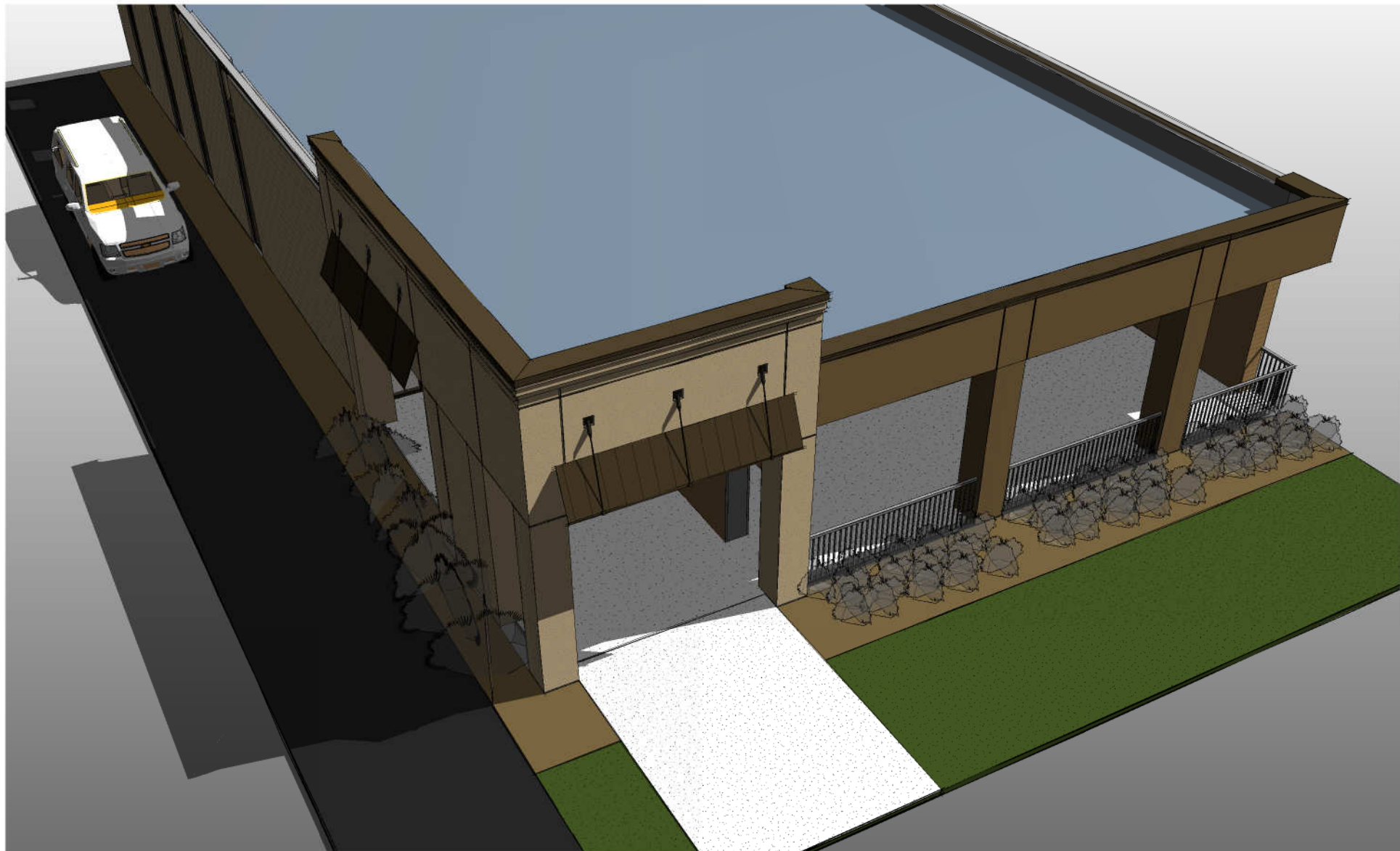


3006 Devine Parking (Aerial)











**Office Use Only** Date Received: 2/2 Case Number: 2018-0013  
 Staff Initial: EB Invoice #: \_\_\_\_\_

CITY OF COLUMBIA | ZONING DIVISION  
 1136 Washington Street, 1st Floor | Columbia, SC 29201  
 Office: 803-545-3333 | E-mail: [zoning@columbiasc.net](mailto:zoning@columbiasc.net)  
[www.columbiasc.net](http://www.columbiasc.net)

**VARIANCE REQUEST APPLICATION**  
 CITY OF COLUMBIA  
 BOARD OF ZONING APPEALS

**Property Information**

Address of Subject Property: 3006 Devine Street  
 Tax Map Number(s): R13B04-16-02 Zoning District: C-2 Overlay District: \_\_\_\_\_  
 Current Use of Property: office  
 Estimated Value of Project: \_\_\_\_\_ Type of Development: \_\_\_\_\_

**Applicant Information**

Applicant: Frank Dougherty  
 Name of Company (if applicable): Cason Development Group  
 Mailing Address: 1612 Marion Street  
 City: Columbia State: SC Zip: 29201  
 E-mail Address: fdougherty@casondevelopment.com Phone: 803-767-7781

**Are you the Property Owner?**  Yes  No *If No, please complete the following section and obtain a proper signature*

*As the property owner, I hereby appoint the above listed applicant as my agent to represent myself in this application.*  
 Signature of Property Owner: \_\_\_\_\_ Date: \_\_\_\_\_  
 Print Name of Property Owner: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 E-mail Address: \_\_\_\_\_ Phone: \_\_\_\_\_

**Description of Request:** *Please describe your proposal in detail. You may attach a separate sheet if necessary. Additionally you may provide any supporting materials that are applicable to your request (i.e. photographs, site plan, plat of property, etc).*

1. Reduction of parking requirements due to existing conditions.

**Code Section from which a Variance is Requested:**

*Please provide the specific section of the City of Columbia Zoning Ordinance of which a variance is being requested for. To find the applicable section please see Chapter 17 of the City of Columbia Code of Ordinances, which is available online at [www.municode.com](http://www.municode.com).*

What is the section of the Zoning Ordinance from which a variance is being requested? (ex. 17-258)  
17-258 SIC 5812

What is the requirement of this section?  
The requirement is 8/1000 SF so we would need 36 spaces

What is your alternative proposal?  
We reduce the parking requirement to 18, which is provided in the existing parking lot.

**Please Note:** Applicants must fully complete applications and submit by the application deadline (please refer to the official BOZA Calendar of Regular Meetings, available on our web site [www.columbiasc.net](http://www.columbiasc.net)). Any failure to submit a complete application or to provide requested documentation may result in applications being returned, withdrawn, or their case to be scheduled at a later date. An application is not complete unless all applicable sections are answered and the associated fee is provided.

CASE #:

VARIANCE REQUEST APPLICATION  
CITY OF COLUMBIA BOARD OF ZONING APPEALS

It is strongly encouraged that all applicants contact and schedule a pre-application meeting with Zoning Staff prior to submitting their application. Although it is not required it can be beneficial for both staff and the applicant. To schedule a meeting please contact our Zoning staff at 803-545-3333.

**Applicant Response to Section 17-112(3)b:**

Please specifically explain how you satisfy the following CRITERIA FOR A VARIANCE (see section 17-112(3)b. of The City of Columbia Zoning Ordinance which can be found online at www.municode.com). The Board of Zoning Appeals shall approve an application for a variance only upon finding that the following criteria are met. The members of the Board will use your answers, among other things, as they evaluate your application. You may attach a separate sheet if necessary.

1. Describe the extraordinary and exceptional conditions (such as size, shape, topography, etc.) that pertain to the subject property.

The subject property is in an extremely dense area (Devine Street) so there is limited parking, especially with the parking requirement being so high.

2. Describe how the conditions noted above do not generally apply to other property or structures in the vicinity.

Other properties do not require as much parking based on their uses and some have access to off-site leased parking.

3. Describe the ways in which the application of the requirement(s) of the Zoning Ordinance effectively prohibit or unreasonably restrict the utilization of the subject property.

The requirements of the Zoning Ordinance if upheld would not allow this use, which we feel is the best use for this property.

4. Describe the ways in which granting of the variance will not be of substantial detriment to adjacent property or to the public good. Additionally, in what way(s) will the granting of the variance not harm the character of the district?

This Devine St. district is pedestrian friendly, so if people need to park and walk to the next building, it will be no different than some of the other properties in the district.

5. Is this variance request the minimum necessary? Explain.

Yes, the variance request acknowledges that we will be using all 18 on-site parking spaces available, so it is the minimum necessary.

6. Explain how your proposal is in harmony with the purpose and intent of the Zoning Ordinance, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

The intent of the Zoning Ordinance is to ensure there is enough parking for each specific use and with an agreement we've worked out with a nearby parking lot we will have enough parking for this use.

<b>APPLICATION FEE:</b>		Please attach the required application fee upon submittal of this application	
Residential Projects	\$50.00	Commercial Projects	Valued under \$50,000 \$75.00 Valued \$50,000 or more \$125.00

**By signing below, I, the applicant, understand and/or acknowledge that:**

- I have completely read this application and understand all that it includes.
- While the members of the Board of Zoning Appeals will carefully review and consider this application, the burden of proving conformance with the criteria for grant of variance rests with me.
- The Board of Zoning Appeals conducts public hearings on the second Tuesday of each month in City Council Chambers, 3rd floor of City Hall, 1737 Main Street, Columbia, South Carolina, 29201.
- The proposed use and construction complies or will comply with all other requirements of the City of Columbia Zoning Ordinance.
- The Board of Zoning Appeals will render a written order regarding my application as soon as possible following the public hearing.
- Any time frames related to an appeal of a decision of the Board of Zoning Appeals shall start from the date that the written and signed Order of the Board is mailed to the applicant.
- As the applicant I affirm that the tract or parcel of land subject of this application is not restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the requested activity. (See Section 6-29-1145 of the South Carolina Code of Laws)

Signature

*[Handwritten Signature]*

Print Name

Frank Cason

Date

01/31/18

STAFF CONTACT: Rachel Bailey

Deputy Zoning Administrator | City of Columbia Zoning Division | Phone: 803-545-3220 | E-mail: rbailey@columbiasc.net

**May 2, 2018**

**Subject:** Board of Zoning Appeals


C/O Rachel Bailey

Members of the Board,

I am the owner of Egg's Up Grill, which is two doors down from 3006 Devine Street. I am also serving my 3<sup>rd</sup> year on the hospitality Tax Advisory Committee for City of Columbia. I am writing to express my complete support for the proposed redevelopment of the old Remax office building into the restaurant Backstreets. I think Backstreets will be a great addition to Devine Street and add another great lunch and dinner option for everyone in the Shandon area. As a business owner, I think the addition of Backstreets would be a major benefit to the businesses on Devine Street and would continue the growth that's helping Devine Street become an even more prominent destination. I urge you to grant Backstreets the variance and special exception they need, so they can help Devine Street continue to thrive.

