



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

**408 & 436 Blossom Street, 519 Huger
Street & 401 Wheat Street**

July 6, 2023 at 4:00 P.M.
City Council Chambers, 1737 Main Street, 3rd Floor
Columbia, South Carolina

Case Number:	2023-0024-V
Subject Property:	408 & 436 Blossom Street, 519 Huger Street & 401 Wheat Street (TMS# 08910-03-01, -02A, -02B, -03 & -04)
Zoning District:	MC (Mixed Commercial District), OV-ID (Innovista Design Overlay District)
Applicant:	Bethany Rooney, Subtext Acquisitions, LLC
Property Owner:	Guignard Associates, LLC

Requested Action:	Variance to the maximum front yard setback standard in the MC zoning district and a variance to the ground floor activity zone percentage standard in the OV-ID overlay district
Applicable Sections of Zoning Ordinance:	<p>§17-3.3(k) Maximum front setback in the MC district is 10 feet</p> <p>§17-3.7(g)(4)b. For buildings located in a Ground Floor Activity Zones sub-district, a minimum of 60 percent of the ground floor façade adjacent to any street shall be occupied by a commercial use or a public, civic, or institutional use</p> <p>§17-2.5(s)(4) Standard criteria for variances</p>
Case History:	03/02/2023 Special exception to exceed the maximum density per acre for a private dormitory (2023-0003-SE) approved by the Board of Zoning Appeals.

Staff Comments:

The applicant is requesting a variance to the 10-foot maximum front yard setback in the MC district. Applicant is requesting a 40-foot maximum front yard setback on the Wheat Street frontage. Applicant is also requesting variances to the ground floor activity zone street frontages along Blossom and Williams Streets. The requirement is 60% per street frontage; applicant is instead requesting 26% on Williams Street and 51.8% on Blossom Street.

The subject property is +/- 3.84 acres and is currently being utilized as a parking lot. Applicant is proposing a private student dormitory with approximately 5,000 square feet of retail/commercial space on the ground level and a parking garage with +/- 500 spaces.

The proposed 40 foot setback is requested due to the close proximity of overhead power lines. In the space below the power lines in the larger setback, a public dog park will be established to help activate the Wheat Street frontage.

The proposed variance to the ground floor activity zone is requested as the first floor will be occupied by private residences with ground floor entrances, which do not meet the definition of commercial, public, civic, or institutional use as required by code.

The applicant provided a conceptual site plan. The project will also be subject to a full site plan review by Planning Commission as well as review and approval by D/DRC.

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.

Zoning Map

Variance-2023-0024-V

408 & 436 Blossom Street,
519 Huger Street & 401 Wheat Street
TMS# 08910-03-01, -02A, -02B, -03 & -04



Department of Planning &
Development Services

Legend

RAILROADS CITY LIMITS

FEMA FP

Zoning Districts

- | | |
|---------|---------------|
| CAC | MC |
| DAC | NAC |
| EC | O-I |
| GC | PD |
| HI | RAC |
| INS-FJ | RM-1 |
| INS-GEN | RM-2 |
| INS-ZOO | RSF-3 |
| INS-T/U | RSF-1 |
| INS-U/M | RSF-2 |
| LL-R | RD-MV |
| LI | RD |
| MU-1 | T/C |
| MU-2 | City Landmark |

1 inch = 150 feet

ORIGINAL PREPARATION/DATE:

This map was prepared by:

Erica Jaen
for
July 6, 2023
BoZA Meeting

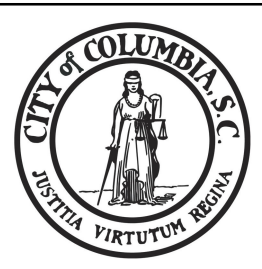
DISCLAIMER:

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.

PD: Planned
Development

MC: Mixed
Commercial
District

Subject Properties





Blossom St

Blossom St

Pulaski St

Wheat St

Williams St

Wheat St

Huber St

Wheat St



Staten St

Pulaski St

Fraternity Cir

Gardden St

Blossom St

Pulaski St

Wheat St

Williams St

Huger St

Wheat St

Catawba St

Wayne St

City



Variance

Application & Checklist

1. Applicant Information

Name	
Company (if applicable)	
Address (street, city, state, zip)	
Phone	Email

2. Property Information

Address (including Suite/Unit/Space number, as appropriate)	
Tax Map Reference Number(s)	
Tenant/Business Name	Current size of property (in acres)

Does the applicant own the property? Yes No

If the applicant does not own the property, complete the **Letter of Agency** for each property owner that authorizes the applicant to submit this application on the property owner's behalf.