Please don't hesitate to call or email me with any questions. I can be directly reached at 803-828-9924. Or by email [drew@eugcolumbia.com](mailto:drew@eugcolumbia.com)

Thank you,



Drew Hampton  
CYPRESS MGMT GROUP  
2930 Devine Street  
Columbia, SC 29205  
[drew@eugcolumbia.com](mailto:drew@eugcolumbia.com)

## Bailey, Rachel L

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**From:** Emile <emile.defelice@gmail.com>  
**Sent:** Monday, May 07, 2018 9:58 AM  
**To:** Bailey, Rachel L  
**Cc:** Frank Cason; Benjamin, Steve  
**Subject:** [EXTERNAL] Parking/Zoning Variance

**CAUTION:** This email originated outside of the organization. Do not click links or open attachments from unknown senders or suspicious emails. Never enter a username or password on a site that you did not knowingly access.

Members of the Board,

This letter is to express support for the proposed redevelopment of [3006 Devine Street](#). Backstreets will be a great addition to the Columbia restaurant scene and specifically the Devine Street corridor.

As a homeowner and resident of Shandon, my family is looking forward to having a unique family style restaurant in the neighborhood. Columbia's restaurant growth over the past several years is very exciting, and the addition of Backstreets would be another step in the right direction.

In general, over the next decade, the civic need for parking spaces and pavement in general is going to shrink dramatically because of the automotive revolution that is already happening. Uber, Lyft, the city bike program, the dramatically growing Comet service (I am currently enrolled in the Comet Academy), Amazon/drones/etc., and autonomous vehicles will change the landscape in a way, like cell phones, that will make it difficult to remember what it used to be like without them. In ten years, it is realistic to predict just a few parking spaces for most retail stores, according to the Urban Land Institute and similar organizations. This is a great thing and will help Columbia continue the city's astonishing economic growth.

I encourage you to approve the variance and special exception and allow Backstreets to continue Columbia's growth.

Respectfully,

Emile DeFelice

--  
Emile DeFelice

**Talk/Text 803.917.0794**

**Mail and Shipping Address: 709 Woodrow St #220 Columbia SC 29205**

## Bailey, Rachel L

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**From:** Barry Burns <barry\_burns@att.net>  
**Sent:** Sunday, May 06, 2018 8:13 PM  
**To:** Zoning  
**Subject:** [EXTERNAL] Back Street Bar and Grill

**CAUTION:** This email originated outside of the organization. Do not click links or open attachments from unknown senders or suspicious emails. Never enter a username or password on a site that you did not knowingly access.

As a frequent visitor to the Shandon Area, Divine St, and Five Points, I am opposed to a waiver for parking for the Back Street Bar and Grill. I am opposed to allowing the bar to open at all in the proposed location. Divine St has heavy traffic, has narrow lanes where there is parking on both sides, and has heavy pedestrian traffic. The addition of another restaurant/bar on Divine St will only exacerbate an already serious problem by attracting additional auto and pedestrian traffic. There are many possible locations that would be better suited for a restaurant/bar. The vacant Harper's building would be an appropriate location where parking would not be an issue. If this location is too expensive, then the owners should look elsewhere.

Thank you for your consideration.

Barry Burns



Virus-free. [www.avast.com](http://www.avast.com)

**Bailey, Rachel L**

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**From:** Bob Hallman <bob@bobhallman.com>  
**Sent:** Sunday, May 06, 2018 9:05 PM  
**To:** Zoning  
**Subject:** [EXTERNAL] Legal Argument in Opposition to 3006 Devine Street Special Exception and Variance Applications

**CAUTION:** This email originated outside of the organization. Do not click links or open attachments from unknown senders or suspicious emails. Never enter a username or password on a site that you did not knowingly access.

**Re: 3006 Devine Street  
Special Exception and Variance Applications  
Fail on Numerous Legal Grounds**

Dear Members of Board of Zoning Appeals:

Applicant, Cason Development Group, seeks to obtain a Special Exception to permit the lease of 10 offsite parking spaces, in order to offset a portion of the 36 spaces required by Columbia Municipal Code for a restaurant to utilize this property. Applicant, with only 18 onsite parking spaces, then seeks to utilize a Variance Application to permit use of subject property as a restaurant with only 28 spaces. This is 8 spaces less than the minimum required by Code. We contend that both the Special Exception and Variance Applications fail to meet statutory and legal standards.

**SPECIAL EXCEPTION APPLICATION:**

The Special Exception Application fails on its face to meet the Remote Parking requirements of 17-345(b)(2). This section of the Code requires that 'lease of spaces' are subject to 12 very specific conditions. Applicant clearly fails to meet the specific conditions set forth in 17-345(b)(2)(c) in that the lease presented by applicant does not specify that the parking spaces are for the exclusive use of applicant and 17-345(b)(2)(j) in that the spaces will not be marked for exclusive use of restaurant. In fact, the lease does not permit the applicant to even use the leased spaces for one half of the restaurant's weekday operating hours (spaces not available until 5:30 PM).

While SC Code of Laws Section 6-29-800 grants the Board power to permit a Special Exception, such power is subject to the applicant complying with the terms and conditions for the use set forth in the Zoning Ordinance. Applicant clearly does not meet the conditions of the Municipal Code sections 17-345(b)(2)(c and j) . To grant the requested Special Exception would be outside the bounds of the Board's discretion.

**VARIANCE APPLICATION:**

Applicant has failed to provide the Board with a viable Special Exception Application, in his effort to reduce the amount of a variance being sought in his Variance Application. There applicant has available only one half (1/2) of the parking spaces required by Code, and he continues to seek a variance of 18 spaces. Actually the true variance needed may be even greater as no consideration has been given by applicant for the impact on existing parking spaces by placement of a large dumpster for removal of trash as required by DHEC.

The Variance Application fails to meet the legal standard imposed by SC Code of Laws Section 6-29-800 (A)(2) and Columbia Municipal Code 17-112(b)(1)(i-iv). The Board is granted the power to permit a variance in an individual case of unnecessary hardship if the Board makes and explains in writing findings to the following criteria:

(a) **There are extraordinary and exceptional conditions pertaining to the particular piece of property.** Applicant fails to prove there are extraordinary and exceptional conditions pertaining to *this particular piece of property*. The existing building at 3006 Devine Street was built in 1967 and has been utilized as an office building continuously for fifty-one (51) years. Adequate parking does exist for the use of the building as an office. In response to this criteria, Cason Development acknowledges that the Devine Street area is extremely dense and parking is already limited. This is NOT an *extraordinary condition related to the size, shape, topography, etc of the particular piece of property at 3006 Devine*. Overcrowding is a condition of the Devine Street area, which speaks to why applicant should not be granted a variance that would further overcrowd the adjacent neighborhoods with cars. There is no extraordinary condition related to 3006 Devine Street.

(b) **These conditions do not generally apply to other property in the vicinity.** Applicant states the conditions do not apply to other property in the vicinity. But this is not accurate, as the immediately adjacent restaurant, Urban Cookhouse, is in full compliance with the parking requirement of 8 spaces per 1000 sq ft. Other restaurants do have limited parking, but that is the existing problem which it is hoped the Board will not exacerbate by granting a variance to applicant. There simply are no exceptional conditions related only to 3006 Devine Street, as most all restaurants lack adequate parking. The adjacent neighborhoods ask the Board not to expect them to provide parking spaces in front of their homes and in their quiet residential neighborhoods so that Cason Development can profit.

(c) **Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.** There are no extraordinary conditions pertaining to the particular piece of property that would effectively prohibit or unreasonably restrict the utilization of the property. Applicant states that the proposed use of property as a restaurant is the ‘best use’ of property. By this he means that it is the most profitable use of the property. However, SC Code Section 6-29-800 (A)(2)(d)(i) specifically addresses this financial argument by applicant when it is clearly provided that: “The fact that property may be utilized more profitably, if a variance is granted, may not be considered grounds for a variance. Applicant’s allegation of “best use” is its only argument made to demonstrate unnecessary hardship, and the Code states that argument cannot be considered. The SC Supreme Court held in *Rush v City of Greenville* in 1965 that “assuming

they will suffer substantially in a financial way, and this is the only hardship that could possibly be expected to result to them, that alone is not sufficient...mere disadvantage in property value or income, or both, to a single owner of property, resulting from application of zoning restriction ordinarily does not warrant relaxation in his favor on the ground of ...unnecessary hardship.” The Court went on to hold with language that is most appropriate to the case at hand stating: “The financial situation or pecuniary hardship of a single owner affords no adequate grounds for putting forth this extraordinary power affecting other property owners as well as the public.” In the Rush case the applicant had purchased the property after the zoning ordinance was in effect, just as Cason Development Group has done. The Court in Rush stated as to that specific situation: “it must be assumed that any hardship, financial or otherwise, resulting from existing conditions were contemplated at the time of the purchase, and the owner should not now be relieved there from to the impairment of rights of others who also purchased in reliance on the ordinance and have made large expenditures of capital on the strength of the assurances therein.”

**(d) The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.** Applicant fails greatly to address the substance of this criteria. The requirement placed on applicant is to demonstrate that the requested variance will not be of substantial detriment to adjacent property or to public good. Applicant addresses this criteria only by stating that Devine is pedestrian friendly and that its customers will be required to park off site and walk to the business. Numerous letters (nearly 50) have been written to the Board and many members of the community have appeared and spoken at a prior hearing. The substance of their remarks is that the existing overcrowding of restaurants in the area (6 restaurants in a 1 an1/2 block of Devine Street) has created parking nightmares for adjacent neighborhoods. The granting of a variance to permit a minimum of 18 additional cars to flood out of 3006 Devine Street into the neighborhoods will be detrimental to adjacent property, detrimental to the public good, and will additionally harm the character and quality of life in this cherished area of Columbia.

Applicant has the burden of proving to the Board his conformance with all the four (4) criteria for grant of the variance, and he has failed to do so.

Pursuant to SC Code of Laws 6-29-800 (A)(2) and Section 17-112(3)(b)(1) the Municipal Code, the Board has the power to grant a variance in an individual case of unnecessary hardship if the board finds that applicant has met the conditions set forth above. The South Carolina Supreme Court held in *Restaurant Row vs Horry County* in 1999 that in order to find that an individual case of unnecessary hardship exists, the Board of Appeals must find that all four (4) conditions have been met by the Applicant. The Supreme Court went on to hold that while there is no set definition for ‘unnecessary hardship’ the Court has established guidelines for aiding in that determination. First, a claim of ‘unnecessary hardship’ cannot be based upon conditions created by the owner nor can one purchase property after the enactment of a zoning regulation and complain that a nonconforming use would work an ‘unnecessary hardship’ on him. Second, before a variance can be allowed on the ground of ‘unnecessary hardship’ there must at least be

proof that a particular property suffers a singular disadvantage through operation of the zoning regulation. Third, financial hardship does not automatically constitute ‘unnecessary hardship’. The fact that the applicant will suffer substantially in a financial way will not alone be sufficient to grant a variance. The Court firmly stated that the granting of a variance is an exceptional power, which should be sparingly exercised and can validly be used only where a situation falls fully within the specified conditions. A strong presumption exists in favor of the validity and application of zoning ordinances.

It is clear in this case that applicant, a development company, knew or should have known of the existence of the zoning requirements for parking. The SC Supreme Court held in *Rush v City of Greenville* in 1965 that “when one purchases realty with intention to apply for variance, he cannot contend that restrictions caused him such peculiar hardship that entitles him to special privileges which he seeks”.

Members of the neighborhoods adjacent to 3006 Devine Street respectfully request that the Board of Zoning Appeals deny both the Special Exception and Variance Applications. This property can be used in strict conformity with the existing Ordinance just as the adjacent office buildings are being utilized.

Respectfully submitted,  
Bob Hallman  
610 Capitol Place  
Columbia, SC 29205

**From:** [Patricia Kinsey](#)  
**To:** [Zoning](#)  
**Subject:** [EXTERNAL] variance for Backstreets Bar and Grill  
**Date:** Monday, April 09, 2018 8:30:10 PM

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I am sending this email in SUPPORT of granting Backstreets Bar and Grill a variance to the city's parking regulations..

As a resident of Shandon for over 20 years, I am glad to see the growth and expansion on Devine Street. I think most of the people in this neighborhood live here for the proximity to shopping and restaurants. As far as this new business crowding neighborhood streets, I'm not sure it will make much difference since this is and always has been a very congested area due to the mix of housing options.

Frankly - I would hope Columbia would be more receptive to new businesses wanting to open here - especially ones that -

- 1.. will replace an old empty building
2. offer another option for dining and entertainment in an already established entertainment area, and
3. pay taxes to the City of Columbia.

Pat Kinsey  
3006 Blossom Street

**From:** [ben.d.johnson@icloud.com](mailto:ben.d.johnson@icloud.com)  
**To:** [Zoning](#)  
**Subject:** [EXTERNAL] Support Backstreets Rezoning  
**Date:** Tuesday, April 10, 2018 3:30:49 PM

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Good afternoon,

My name is Ben Johnson and I own a home at 521 Sims Ave. We are a block and a half away from Devine Street and roughly two blocks from the proposed Backstreets restaurant. I am strongly in favor of this restaurant. I am walking distance now to Urban Cookhouse, Arabesque, Zas as well as a few others. We do not have overflow customers parking in our block and traffic from the restaurants has not been a problem for us at all. The restaurants have been a great asset to the neighborhood, and I think that the proposed parking variance is appropriate for this location and that it will be good for the area.

I have also received literature that the Lutheran Church across Devine opposes this variance. That is comical to me given that the church had major traffic only once a week. Further, the only time I've had people block my driveway was when the church holds their Oktoberfest. If anything is a nuisance to parking in the neighborhood it is that festival. (For the record though, I don't mind a few days of traffic by my house for a cool program like Oktoberfest.)

Thank you for your consideration,

Ben Johnson  
(803) 546-0473

**From:** [Bailey, Rachel L](#)  
**To:** [Slyce, Hannah V](#)  
**Subject:** FW: [EXTERNAL] 3006 Devine Street  
**Date:** Tuesday, April 10, 2018 2:37:16 PM

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Please save to May file

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**From:** Mark James [mailto:mjames@cypresscommercial.com]  
**Sent:** Tuesday, April 10, 2018 10:24 AM  
**To:** Bailey, Rachel L  
**Cc:** Calhoun McMeekin  
**Subject:** [EXTERNAL] 3006 Devine Street

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Rachel,

I apologize for the tardiness of this communication. Our firm owns the building at 3101 Devine Street, also the location of our office. I am writing to express my support for the proposed redevelopment of 3006 Devine Street by Cason Development Group. This property is directly across the street from our office. Backstreets is known as a popular, family-friendly restaurant and would fill a void left by the closure of other restaurants in the area such as Devine Foods and Harpers. Also, I have confirmed with Cason Development Group that they have set up arrangements with several nearby parking lots for additional off-site parking sufficient to accommodate their needs. Therefore, we strongly support the request for parking variance.

Thanks, and please do not hesitate to contact me if you would like to discuss further.

Mark James  
Cypress Commercial and Investment Real Estate, LLC  
3101 Devine Street  
Columbia, SC 29205  
803.834.7014 x1 (o)  
803.331.9939 (c)  
[mjames@cypresscommercial.com](mailto:mjames@cypresscommercial.com)

**From:** [meredithlgood@gmail.com](mailto:meredithlgood@gmail.com) on behalf of [Meredith Good](#)  
**To:** [Zoning](#)  
**Subject:** [EXTERNAL] Devine St Bar and Grill Proposal  
**Date:** Monday, April 09, 2018 7:43:07 PM

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To Whom it May Concern:

We are residents of Oakwood Court, on Amherst Avenue, near Sims.

One reason we have stayed downtown is that we truly appreciate being able to walk to fun spots to eat and shop. I would ask to allow the proposed Backstreet Bar/ Grill to operate- many of their customers may be walking from around the neighborhood, as it true with Henry's, Cantina 76, and the like. It is such a plus for the thousands of inhabitants that live within walking distance. Yes, some will drive in and park, however, again, we are in a more urban area. This is to be expected.

It is our impression that the most successful of cities are walk-live-friendly, and therein lies the appeal to be in the "middle of it all."

Please consider allowing growth, based on the positive affects that will have a ripple-effect to all those who live nearby and love to walk to shops and restaurants.

Sincerely,

Meredith Good - 3017 Amherst Ave/ 29205

--  
Meredith L. Good

[www.goodteamworks.com](http://www.goodteamworks.com)  
803.799.6155 (office)  
803.920.3031 (mobile)



**From:** [Bailey, Rachel L](#)  
**To:** [Slyce, Hannah V](#)  
**Subject:** Fwd: [EXTERNAL] 3006 Devine Street  
**Date:** Tuesday, April 10, 2018 8:48:55 AM

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Sent from my iPhone

Begin forwarded message:

**From:** Ben Bruner <[bbruner@brunerpowell.com](mailto:bbruner@brunerpowell.com)>  
**Date:** April 9, 2018 at 5:45:22 PM EDT  
**To:** "[rlbailey@columbiasc.net](mailto:rlbailey@columbiasc.net)" <[rlbailey@columbiasc.net](mailto:rlbailey@columbiasc.net)>  
**Subject:** [EXTERNAL] 3006 Devine Street

**CAUTION:** This email originated outside of the organization. Do not click links or open attachments from unknown senders or suspicious emails. Never enter a username or password on a site that you did not knowingly access.

Dear Members of the Zoning Board,

My name is Ben Bruner, and I live at 2435 Duncan Street in Shandon. I am writing to express my support for the proposed redevelopment of 3006 Devine Street. I grew up only blocks from Five Points and have lived on Duncan Street for over 12 years. I think Cason Development Group's effort to add a new and unique restaurant to the Devine Street corridor would be a huge benefit to the area. My wife and I both work and welcome another dining option when we cannot cook at home. In particular, a family-friendly restaurant with a broad menu is appealing to families with younger children and will help fill a void left since Harper's closed down.

I attended the annual Shandon neighborhood meeting in March, and I understand the concern that has been expressed over parking. But I have also confirmed with Cason Development Group that they have negotiated with adjacent property owners and have secured additional parking for patrons of the restaurant. The way I read the law, they have in fact secured more parking spaces than the zoning ordinance requires.

At that same annual neighborhood meeting, one neighbor expressed serious concern about this location becoming a bar and about bands playing late at night. To characterize this as a bar unfairly casts Backstreet in the same light as the bar in Five Points that have been so well documented in the news recently. Even worse, it robs residents, families, and the Devine Street corridor of a business that will a significant improvement, not a late-night nuisance. We should want Devine Street to improve and succeed. As part of that effort, we should want good, family-owned businesses like Backstreet to move to Columbia and plant new roots. The fact that a restaurant intends to apply for a liquor license, without more, is no reason to deny this proposal.

On behalf of my wife and myself, I implore you to strongly consider the Cason Group's application and grant it. My family and I appreciate your consideration.

Thank you,

Ben

Benjamin C. Bruner

**BRUNER POWELL**

BRUNER POWELL WALL & MULLINS, LLC

P.O. Box 61110

Columbia, SC 29260-1110

(P) 803.252.7693

(F) 803.254.5719

[www.BrunerPowell.com](http://www.BrunerPowell.com)

**From:** [Marci Andino](#)  
**To:** [Zoning](#)  
**Subject:** [EXTERNAL] SUPPORT for Parking Variance  
**Date:** Thursday, April 12, 2018 11:47:25 AM

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Thank you for your consideration of the parking variance for 3006 Devine Street. I live on Sims Avenue a few blocks from the proposed location and I SUPPORT the parking variance.

Thank you.

## Bailey, Rachel L

---

**From:** Ernesto Bernal <ernestobernal1401@gmail.com>  
**Sent:** Monday, April 23, 2018 12:23 PM  
**To:** Zoning  
**Subject:** [EXTERNAL] Support Backstreet Rezoning

**CAUTION:** This email originated outside of the organization. Do not click links or open attachments from unknown senders or suspicious emails. Never enter a username or password on a site that you did not knowingly access.

Good afternoon,

My name is Ernesto Bernal. I own a home at 521 Sims Ave. We are a block and a half away from Devine Street and roughly two blocks from the proposed Backstreets restaurant. I am strongly in favor of this restaurant. I am walking distance now to Urban Cookhouse, Arabesque, Zas as well as a few others. We do not have overflow customers parking in our block and traffic from the restaurants has not been a problem for us at all. The restaurants have been a great asset to the neighborhood, and I think that the proposed parking variance is appropriate for this location and that it will be good for the area.

I have also received literature that the Lutheran Church across Devine opposes this variance. That is comical to me given that the church had major traffic only once a week. Further, the only time I've had people block my driveway was when the church holds their Oktoberfest. If anything is a nuisance to parking in the neighborhood it is that festival. (For the record though, I don't mind a few days of traffic by my house for a cool program like Oktoberfest.)

Thank you for your consideration,

Ernesto Bernal  
(803) 553-4374

## Bailey, Rachel L

---

**From:** Bill Kaneft <bill@colonialpackaging.com>  
**Sent:** Wednesday, April 18, 2018 1:28 PM  
**To:** Bailey, Rachel L  
**Cc:** Bill Kaneft  
**Subject:** [EXTERNAL] Good afternoon Rachael

**CAUTION:** This email originated outside of the organization. Do not click links or open attachments from unknown senders or suspicious emails. Never enter a username or password on a site that you did not knowingly access.

Good day Members of the Board,

My wife and I have live at 2812 Wheat Street for 12 years in Shandon and I am writing to express my support for the proposed redevelopment of 3006 Devine Street. I think Cason Development Group's effort to add a new and unique restaurant to the Devine Street corridor would be a huge benefit to the area. Backstreet's Grill is a family friendly restaurant that would fill the void left by Harper's. It's menu offers something for everyone in the family and would present a better option to take our family when we can't cook at home. I understand that the parking requirement is the issue at hand, and have confirmed with Cason Development Group that they have made the necessary arrangements in order to satisfy the parking need. I ask that you approve the requested variance and special exception. Thank you.