3. Property Status

Pursuant to S.C. Code § 6-29-1145, is this tract or parcel restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the activity described in this permit? Yes No

4. Requested Variance

List below each UDO standard from which a variance is requested (e.g. Sec. 17-3.2(g)(3) RSF-3 Front Yard Setback, min.), the requirement established in the UDO (e.g. 15 feet), the requested varied requirement (e.g. 10 feet), and the percentage change of the variance (e.g. 33%). Use additional sheets of paper if necessary.

UDO Standard	Code Section	Requested Varied Requirement	Change (%)



Variance

Application & Checklist

5. Additional Information

Before granting a variance, the decision-making bodies must find that all of the following circumstances are true. Please provide additional information in the space below regarding the requested variance that demonstrates compliance with the decision standards in Sec. 17-2.5(s)(4) of the UDO repeated below. Use additional sheets of paper if necessary:

- There are extraordinary and exceptional conditions pertaining to the particular piece of property;
- These conditions do not generally apply to other properties in the vicinity;
- These conditions are not the result of the applicant's own actions;
- Because of these conditions, the application of this UDO to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property;
- The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the zoning district where the property is located will not be harmed by the granting of the variance;
- The reasons set forth in the application justify the granting of the variance, and the variance is the minimum variance that will make possible the reasonable use of the land, building or structure; and
- The granting of the variance will be in harmony with the general purpose and intent of this Ordinance, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.



Variance

Application & Checklist

Please note that the Board of Zoning Appeals may not grant a variance from the zoning standards of Sec. 17-2.5(s)(4)b of the UDO that would:

- Permit a use of land or a structure that is not allowed in the applicable zoning district;
- Allow the physical extension of a nonconforming use; or
- Change the zoning district boundaries shown on the Official Zoning Map.


In addition, the following do not constitute grounds for the granting of a variance:

- The nonconforming use of neighboring lands, structures, or buildings in the same zoning district that applies to the land for which the variance is sought;
- Any permitted use of lands, structures or buildings in zoning districts other than the zoning district that applies to the land for which the variance is sought; or
- The fact that land may be utilized more profitably should a variance be granted.

6. Value of Project

Valuation	\$
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7. Signature

Signature of Applicant	
	
Print Name	Date



Letter of Agency

Application Supplement

TO: Planning and Development Services, City of Columbia

I, the undersigned property owner, do hereby attest that I am the person that holds, or I am authorized on behalf of the party that holds, fee simple interest in the following parcel(s):

Common Street Address	408 & 436 Blossom Street, 519 Huger Street, and 401 Wheat Street, Columbia, SC 29201
Tax Map Reference Numbers	08910-03-01, 08910-03-02A, 08910-03-02B, 08910-03-03, 08910-03-04

Further, I hereby authorize the persons and/or entities listed as AUTHORIZED AGENT(S) below to act on my behalf for the purpose of submitting documents, amending documents, meeting with staff, attending public meetings and hearings, and as otherwise may be necessary and proper to fulfill the required steps to request the following:

- CT* 1. Variance, ~~Special Exception, and/or Administrative Appeal~~ (Board of Zoning Appeals)
- CT* 2. ~~Zoning Map Amendment (Planning Commission and City Council, if applicable)~~
- CT* 3. ~~Site Plan Review (Planning Commission or D/DRC)~~
- CT* 4. ~~Design Review (D/DRC)~~
- CT* 5. ~~Minor Subdivision (Staff)~~
- CT* 6. ~~Major Subdivision (Planning Commission)~~
- CT* 7. ~~Encroachment (Staff and City Council, if applicable)~~
- CT* 8. ~~Street Naming/Renaming (Planning Commission)~~

*****Please strike-through and initial any of the above-listed steps that do not fall under the scope of this Letter of Agency***

[signatures on following page]



Letter of Agency

Application Supplement

Property Owner

Signature <i>[Handwritten Signature]</i> , <i>MANAGER</i>		Date 5/30/23
Print Name of Property Owner GUIGNARD ASSOCIATES LLC		
Address (street, city, name, zip) P.O. BOX 50909 COLUMBIA, SC 29250		
Email of Property Owner CTHOMPSON@THOMPSONSC.COM		Phone 803-254-2125
Signature of Witness <i>[Handwritten Signature]</i>		Date 5/30/23
Print Name of Witness Elizabeth B. Turner		

Authorized Agent

Signature <i>[Handwritten Signature]</i>		Date 05/23/23
Print Name Bethany Rooney		
Address (street, city, name, zip) 3000 Locust Street St. Louis, MO 63103		
Email of Authorized Agent brooney@subtextliving.com		Phone 205-267-8099

The requested variance demonstrates compliance with the decision standards in Sec. 17-2.5(s)(4) of the UDO. The following information addresses the specific standards.