Additionally, our company's Sales Office is located at 721 Olive Street just off Devine across from Za's Pizza. Our sales staff of 7 would love the addition of this new resturant as well. Our office has been in this vicinity for the past 14 years. Thank you.

Sincerely,

Bill  
Bill Kaneft, Board Chairman  
Colonial Packaging, Inc.  
[bill@colonialpackaging.com](mailto:bill@colonialpackaging.com)  
[www.colonialpackaging.com](http://www.colonialpackaging.com)  
803-968-4460 cell  
803-773-7922 office  
803-773-1970 fax



January 28, 2018

To Whom It May Concern:

After being a customer and friend of Backstreets Bar and Grille for almost 20 years, it gives me great pleasure to write this letter of support.

I became a customer of Backstreets while teaching at Lenoir-Rhyne University in Hickory, North Carolina; Backstreets was one of several restaurants close to the campus and allowed my friends and I to meet, eat lunch, and return to classes. It didn't take long for us to choose Backstreets as the only place to meet. The food was always delicious and more than generous, and the servers as well as others on staff became our friends.

After 37 years of teaching, I retired 4 years ago from LRU, and my friends and I still meet 5 days a week (every weekday and sometimes Saturdays) for lunch at Backstreets. Our group is composed of 3 to 6 friends, both retired and current teachers, who look forward to the food, the atmosphere, the camaraderie, and our Backstreets friends. We are always welcomed with friendly smiles and conversation by everyone there and, of course, their delicious food.

I'm excited for Casey to open a new Backstreets in Columbia; I only wish he were opening one on the other side of Hickory closer to my home, Columbia is acquiring a jewel and an asset for its community. From the waiting lines for both lunch and dinner, you will find that many others in Hickory agree with me.

Thank you for allowing me an opportunity to give my full support, encouragement, and well wishes for their new venture.

Sincerely,

A handwritten signature in cursive script that reads "Sarah Wallace".

Sarah Wallace  
Professor Emerita  
Charles M. Snipes School of Business  
Lenoir-Rhyne University  
Hickory, NC 28603



*State of North Carolina*  
*General Court of Justice*  
*Superior Court District 25B*

**NATHANIEL J. POOVEY**  
**SENIOR RESIDENT SUPERIOR COURT JUDGE**

Justice Center  
100 Government Drive, Dept. M  
Newton, NC 28658  
Telephone (828) 695-6116 Fax (828) 695-6117

**GREGORY R. HAYES**  
**RESIDENT SUPERIOR COURT JUDGE**

I hope you will favorably consider this letter of recommendation for Backstreets Grill and Restaurant in Columbia, SC. Please contact me if you have any questions or would like any further information.

Sincerely,

A handwritten signature in black ink, appearing to read "Gregory R. Hayes".

Gregory R. Hayes

TO WHOM IT MAY CONCERN

RE: Letter of Recommendation for Backstreets Restaurant

I am writing this letter of recommendation on behalf of my longtime friends at Backstreets Restaurant in Hickory, NC. I have known the owners of our Backstreets, Brian and Suzanne Norris, since they opened their restaurant here in January of 1996. They have always delivered delicious and consistent food in a family friendly atmosphere since the day they opened. They have a stable and very loyal following of both customers AND employees. Also, they are very generous and involved community partners. They help sponsor a number of charitable organizations throughout the area.

Brian and Suzanne Norris, and now their children, are very active and involved in their restaurant every day. They are very "hands on" in the kitchen and throughout the whole restaurant.

I understand now, that their sons Casey and Bradley and other family members are interested in opening a Backstreets Grill and Restaurant in Columbia, SC. I would whole-heartedly endorse and recommend that this endeavor be welcomed and supported. Casey graduated from the University of South Carolina, and has literally grown up watching and learning from his Mom and Dad as they have run the restaurant. His Dad is a fantastic cook, chef and business man, and his Mom knows the daily operations of the restaurant in and out.

I hope you will favorably consider this letter of recommendation for Backstreets Grill and Restaurant in Columbia, SC. Please contact me if you have any questions or would like any further information.

Sincerely,



Gregory R. Hayes

January 29, 2018

Citizens of Columbia, South Carolina:

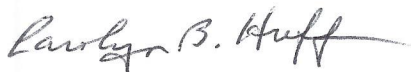
It is my understanding that you may soon have the opportunity of welcoming into your community a second version of my favorite Hickory restaurant: "Backstreets," which is also beloved by many others in Hickory and the surrounding area. Situated within two miles of Lenoir-Rhyne University and very near to Hickory High School and other local retail and dining establishments, "Backstreets" enjoys such an outstanding community reputation for excellence of food and service that simple word of mouth is the only advertising needed to have overflowing waiting areas during the lunch and dinner hours.

During my 42 years of teaching history at Lenoir-Rhyne, my schedule allowed for only the occasional luncheon off campus; but since retiring in 2011 I have joined with a group of mostly retired former professors, who already loved to dine there, to become a "regular" at Backstreets, sometimes having lunch there Monday through Friday. When public schools are having a teacher workday, you can count on seeing several tables filled with teachers enjoying their lunch break.

"Backstreets" is a neighborhood leader in donating to worthy causes and in finding ways beyond working hours to be a contributing part of the community, being often recognized as "best" or "finest" whenever there is a ranking of local dining establishments. One of my favorite things is to attend the local Christmas Concert by the Hickory Choral Society performed at nearby Corinth Church then come with our group to have dinner afterward at "Backstreets." We have to hurry, however, because a large portion of the audience has the same idea.

It is a wonderful thing for a community to have an excellent dining establishment owned privately by an intelligent, committed, and responsible family who also work in the restaurant and know and care about what goes on in and out of the kitchen. Perhaps Hickory and Columbia don't really need another cookie-cutter chain eatery but can enjoy moving up to the level of a "Backstreets" restaurant. Hickory has already welcomed this establishment with affection and praise; and it is my hope and recommendation that Columbia may do the same.

Thank you.



Carolyn B. Huff, Ph.D.

Professor Emerita of History

Lenoir-Rhyne University

Hickory, North Carolina

**From:** [Tamara Parsons](#)  
**To:** [Zoning](#); [Slyce, Hannah V](#)  
**Subject:** [EXTERNAL] Board of Zoning Appeals on 10 April 2018 for Backstreet Bar and Grill Zoning Variance  
**Date:** Sunday, April 08, 2018 8:41:01 AM

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**CAUTION:** This email originated outside of the organization. Do not click links or open attachments from unknown senders or suspicious emails. Never enter a username or password on a site that you did not knowingly access.

We STRONGLY OPPOSE a Zoning Variance for parking for Backstreet Bar and Grill.

We live at 614 Sims Avenue and I just bought this house last year in part because we love the quiet residential neighborhood the way it is. We would like to keep the neighborhood quiet, safe, and family friendly.

Our concerns are 3 fold:

1) the area is already congested with too much overflow traffic to the point that parking is a problem and UNSAFE on Sims near Devine St. There is not enough parking for the current establishments. 2) The addition of Urban Cookhouse makes the noise problems in the area even greater, and noise ordinances don't work for parking lots and drunk people transitioning the area after midnight. 3) The neighborhood should remain family friendly and not entice bar people to the area. Recommend not putting another bar and "grill" in the area, especially since the parking spaces do not organically exist.

We noticed a significant increase in parking issues after Urban Cookhouse opened and have on many occasions had people park too close to our driveway in a yellow zone and make leaving our driveway and driving on Sims Ave between Blossom and Devine difficult and UNSAFE.

We are also significantly concerned about noise pollution and noise ordinances in general. We have had regular disturbances at 3 and 4 am from private garbage trucks emptying dumpsters at Eggs up Grill and Urban Cookhouse. We also hear significant amounts of noise from the parking lot near the Acupuncturist at all hours. This includes cars playing loud music, people arguing at their cars, doors slamming and racing engines. No one in a parking lot cares about noise ordinances.

We also do NOT want a bar establishment open past 10 pm, as it will create a hostile and noisy environment for our house and neighborhood. We do not need more drinking and eating establishments on Devine St in this area. It is already saturated, noisy, and congested with cars.

We are strongly opposed to becoming a Five Points situation on this part of Devine St.

Tamara Parsons and Keith Mueller  
614 Sims Avenue Columbia SC 29205

**From:** [Bob Hallman](#)  
**To:** [Slyce, Hannah V](#)  
**Subject:** [EXTERNAL] Opposition to Variance at 3006 Devine Street  
**Date:** Monday, March 12, 2018 1:55:11 PM

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Ms. Slyce -

I live and own my home on Capitol Place just a few hundred feet from the proposed location of a bar/restaurant at 3006 Devine Street. I am not desirous of seeing bars further proliferate in this area of Devine Street due to the negative impact they have on the use and enjoyment of our property and Street. I have significant opposition to the granting of a variance to permit a bar/restaurant to open when it is known that it will have a negative impact.

One of the reasons I oppose these businesses in general is the overflow of parking onto our residential streets. So to knowing permit a business to open when there won't be adequate parking for staff and patrons, is the equivalent of just saying, "let's use the neighborhood as our parking lot". I believe this is an obvious case where the Variance Request should be denied. The owners have only half of the required spaces established by regulation. I heard they may try to rent spaces. Well that is not a solution. If the rental is later terminated, then the parking comes into the neighborhood. There are already six bars/restaurants with in one city block of this proposed location who have employees who park in the neighborhood and whose patrons overflow onto our residential streets. There is already a problem and I ask that you not allow it to get worse. I don't believe the Board should permit this Variance.

Thank you for making my position known to the Board.

Sincerely, Bob Hallman

Sent from my iPhone

# Lutheran Church of the Incarnation



To whom it may concern

On behalf of the church council of Lutheran Church of the Incarnation located at 3005 Devine Street, we would like to go on record as opposed to the zoning variance request made for 3006 Devine Street, case number 2018-0013-V. In addition to our regular church services we also operate a Child Development Center that is open Monday-Friday 7:00 am – 6:00 pm. After consideration and discussion with the church council we are very concerned about the impact a parking variance would have on our church and child development center.

Incarnation received a letter from Cason Development Group requesting use of some of our parking for their business. Incarnation has declined that request.

Lutheran Church of the Incarnation would like to respectfully request the City of Columbia Board of Zoning Appeals not approve the parking variance sought for 3006 Devine St.