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property;

The Innovista Guidelines (17-3.7 (g) OV-ID (4) (b)) impose an activity zone by requiring that 60% of ground floor façade adjacent to certain streets shall be occupied by a commercial use or a public or civic, or institutional use. Williams and Blossom Streets are designated as activity zones.

Due to area surrounding this location being under developed there is not enough activity to support 60% retail use which is the most compatible use for this development. However, with walk up dwelling units, retail, leasing offices, building amenities and a public dog park 100% of Williams and Blossom Streets will be activated.

The variance from 10' to 40' set back (17.3.3(k) (3)) on Wheat Street is due to close proximity to overhead transmission and utility lines. If granted the variance the use of the larger setback is an ideal location for a public dog park.

2. These conditions do not generally apply to other properties in the vicinity;

Activity Zone: This development is the first development in this area of the Innovista District where the ground floor activity zone is required on two sides of the development.

Set-back: The utility and transmission line locations requiring the greater setback is unique to this property.

3. These conditions are not the result of the applicant's own actions;

Activity Zone: Currently, this area of the Innovista District does not have enough development to sustain the recommended activity zone uses that are compatible with this development. This development will bring residents to the area, which will begin to provide a base of customers to support future activity zone uses.

Set-back: The 40' setback variance on Wheat Street is due to existing overhead utility and transmission lines and the close proximity to the future development. If the variance is granted the public dog park will meet a recommended activity zone use.

4. Because of these conditions, the application of this UDO to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property;

Activity Zone: Yes, the area around the development does not currently support 60% retail which is the most compatible use of the activity zone requirements for this development.

Set-back: The overhead transmission and utility lines crossing over the portion of property on Wheat Street make that area difficult to develop. A public dog park being added is an amenity of not only the development but will be available for public use.

5. The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the zoning district where the property is located will not be harmed by the granting of the variance;

The project will meet the requirements of the Innovista Design Overlay (DDRC). The ground floor façade will still be activated and the setback will provide a public benefit. We believe the project will enhance the character of the district.

6. The reasons set forth in the application justify the granting of the variance, and the variance is the minimum variance that will make possible the reasonable use of the land, building or structure; and

Yes, this is correct.

7. The granting of the variance will be in harmony with the general purpose and intent of this Ordinance, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Activity Zone: Granting a variance on Williams and Blossom Streets to allow walk up dwelling units to meet the 60% ground façade activation requirement is still in harmony with the general purpose and intent of the Ordinance. With the proposed use of walk up dwelling units 100 % of the façade will be activated and will meet the intent of the Ordinance.

Set-back: The variance for the 40' set back will allow for adequate space between the overhead transmission and utility lines and the building. The planned use for this set-back is a public dog park that will activate the façade.

Seth Rose
District No. 72 - Richland County
1528 Blanding Street
Columbia, SC 29201

Committees:
Judiciary
Operations and Management



532-D Blatt Building
Columbia, SC 29201

Tel. (803) 212-6971

SethRose@schouse.gov

House of Representatives
State of South Carolina

June 27, 2023

Board of Zoning Appeals
City of Columbia
1737 Main Street, 3rd Floor
Columbia, SC 29201