Thank you for your consideration

Steven Cook

Council President

Lutheran Church of the Incarnation



3005 Devine Street, Columbia, SC 29205  
(803) 256-2381 email: [office@incarnationlutheran.com](mailto:office@incarnationlutheran.com)  
[www.incarnationlutheran.com](http://www.incarnationlutheran.com)

James M. Daniel III  
1 Rice Court  
Columbia, South Carolina 29205  
(803) 799-5041  
Mobile: (803) 315-6223  
[jdaniel@sc.rr.com](mailto:jdaniel@sc.rr.com)

April 4, 2018

To: City of Columbia Board of Zoning Appeals

Re: Variance request for 3006 Devine Street  
Applicant: Cason Development Group

I am responding to the variance request to the parking requirement for a proposed restaurant to be located at 3006 Devine. This property is presently an office location. The variance request is for reduction in the on street parking requirement of 36 spaces to 18 with the difference to be handled by offsite parking. First, I have worked with Cason Development Group on two projects in the Cottontown commercial district. I have found Frank Cason to be a very creative developer who does really good projects. Almost by himself he has revitalized the Cottontown commercial corridor along Franklin and Sumter Street. I believe based on his past history the proposed restaurant at 3006 Devine will be a good development. However this project creates several short and long terms issues for the Devine Street corridor and the adjacent neighborhoods that I feel BOZA needs to consider when making a decision on the parking variance. Let me spell them out:

1) Utilization of off-site parking to satisfy the required parking requirement for a restaurant. Mr. Cason has proposed utilizing on-site parking located behind the adjacent building (3014 Devine). That is a two story office building that has by my count 21 spaces behind the building. The building is listed by the county as containing 8353sf which would require 24-25 spaces. Will the spaces at 3014 Devine be utilized all day or only 5PM for the restaurant use? If used all day that would put 3014 Devine short of daytime parking spaces. If the parking is only to be used after 5 then where do Mr. Cason's client customers park at lunch if these spaces are not available until 5PM? I understand that Mr. Cason has a similar arrangement with the owner of the Acupuncture Clinic located at 620Sims Avenue that backs up to Urban Cookout. That location has 7 onsite parking spaces. Are they available only after 5PM?

2) Other restaurants close to the proposed restaurant at 3006 Devine. At present there are four restaurants in the 2900/3000 blocks of Devine. Actually they are less than a quarter block from each other. One restaurant is only open for breakfast but I have found parking is at premium at these other locations, especially after 5PM. Mr. Cason's restaurant would be the fifth in this small corridor of Devine Street. The building at 3020 Devine is for sale. It is presently utilized as office use and a medically related business. What happens if someone purchased this building and wanted to do a restaurant/bar involving both floors?

### 3) Five Points History:

I am the president of the Wheeler Hill Neighborhood Association. Our neighborhood was part of the Five Points Coalition of neighborhoods that have taken an active part in opposing the continuation of bars selling alcohol after 2PM by special permit. The bar scene in Five Points did not develop overnight. I can count at least 15 retail establishment over many years that have become bars. I am sure for this to happen would have required a parking variance granted by BOZA. Is the Devine Street corridor next except with multitudes of restaurants? Where will parking for customers be located? You can only use so many building parking lots to satisfy off-site parking variances.

If the variance request is approved I would suggest the following:

- 1) That Backstreet Bar and Grill should close no later than midnight. This includes the bar as well as the restaurant. This should be a condition of the variance.
- 2) For off-site parking purposes the variance could require a reduced number of parking spaces from the opening of the restaurant through 5PM. After 5PM the full requirement of offsite parking should be available. For example if 16 spaces are required then 8 should be required from the opening of the establishment until 5PM. After 5PM the full allotment of 16 would be required.
- 3) If either 3014 Devine is sold (it is presently in a revocable trust) or the Acupuncture location is sold then Backstreet will have to replace the 16 parking spaces or it will be out of compliance and subject to the applicable city code dealing with this occurrence.

Again I have no problem with this project except for the present and future parking issues it creates. I would suggest that if all possible BOZA needs to consider what happened in Five Points due to approval time and again of parking variances which has helped create the mess that is Five Points with block after block of establishments only open at night and place tighter restriction on this variance and any in the future along the Devine Street corridor.

The adjoining neighborhoods and the Devine Street Merchants Association should be a participant in any future planning for this area.

Thank you for consideration of my request.

Yours truly,

James M. Daniel III

To: Members of the Board of Zoning Appeals

City of Columbia

April 8, 2018

As we are unable to attend your hearing on Tuesday, April 10, in regard to Backstreets Bar and Grill's request for a variance to the City's parking regulations, as forty year residents of the neighborhood, **we would like here to register our opposition to this request.**

The residents of Holly St (a short, narrow street which dead-ends onto Epworth properties) have experienced a stream of traffic and parking problems since the two restaurants opened at Holly and Devine Streets. Neither restaurant had the required number of parking spaces. In 2002 we had a long neighborhood fight with the then Birds on a Wire ( now Cantina 76) restaurant's request to tear down the house next to them (720 Holly St.) to provide a parking lot. We were fortunate to be able to save that house from becoming another concrete slab.

Aside from the continuous stream of cars coming in and turning around to exit the street, the employees of the two restaurants park for many hours each day on the street. This means that we (as senior citizens) daily cannot park near our house. **Current regulations due require that restaurants should be made to provide parking for their employees, other than in the residential neighborhoods.**

An even larger issue is that Devine Street has seen the slow creeping up from Five Points, of an increasing number of bars some of which stay open until 2 a.m. ( e.g. Henry's on Holly St.). Apparently Backstreet is yet another bar that also plans to stay open until 2 a.m.

**This larger issue is that residential neighborhoods should not be subject to the noise, music, trash, traffic and parking problems created by these establishments. Such establishments may belong in the Vista or elsewhere downtown though we know that even there such establishments have recently proven to be problematic.**

Thank you for your careful and thoughtful review of this matter.

Dr. Eric and Mrs. Karlann Brenner

724 Holly St. Columbia, 29205

803 799 6797

**From:** [Dale Witcher](#)  
**To:** [Zoning](#)  
**Subject:** [EXTERNAL] Backstreets Bar & Grill  
**Date:** Tuesday, April 10, 2018 3:01:22 PM

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How can 18 parking spaces be enough when 36 is required? And, we're talking about a daily problem for residents and pedestrians. It sounds like Frank Dougherty and Cason might be trying to pull one over on the Zoning Board and local residents. Please don't let them. "Great Food (maybe), Good Friends (doubtful), Bad Parking (for sure)." Have they looked at the empty Harper's building?

---

This email has been checked for viruses by Avast antivirus software.  
<https://www.avast.com/antivirus>

**From:** [dthomas3232@gmail.com](mailto:dthomas3232@gmail.com) on behalf of [Deborah Thomas](#)  
**To:** [Zoning](#)  
**Subject:** [EXTERNAL] 3006 Devine Street  
**Date:** Monday, April 30, 2018 12:44:52 AM

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*Dear members of the Board of Zoning Appeals. I am a resident of Shandon Neighborhood. I oppose the variance/Special Exception request for 3006 Devine Street. Zoning regulations for this location required 36 parking places. Board of Zoning please follow the regulations and not give an exception. I understand the building next door is willing to lease 10 spaces in their parking lot, but only after 5:30pm. Backstreet Restaurant will be serving lunch as well as dinner, the 10 spaces will not be available during lunch hours, those spaces should not be accepted into the equation since they will not be available during all of the Backstreet Restaurants hours.*

*Thank you,  
Deborah Thomas*

**From:** [wayne.smith](#)  
**To:** [Slyce, Hannah V](#)  
**Subject:** [EXTERNAL] 3006 Devine St  
**Date:** Monday, March 12, 2018 5:49:59 PM

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Hannah

Please note my opposition to the 18 space variance st 3006 Devine St. That is a 50% reduction in the requirement. Also, aren't we in the process of looking at Devine Street parking right now? If so, consideration of this variance is premature if we are considering an impending ordinance.

Thank you

Wayne Smith  
3118 Amherst Av

Sent from my iPhone

**From:** [Bailey, Rachel L](#)  
**To:** [Slyce, Hannah V](#)  
**Subject:** FW: [EXTERNAL] 3006 Devine St Variance  
**Date:** Monday, April 16, 2018 9:07:21 AM

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-----Original Message-----

From: Julian Ruffin [<mailto:ruffin310@gmail.com>]  
Sent: Tuesday, April 10, 2018 6:11 PM  
To: Zoning  
Subject: [EXTERNAL] 3006 Devine St Variance

CAUTION: This email originated outside of the organization. Do not click links or open attachments from unknown senders or suspicious emails. Never enter a username or password on a site that you did not knowingly access.

As a resident of Shandon since 1979, I want to voice my opposition to the request for a variance at 3006 Devine Street. My wife and I chose to live in Shandon because it was close to our jobs downtown, and because it was such a beautiful neighborhood.

To maintain the quality of our neighborhood, I think we need to require businesses to have adequate parking without sprawling into the neighborhood.

I encourage you to deny this request for a variance.

Julian E. Ruffin, Ph.D.

Sent from my iPad

**From:** [Julie Ruff](#)  
**To:** [Zoning](#)  
**Subject:** [EXTERNAL] Backstreets Bar and Grill  
**Date:** Sunday, April 29, 2018 7:43:54 PM

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**CAUTION:** This email originated outside of the organization. Do not click links or open attachments from unknown senders or suspicious emails. Never enter a username or password on a site that you did not knowingly access.

I am very much against the zoning variance for Backstreets Bar and Grill. Devine Street is already extremely busy and congested and we don't need additional traffic. I oppose the variance for parking as they don't even come close to having the required amount of spaces and will clog up our side streets in Shandon. We already have enough traffic issues in our Shandon neighborhood. It's a hard no from my husband, David Ruff, and myself.

Julie Ruff  
3330 Wheat Street  
29205

**From:** [Valerie Marcil](#)  
**To:** [Zoning](#)  
**Subject:** [EXTERNAL] 3006 Devine Street  
**Date:** Saturday, April 07, 2018 9:56:20 AM

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Zoning Board Members:

I am apposed to the requested parking variance at 3006 Devine Street. The request is for only half the number of required spaces, which means the other half (or more) will end up on neighborhood streets, which are already being impacted by lack of sufficient parking for Urban Cookhouse next door.

Additionally, this restaurant and bar is known to stay open to 2 AM in other locations, which means on-street parking within the residential neighborhood would become even more disruptive.

This is not what we want for this neighborhood. I live not far off Devine Street myself and know that I would not want commercial parking, especially not late at night intruding onto my street. Quiet restaurants and shops are one thing, but restaurant-bars with noisy, overflowing late-night parking are another.

Thank you,  
Valerie Marcil  
4 Robin Hood Court  
Columbia, SC 29205

--

Valerie Marcil  
803-331-1138

**From:** [Janet Lockhart](#)  
**To:** [Slyce, Hannah V](#)  
**Subject:** [EXTERNAL] zoning for restaurant at 3006 Devine Street  
**Date:** Monday, March 12, 2018 7:38:03 PM

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**CAUTION:** This email originated outside of the organization. Do not click links or open attachments from unknown senders or suspicious emails. Never enter a username or password on a site that you did not knowingly access.

Good afternoon. My husband and I live at corner of Capitol Place and Blossom Street. We are concerned about having a restaurant located on 3000 block of Devine Street with inadequate parking and operating as a bar with late hours. We do not want more congestion and noise extending to this section of Devine Street.

Thank you for your consideration.

Janet Lockhart  
529 Capitol Place

Hawks, owls, and migrating birds know this city shelter. The Audubon Society to which I belong, and other conservationists who try to save cities from ourselves and our very own errors in allowing urban sprawl, can inform you that a city can never get this natural kind of environmental balance back when commercial businesses come in too close to a residence and pour more concrete over the earth. Concrete heats up the soil, and the heat radiates out. It will kill my trees, grasses, and garden. Too much auto and foot traffic will destroy the beauty of the refuge in the city my family and I have worked so hard to preserve. And our city block will be polluted with further mechanical and traffic noises.

It is still a safe and quiet neighborhood of families with small children and grandchildren. We have a rare, wild Catawba tree, a very old one that blooms profusely each spring with great stalks of white blossoms that could be damaged by too much pollution from cooking stove gases and heavy traffic coming in and out of the restaurant.

Already we have Za's, Arabesque, 76 Cantina, Henry's and the newest, Urban Cookhouse that make Sims Avenue and Capitol Place nearly impassible on Weekend nights. With a bar serving drinks up until the early part of Sunday morning, wouldn't we be inviting the same problems into our family neighborhood that are already occurring in 5 Points brought about by incapacitated and disinhibited drinkers and drivers?

Please share my email with other council members. I appreciate your attention to my concern.

Leah J. Lake  
605 Capitol Place  
Columbia, SC 29205  
[ljlake 47@gmail.com](mailto:ljlake47@gmail.com)

Sent from my iPad

**From:** [jennifer\\_hunt](#)  
**To:** [Zoning](#)  
**Subject:** [EXTERNAL] I oppose the building of Backstreets Bar and Grill and oppose rezoning  
**Date:** Saturday, April 07, 2018 7:59:06 PM

---

**CAUTION:** This email originated outside of the organization. Do not click links or open attachments from unknown senders or suspicious emails. Never enter a username or password on a site that you did not knowingly access.

To Whom It May Concern:

I live near the corner of Devine and Sims Street where there are an abundance of fast food, chair style restaurant, the worst for the neighborhood being Urban Cookhouse, which was rezoned to allow for increased parking and a steady flow of traffic.

Any new restaurant will increase an already abundant flow of traffic, congestion, garbage throw on lawns and noise pollution, turning what was once a residential area into a Five Point Nightmare.

I oppose the rezoning and building of Backstreets Bar and Grill.

Sincerely Yours,

Jennifer C. Hunt Phd  
607 Sims Ave  
Columbia, SC 29205

**From:** [Bailey, Rachel L](#)  
**To:** [Slyce, Hannah V](#)  
**Subject:** FW: [EXTERNAL] Variance request for 3006 Devine St.  
**Date:** Monday, April 16, 2018 9:07:31 AM

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-----Original Message-----

From: ehartley@sc.rr.com [<mailto:ehartley@sc.rr.com>]  
Sent: Friday, April 13, 2018 5:09 PM  
To: Zoning  
Subject: [EXTERNAL] Variance request for 3006 Devine St.

CAUTION: This email originated outside of the organization. Do not click links or open attachments from unknown senders or suspicious emails. Never enter a username or password on a site that you did not knowingly access.

I live at 2825 Duncan Street not far from the location asking for the variance and have good friends in the immediate vicinity. That area, with Za's, Eggs UP and Urban Cookhouse is already congested enough and does not need another business that will lack sufficient parking. It is unconscionable to permit a business to open that will have to use overflow parking into the residential neighborhoods nearby and will be a late night business to boot. I am opposed to your granting this variance or the alternative exception. Thank you.

Eric Hartley

## Bailey, Rachel L

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**From:** deborah goodwin <dbra48@gmail.com>  
**Sent:** Monday, April 16, 2018 1:54 PM  
**To:** Zoning  
**Subject:** [EXTERNAL] Parking variance for 3006 Devine

**CAUTION:** This email originated outside of the organization. Do not click links or open attachments from unknown senders or suspicious emails. Never enter a username or password on a site that you did not knowingly access.

To Columbia City Council,

I do not live in Shandon but I frequent many restaurants in that area. Last Thursday, April 12, I was in the drive thru at Urban Cookhouse. Their lot was full, as was the lot for Za's and Eggs Up Grill (it was closed). I was able to observe lots of cars riding around, looking for parking. There were quite a few pedestrians also. It seems to me that by allowing this new bar and grill to open with only half the required parking spaces, there will be many issues. It would be a traffic nightmare and hazardous for pedestrians. The quiet neighborhood will disappear. The poor neighbors will have people parking illegally at all hours of the day and night. I would think this type of situation would put a strain on the already overworked police department Please think long and hard about this issue. Think of the neighbors that will have to deal with this each and every day. I know it is a hard decision but please vote NO on the variance. It seems like the Five Points atmosphere is slowly creeping up Devine.

Thank you,

Deborah Goodwin  
1515 Greenhill Road

**From:** [Charles Goldman](#)  
**To:** [Zoning](#)  
**Subject:** [EXTERNAL] May 8 meeting regarding variance/exception  
**Date:** Friday, April 27, 2018 9:55:10 PM

---

**CAUTION:** This email originated outside of the organization. Do not click links or open attachments from unknown senders or suspicious emails. Never enter a username or password on a site that you did not knowingly access.

I am strongly opposed to granting a parking variance or special exception to Backstreets Bar & Grill (3006 Devine Street). I live 5 blocks from there and am very familiar with the area and the current amount of congestion. My neighbors who live closer already are severely impacted.

Please vote against granting the variance/exception.

Thank you,

Charles Goldman  
3021 Monroe Street  
Columbia 29205  
803-799-3824

**From:** [Charles Goldman](#)  
**To:** [Zoning](#)  
**Subject:** [EXTERNAL] Board of Zoning Appeals - 4/10/18 meeting  
**Date:** Thursday, April 05, 2018 3:15:04 PM

---

**CAUTION:** This email originated outside of the organization. Do not click links or open attachments from unknown senders or suspicious emails. Never enter a username or password on a site that you did not knowingly access.

I am writing this email because I am unable to attend the meeting on 4/10/18.

I am opposed to granting a parking variance to Backstreets Bar & Grill (3006 Devine Street). I live 5 blocks from there and am very familiar with the area and the current amount of congestion. My neighbors who live closer already are severely impacted.

Please vote against granting the variance.

Thank you,

Charles Goldman  
3021 Monroe Street  
Columbia 29205  
803-799-3824

Sent from Yahoo Mail for iPhone

**From:** [Leah Lake](#)  
**To:** [Slyce, Hannah V](#)  
**Subject:** [EXTERNAL] Re: Opposition to Variance  
**Date:** Tuesday, April 03, 2018 11:03:23 AM

---

**CAUTION:** This email originated outside of the organization. Do not click links or open attachments from unknown senders or suspicious emails. Never enter a username or password on a site that you did not knowingly access.

Dear Columbia City Council Members: I will be unable to attend the April 10th council meeting due to an unavoidable business meeting. I attended the original hearing in March regarding a variance at 3006 Devine Street. I am resending the email of March 13, 2018 that was to be read at the meeting. since March, I have been informed that the proposed business requesting a variance is a bar/restaurant out of North Carolina. I hope you will hear from officials at Incarnation Lutheran Church that has a children's day care center directly across the street from 3006 Devine. a bar, serving liquor until 2:00 am into the evening would not be appropriate or safe if located so close to the children's center. Happy Hours starting after work during the work week would coincide with the time parents pick up their [children.at](#) the end of the day. A child might dart into the street and an inebriated driver might hit the child. The bar's location is too close to the children's playground. Another problem to consider is the noise level. Blaring noise from the bar's sound system and sports televisions are already polluting our neighborhood from the current glut of restaurants so nearby.

Does our street really need another bar? We have Night Caps, Cantina 76, Za's Henry's, and the newest, Urban Cookhouse, all within less than a block or two from the remnant of the Old Shandon family neighborhood.

Already, on Friday and Saturday evenings (and Sunday morning, due to Eggs Up Grill's location on sims) my neighbors and I on the first block of Capitol Place cannot turn left onto Devine Street. Period! It is too dangerous. We have no stop light at the intersection. Motorists fly down Devine toward the VA leaving town on Fridays. And then in the evening hours customers flood into the restaurant area just less than a block from my home.onto Devine, We are overcrowded by businesses and are losing the extremely importance balance of life between the neighborhood and the commercial district. Please help us by voting NO another bar and NO a variance. Tank you for yor attention to my email. sincerely, Leah J. Lake

On Tue, Mar 13, 2018 at 7:40 AM, Leah Lake <[ljlake47@gmail.com](mailto:ljlake47@gmail.com)> wrote:

Dear Ms. Slyce: I oppose a variance allowing a restaurant to move to 3006 Devine Street in the former Remax office building. Please do not vote for this kind of business to be in our residential neighborhood. A professional business would work better in the space near my home and Incarnation Lutheran Church that is right across Devine Street.

I have lived in the house right behind the proposed restaurant, at 605 Capitol Place, since 1991. My home is just beyond the fence at the back of the current building. It is a home with a cottage and back garden sanctuary for birds and other creatures. The house is one of the first arts and crafts type bungalows built in the neighborhood in 1917. There continue to be three colors of wild violets in the garden, evidence of the forests that were here at the turn of the century. Between my home and the fence are wild trees and a small rain water pool that fills to become a temporary natural habitat for the city's bird population when it rains.

**From:** [Tom Carlisle](#)  
**To:** [Zoning](#)  
**Subject:** [EXTERNAL] 3006 Devine Street - Parking Variance  
**Date:** Tuesday, April 10, 2018 7:57:15 AM

---

CAUTION: This email originated outside of the organization. Do not click links or open attachments from unknown senders or suspicious emails. Never enter a username or password on a site that you did not knowingly access.

The Oakwood Court Neighborhood Association opposes the parking variance proposed for 3006 Devine Street. Our neighborhood borders Devine Street on the north side, extending from Amherst Ave west to include Sims, Olive and Holly Street.

Our concern is that overflow demand for on-street parking will fill up the existing spaces on Devine St., which currently accommodate the existing businesses and spill into our side streets, leading to unwanted congestion.

Respectfully submitted,

Tom Carlisle, President  
Oakwood Court Neighborhood Association

**From:** [Robin Campbell](#)  
**To:** [Zoning](#)  
**Subject:** [EXTERNAL] Objection to Proposed rezoning of 3006 Devine Street  
**Date:** Monday, April 09, 2018 4:48:37 PM

---

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To Members and staff of the Zoning Board,

My husband and I reside at 522 Capitol Place around the corner from the site of the proposed restaurant @ 3006 Devine Street. We strongly oppose the rezoning/ parking variance for that site. There are 6 existing restaurants plus Nightcaps Bar in just 3 blocks of Devine between Holly Street and Capitol Place, that have exhausted parking spaces available in lots for employees and customers.