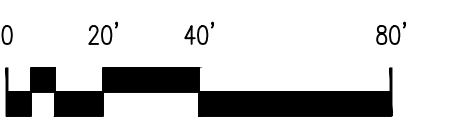
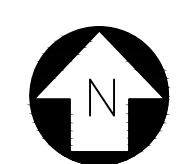
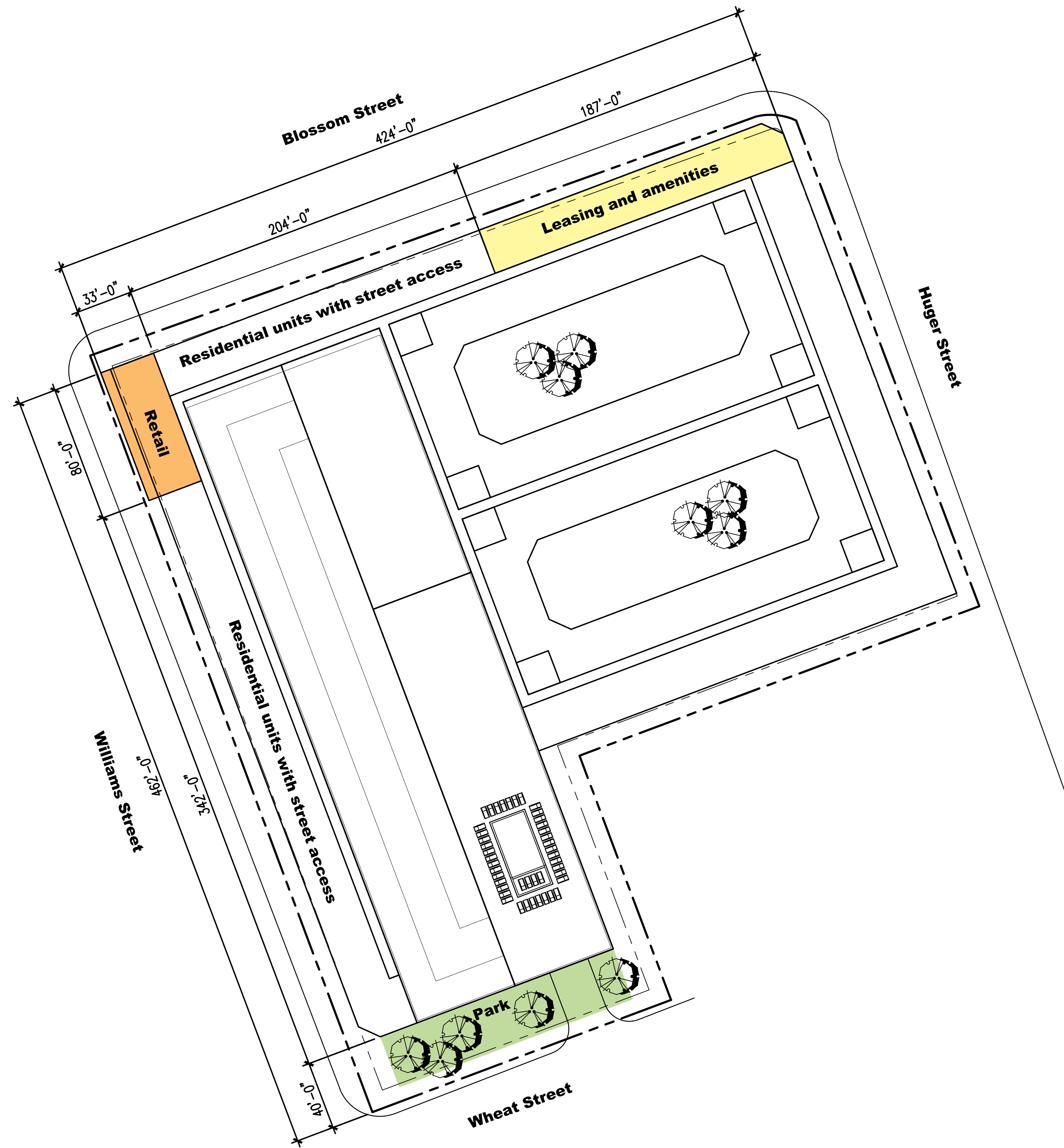
Re: Variance for proposed private dormitory, known as the “Verve” allowing a variance for the 60% ground floor activity zone requirement and a variance for 10’ maximum setback requirement for Mixed Commercial districts submitted by Subtext Acquisitions, LLC for property at 408 and 436 Blossom Street, 519 Huger Street and 401 Wheat Street

Please accept this letter of support for the proposed Verve project at the above referenced location. The required 60% activity zone use on the ground floor can be achieved by the proposed walk up dwelling units. The walk-up dwellings will activate the street level which, I believe, meets the intent of the Innovista Design District Guidelines. Approving a 40-foot set back on Wheat Street, due to utility placement, allows the developer to create a public dog park which will benefit the community and create an outdoor space for the community to enjoy.

Additionally, the proposed high density 5-story multi-family project at the corner of Huger and Blossom will greatly improve the aesthetics of the neighborhood and the proposed design is consistent with the Innovista Design Overlay District.

Sincerely,

Seth Rose





subtext

HUGER STREET COLUMBIA
COLUMBIA, SC
RENDERING • 06-28-2023
SBT2023-01

DYNAMIK
DESIGN

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subtext

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