The traffic in our neighborhood has dramatically increased in recent years. Customers park on residential streets and delivery trucks regularly cut through our neighborhood, although through-truck traffic is prohibited.

The volume of traffic and lack of parking is exacerbated by LASCO, a drug testing site three doors down from 3006 Devine, at the busy Devine Street corner with Capitol Place. LASCO has a high volume of clients who speed through our neighborhood, turn around in resident's driveways, park on the street, and leave trash behind.

We urge you to act wisely to prevent degradation of our Shandon neighborhood by not adding another establishment that lacks the required parking, in addition to the traffic, noise and litter from businesses that have encroached on this neighborhood and our neighbors across Devine Street on Amherst and surrounding streets.

Thank you for your consideration.

Robin and Ted Campbell

Sent from my iPad

**From:** [Gerrit and Vicki](#)  
**To:** [Zoning](#)  
**Subject:** [EXTERNAL] 3006 Devine St.  
**Date:** Sunday, April 08, 2018 5:03:47 PM

---

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Board Members,  
I am a resident of the Shandon neighborhood and I **oppose** the parking variance at 3006 Devine Street. Please do not allow this to exception to proceed.  
Vicki Bunnell  
3511 Monroe Street

**From:** [Bob Broom](#)  
**To:** [Zoning](#)  
**Subject:** [EXTERNAL] Zoning for 3006 devine street  
**Date:** Thursday, April 05, 2018 2:11:31 PM

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**CAUTION:** This email originated outside of the organization. Do not click links or open attachments from unknown senders or suspicious emails. Never enter a username or password on a site that you did not knowingly access.

I was raised in the Shandon Neighborhood since 1946 and we now live on Monroe Street. We are enjoying the new restaurants on Devine Street as it is now and parking is getting to be a problem. On the street parking is very dangerous since you have 4 NARROW LANES of fast moving traffic.

I am opposed in granting the parking variance to the new business for the above subject location next door to URBAN COOKOUT.

VOTE NO.

Please consider our neighborhood who cares and raising a family is a must.

Bob Broom  
3507 Monroe Street  
Columbia, SC  
29205

**From:** [Bailey, Rachel L](#)  
**To:** [Slyce, Hannah V](#)  
**Subject:** FW: [EXTERNAL] Backstreets bar and grill  
**Date:** Tuesday, April 10, 2018 2:37:26 PM

---

Please save to May file

-----Original Message-----

From: Courtney Armstrong [<mailto:courtney@yoursimplynutrition.com>]  
Sent: Tuesday, April 10, 2018 9:47 AM  
To: Zoning  
Subject: [EXTERNAL] Backstreets bar and grill

CAUTION: This email originated outside of the organization. Do not click links or open attachments from unknown senders or suspicious emails. Never enter a username or password on a site that you did not knowingly access.

Hello,

I am writing to express concern regarding Backstreets Bar and Grill request for a Variance to the Columbia City Parking Regulation. As a home owner (600 Capitol Place) and a business owner (2309 Devine St) I think it would be a mistake to approve this. This would only add to existing parking problems in our neighborhood. These codes exist for a reason and in my opinion need not be bent for an establishment that will likely be busiest at night (when residential areas are also busiest for parking).

Thank you,

Courtney Armstrong

Sent from my iPhone

## Bailey, Rachel L

---

**From:** Scott Turner <scott.f.turner@gmail.com>  
**Sent:** Tuesday, March 20, 2018 1:01 PM  
**To:** Zoning; Bailey, Rachel L; Slyce, Hannah V  
**Cc:** Devine, Tameika  
**Subject:** [EXTERNAL] please deny exception request

**CAUTION:** This email originated outside of the organization. Do not click links or open attachments from unknown senders or suspicious emails. Never enter a username or password on a site that you did not knowingly access.

Please do not grant an exception for this site. Make them have at least 36 spaces. There is one shared lot that multiple restaurants use in that area, but it is not at all adequate. Per the comment about other properties not being held to the parking requirement, if true, that would seem to be a big part of the problem -- and clearly not a reason to grant an exception. Over the last couple of years (and particularly the last year or so) there has increasingly been spillover traffic/parking into the Shandon neighborhood. As a resident of that neighborhood, I am very concerned about inadequate restaurant parking, and I know that many of my neighbors feel the same way. One of the nice things about Columbia is the quality of the downtown neighborhoods, and the increased restaurant traffic with inadequate parking has been eroding that quality in a significant way in recent years. Thank you for your attention.

Scott Turner  
527 Sims Avenue  
Columbia SC 29205

---

The Board of Zoning Appeals deferred a request for a variance to the parking requirements for a proposed restaurant at 3006 Devine St. at its Tuesday meeting.

Zoning board members were told the applicant, Frank Dougherty, development coordinator at Cason Development Group, wanted more time to discuss the case before making his presentation.

Family-owned [Backstreets Grill](#) is hoping to open its second location at the property, the site of a former office building near Urban Cookhouse. Developer Frank Cason said it is the first expansion for the Hickory, N.C. eatery.

A city zoning ordinance requires eight parking places per 1,000 square-feet, totaling 36 parking spaces. The site currently features 18, which Dougherty argues is enough.

In the application, Dougherty wrote the property is in a dense area with limited parking. The application also notes the parking requirements do not generally apply to other properties in the vicinity.

Cason said there is access to nearby street parking, and an agreement worked out with a lot near the site would provide additional parking.

The developers plan to renovate the 4,500-square-foot building on a 13,998-square-foot lot to fit the needs of the proposed restaurant.

“It’s a family-style restaurant that is excited about the possibilities in the Shandon area,” Cason said.

The restaurant, which opened in in 1996, features wraps, salads, sandwiches and burgers and the motto “Great Food. Good Friends. Bad Parking.”

**Bailey, Rachel L**

---

**From:** kathy swanson <kmswansonus@yahoo.com>  
**Sent:** Friday, April 06, 2018 2:45 PM  
**To:** Zoning  
**Subject:** [EXTERNAL] request for parking variance

**CAUTION:** This email originated outside of the organization. Do not click links or open attachments from unknown senders or suspicious emails. Never enter a username or password on a site that you did not knowingly access.

I am against allowing Backstreets Bar and Grill to open at 3006 Devine Street without adequate parking. There would be 5 restaurants in a row -- Za's, Arabesque, Eggs Up Grill, Urban Cookhouse, and then Backstreets if approved. Parking is already inadequate for the restaurants that are there now.

I suggest that Backstreets look at the property where Harper's used to be.

Kathy Swanson  
4247 Wilmot Ave

## Bailey, Rachel L

---

**From:** Evan Meaney <emeaney1@gmail.com>  
**Sent:** Thursday, April 05, 2018 2:52 PM  
**To:** Zoning  
**Subject:** [EXTERNAL] Parking variance at 3006 Devine St.

CAUTION: This email originated outside of the organization. Do not click links or open attachments from unknown senders or suspicious emails. Never enter a username or password on a site that you did not knowingly access.

Hello Columbia Zoning:

As a resident of the Shandon neighborhood, I oppose the parking variance at 3006 Devine St. (to be voted on during the April 10th meeting) as there is not enough parking on-site to open the establishment. If the owners were to create parking for the additional eighteen vehicles, I would be fine with it, but as the situation stands, I firmly disagree.

Thank you,

Evan Meaney  
Monroe St.  
Columbia, SC.

## Bailey, Rachel L

---

**From:** Debbie McDaniel <debmcd52@gmail.com>  
**Sent:** Thursday, April 05, 2018 3:07 PM  
**To:** Zoning  
**Subject:** [EXTERNAL] Backstreets Bar & Grill Parking on Devine St.

**CAUTION:** This email originated outside of the organization. Do not click links or open attachments from unknown senders or suspicious emails. Never enter a username or password on a site that you did not knowingly access.

As a longtime business owner in Five Points I know first hand how important available parking is for our customers.

Allowing Backstreets to get by with only 18 available parking spaces (when 36 are required) will impact both the residential neighborhood and the other businesses on Devine St and near there.

Therefore I oppose this and hope zoning will not allow them an exception.

Thank you,  
Debbie McDaniel  
Revente  
Sid and Nancy

**From:** [Ellen Yaghjian](#)  
**To:** [Zoning](#)  
**Subject:** [EXTERNAL] Opposition to variance  
**Date:** Friday, April 27, 2018 8:57:18 PM

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CAUTION: This email originated outside of the organization. Do not click links or open attachments from unknown senders or suspicious emails. Never enter a username or password on a site that you did not knowingly access.

I live in Old Shandon at the top of Lee Street and want to express my opposition to a zoning variance that would allow a bar to operate at 3006 Devine Street in Columbia. The balance is very delicate in this residential area. This would bring noise and late night activity that is not conducive for family life. I cannot make it to the meeting because I can't get away from work. Please add my voice to your decision. Thank you.

Sincerely,  
Ellen Yaghjian

Sent from my iPhone

**From:** [M J WOOLSEY](#)  
**To:** [Zoning](#)  
**Subject:** [EXTERNAL] Unable to be in town for your hearing on 3006 Devine  
**Date:** Monday, April 30, 2018 10:49:59 AM

---

**CAUTION:** This email originated outside of the organization. Do not click links or open attachments from unknown senders or suspicious emails. Never enter a username or password on a site that you did not knowingly access.

*I am a resident of Shandon. I oppose the variance/Special Exception request for 3006 Devine Street . That area is already crowded with restaurants and bars with serious parking and traffic problems. I ask that you not approve these requests as it is not in the best interest of the public but especially our neighborhood. Send them to Five Points with many closed stores and plenty of established parking and no neighbors to impose on. Plus there is a church across the street to near for a bar. Recognize us as being taxpayers and know that a spread of more all night ventures into our neighborhoods is not welcome. Five Points is mostly closed because of bars. We do not welcome bars in Shandon.  
Marian Woolsey 3442 Coleman street*

**From:** [AMANDA WOODS](#)  
**To:** [Slyce, Hannah V](#)  
**Subject:** [EXTERNAL] Backstreet Bar&Grill  
**Date:** Monday, March 12, 2018 5:19:38 PM

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**CAUTION:** This email originated outside of the organization. Do not click links or open attachments from unknown senders or suspicious emails. Never enter a username or password on a site that you did not knowingly access.

I am a resident in the Oakwood Court neighborhood and live off Amherst Avenue. I have been made aware of a zoning hearing for the proposed bar/ restaurant for tomorrow. I am not sure I can fit it in my schedule to attend but will try my best. I am very much opposed to this new establishment and think it will be a nuisance as well as a safety concern. I have three small children and already fear speeding drivers who cut through but to add a bar right around the corner is frieghtening. Our small neighborhood is full of young children who are always playing outdoors. I urge you to consider what this type of business will bring to our front door. I appreciate your time.

Thank you,  
Amanda Woods  
803-807-6411

Get [Outlook for iOS](#)

**From:** [Sally Templeton](#)  
**To:** [Slyce, Hannah V](#)  
**Subject:** [EXTERNAL] 3006 Devine Street  
**Date:** Monday, March 12, 2018 9:39:27 PM

---

**CAUTION:** This email originated outside of the organization. Do not click links or open attachments from unknown senders or suspicious emails. Never enter a username or password on a site that you did not knowingly access.

To whom it may concern :

Im writing to voice my opposition to the propsed bar and grill at the 3006 address on Devine Street.

This is such a beautiful, quiet, residential neighborhood. The last thing we need is for drunks staggering around, looking for their cars, at 2 in the morning.

I live with my 89 year old mother, as her caregiver. She has been in this house, on Capitol Place, since August of 1965. I was raised here. I married and moved away, but my husband and I came back after 16 years, to take care of her in the sunset part of her life.

This neighborhood has such a reputation as being a quiet, safe area to raise a family. There are plenty of drinking establishments less than a mile away.

Please consider the families, the elderly, and all the residents who enjoy walking and biking the Shandon neighborhood, when you vote to deny this zoning request.

Thank for your attention to this matter.

Sarah Arnette

Try the top-rated email app

**From:** [David Templeton](#)  
**To:** [Slyce, Hannah V](#)  
**Subject:** [EXTERNAL] 3006 Devine St  
**Date:** Monday, March 12, 2018 9:23:35 PM

---

**CAUTION:** This email originated outside of the organization. Do not click links or open attachments from unknown senders or suspicious emails. Never enter a username or password on a site that you did not knowingly access.

Ms. Slyce,  
I hope your day is well. I am writing to voice my opposition to the proposed Backstreets Bar and Grill. Do we not have enough drinking establishments in 5 points, already? I live on Capitol Place off of Blossom Street and during the Summer we have to put up with the bands in 5 points. The fact that the proposed bar will be lacking sufficient parking means that the Shandon neighborhood would become the bar's parking lot! Shandon is a wonderful neighborhood and we don't need another bar, there are dozens already established within walking distance. I ask you to please reject this request! Thank you for your time.

David Templeton

**From:** [sandtturnerjr@gmail.com](mailto:sandtturnerjr@gmail.com)  
**To:** [Zoning](#)  
**Subject:** [EXTERNAL] Parking variance request for 3006 Devine St  
**Date:** Saturday, April 07, 2018 11:06:05 AM

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CAUTION: This email originated outside of the organization. Do not click links or open attachments from unknown senders or suspicious emails. Never enter a username or password on a site that you did not knowingly access.

Our Shandon Neighborhood is slowly being eroded by encroaching traffic, parking & zoning variances, especially for those businesses requiring extra space for dining patrons. Please consider carefully the nature of a bar & grill which could take away from the ambience of this quiet urban settlement without adding any pleasurable aspects to residential "patrons"!  
Respectfully, Sally Turner; 603 Capitol Place; 29205

Sent from my iPhone

**From:** [Henry Nechemias](#)  
**To:** [Zoning](#)  
**Subject:** [EXTERNAL] 3006 Devine St  
**Date:** Saturday, April 07, 2018 1:58:36 PM

---

**CAUTION:** This email originated outside of the organization. Do not click links or open attachments from unknown senders or suspicious emails. Never enter a username or password on a site that you did not knowingly access.

Hello Board of Zoning Appeals,

After reading the facts about the requested parking variance for the proposed Backstreets Bar & Grill at 3006 Devine St., I am strongly opposed to this variance. It is my opinion that this is a bad idea and should not be permitted. I hope you will agree with me, and not approve this variance.

Thank you for your consideration.

Most sincerely,  
Henry Nechemias  
4 Robin Hood Ct  
Columbia, SC 29205  
215.888.5104

**From:** [Jane Key](#)  
**To:** [Zoning](#)  
**Subject:** [EXTERNAL] 3006 Devine Street  
**Date:** Sunday, April 08, 2018 12:54:04 PM

---

**CAUTION:** This email originated outside of the organization. Do not click links or open attachments from unknown senders or suspicious emails. Never enter a username or password on a site that you did not knowingly access.

As a resident of Shandon of 36 years, I have supported many business in the Five Points and Devine Street area. We have been in our home at 2209 Wheat Street for 27 yeas, and in the last ten years, I have seen the increase of bars, therefore the increase of crime and more people who are not respectful of the neighborhood. It use to be on St. Patrick's Day, but it is becoming more and more frequent. I pick up beer cans and other trash left by those don't live here and don't care. I have had vomit in my yard and items stolen off my front porch. Many of my neighbors cars have been hit on the street by drunken drivers coming up from Five Points.

I wish I could say that this won't happen with the new restaurant/bar proposed at 3006 Devine Street but it will. As my mother use to say, nothing good happens after midnight, and if this new bar plans to stay open until 2 AM, the residents around it will encounter the things I have had to put up with for years.

Please vote no to the parking variance for 3006 Devine and Backstreets Restaurant and Bar.

Jane Key  
2209 Wheat Street  
Columbia SC 29205

**From:** [Michael Drennan](#)  
**To:** [Zoning](#)  
**Subject:** [EXTERNAL] Oppose 3006 Devine Street Special Exception  
**Date:** Monday, April 09, 2018 5:12:59 PM

---

**CAUTION:** This email originated outside of the organization. Do not click links or open attachments from unknown senders or suspicious emails. Never enter a username or password on a site that you did not knowingly access.

I live in Shandon and oppose the granting of a Special Exception for the Backstreet Grill at 3006 Devine Street. That location already suffers from a lack of sufficient parking. Granting the special exception would have a significant adverse impact on the adjoining properties and residences. Also that section of Devine Street has a lot of vehicular traffic and would pose an increased risk the pedestrians.

There are other nearby locations more suitable for a this kind of establishment that wouldn't require a special exception.

Additionally this establishment is well within 200 feet of a church and will be unlikely to obtain an ABL license in any event.

Please pass my comments on to the BoZA members urging them to deny this special exception for 3006 Devine Street. Thank you!

Kindest Regards,  
Michael Drennan

**From:** [Susan M. Craig](#)  
**To:** [Zoning](#)  
**Subject:** [EXTERNAL] Opposed: Zoning variance 3006 Devine Street  
**Date:** Monday, April 09, 2018 6:12:09 PM

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CAUTION: This email originated outside of the organization. Do not click links or open attachments from unknown senders or suspicious emails. Never enter a username or password on a site that you did not knowingly access.

As a thirty-year resident of the Oakwood Court neighborhood, please note my opposition to the parking variance for the Hickory, NC-based Backstreets Bar and Grill.

3006 Devine Street is not an appropriate location for a loud, late-night, outdoor patio bar operation. Issues of noise, light pollution, traffic, alcohol impairment, all would negatively affect surrounding neighborhoods, including ours.

Thank you for your consideration. Surely this Bar and Grill can find a more suitable location, such as it has in Hickory, which is in a strictly commercial / industrial area far from longtime neighborhoods like Shandon, Olde Shandon and Oakwood Court.

Susan Craig

SUSAN CRAIG DESIGN  
Susan M. Craig

803-360-7954  
scraigdesign@sc.rr.com  
susancraigdesign.com  
facebook.com/susan-craig-design

**From:** [Ted Campbell](#)  
**To:** [Zoning](#)  
**Subject:** [EXTERNAL] 3006 Devine street  
**Date:** Sunday, April 08, 2018 9:20:41 PM

---

CAUTION: This email originated outside of the organization. Do not click links or open attachments from unknown senders or suspicious emails. Never enter a username or password on a site that you did not knowingly access.

I oppose the request for parking variance for the proposed sports bar.

Ted Campbell  
522 Capitol Place  
803-920-9981

Sent from my iPad

**From:** [Eleanor Boyd](#)  
**To:** [Zoning](#)  
**Subject:** [EXTERNAL] Devine Street Bar  
**Date:** Monday, April 09, 2018 3:15:32 PM

---

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I live behind Incarnation Lutheran Church. Due to congestion and the proliferation of bars I am against the business and the parking spaces they are requesting

Eleanor Boyd, MPA  
Life Coach, Consultant to Non-Profit Organizations  
[eleanordboyd@aol.com](mailto:eleanordboyd@aol.com)  
919-599-4101

**Bailey, Rachel L**

---

**From:** lesesnel3@bellsouth.net  
**Sent:** Monday, April 09, 2018 10:33 AM  
**To:** Zoning  
**Subject:** [EXTERNAL] Opposition to parking variance

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Dear Zoning board members, I live in Shannon and I very much oppose the variance being requested for 3006 Devine St. Please do not allow this to go through and suggest they use the Harper's facility for their bar and grill. Thank you, Laura Lesesne. 3203 Monroe Street

Sent from my iPhone

**From:** [Lyn Phillips](#)  
**To:** [Slyce, Hannah V](#)  
**Subject:** [EXTERNAL] Opposition to Proposed Variance at 3006 Devine Street  
**Date:** Monday, March 12, 2018 2:40:38 PM

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Dear Ms. Slyce,

I have lived in (and owned) my home in the 600 block of Capitol Place for 30 years. It has been a very "peaceable" and wonderful family street. We are, however, two houses away from Devine Street and are impacted by the type of businesses there.

The proposed "Backstreets Bar & Grill at 3006 Devine Street will tremendously impact neighbors on Sims Avenue, Capitol Place, Amherst and other side streets with its overflow. Our home is only about 25 yards from where the restaurant would be. I know that they only have 18 parking spaces but are required, by city regulations, to have 36 for this type of business. Even if they "rent" spaces from the business next door to them, there will be overflow if it is a popular bar. I vehemently oppose this request for a variance. I respectfully plead with the Zoning Board not to allow this.

They allowed the opening of Urban Cookhouse next door to proposed Backstreets restaurant, though it was significantly opposed by residential neighbors. This resulted in significant overflow onto Sims Avenue (since Eggs Up, Arabesque and Za's overflow was already a problem.)

Additionally, I (and other neighbors)oppose this TYPE of business going in so very close to residences off of Devine Street. I urge you to go to the Backstreets Bar & Grill website in Hickory, NC.

Link: <http://backstreetsofhickory.com/>

The first photo that shows up is a large photo of their back-bar and liquor. The BAR serves until 2:00 a.m. (Restaurant until 11:00). This surely brings to mind the terrible problems that Five Points and Wales Garden residents are having with Five Points bars. We do not want our family-oriented, quiet area to be subjected to this... which, in addition to parking overflow, would include noise pollution (especially if they have live music some nights), pollution from cooking smells/disposal of food, trash in the area, and drunk people stumbling around getting to their cars.

I would surely hope that the Columbia Zoning Board would support keeping Devine Street more "upscale retail", law and business offices, etc. This type of restaurant and it's parking issues would absolutely have a negative impact. There is already a problem and I would sincerely ask that you protect homeowners and NOT permit this variance. Please share my email with the zoning board members. Thank you very much.

Lyn Phillips  
(803) 361-9591