
CITY OF COLUMBIA
BOARD OF ZONING APPEALS MINUTES

SEPTEMBER 7, 2023 – 4:00 PM

CITY COUNCIL CHAMBERS
1737 MAIN STREET, 3rd FLOOR
COLUMBIA, SOUTH CAROLINA

In attendance: John Gregory, Kathryn Fenner, Celia Mackintosh, John Guignard, Davis Whittle

Absent: Marcellous Primus, Sherard Duvall

Staff: Hope Hasty, Erica Jaen, Skye Robinson-Barnes

I. CALL TO ORDER AND DETERMINATION OF QUORUM

John Gregory, chair, called the meeting to order at 4:00 P.M.

Members of the Board of Zoning Appeals (BOZA) were introduced along with staff. Quorum was confirmed. Applicants and others who wished to speak were sworn in.

Hope Hasty, Zoning Administrator, reviewed the consent agenda.

II. CONSENT AGENDA

A. APPROVAL OF MINUTES

1. Approve August 3, 2023 Minutes

B. OLD BUSINESS

NONE

C. NEW BUSINESS

NONE

Ms. Fenner made motion to approve the consent agenda. Mr. Guignard seconded the motion. All aye. Motion passed 5-0.

III. REGULAR AGENDA

A. OLD BUSINESS

2023-0026-V 6430 Norris Street (TMS# 16505-02-05) Variance to the front yard setback standard, sidewalk requirement and the transitional buffer yard standard (John Blackmon, Carter Realtors) (MU-1)

Ms. Hasty introduced the variance request and invited the applicant to the podium to present his case.

Mr. Blackmon, Carter Realtors, Applicant, presented the case to the Board. He explained that the detention pond must be placed in the front to accommodate the topography which requires the development to be set at rear of property which results in the need for the reduced transition

buffer yard at rear and the variance to the front yard setback. He also stated that the proposed eight units would be one bedroom in order to accommodate retired veterans. Applicant then advised that sidewalks would be unnecessary as there are no sidewalks to connect to in the area.

Board members asked the applicant questions regarding the need for such a large detention pond and applicant responded that the engineer told him it was required.

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

In opposition:

Rob Walden, Resident, spoke in opposition to the transitional buffer yard variance along the property line abutting the single family residences in order to maximize unit count for profit.

John Marshall, Resident, spoke in opposition to all variance requests based upon the criteria that does not constitute grounds for a variance: The fact that land may be utilized more profitably should a variance be granted.

Joshua Staub, Resident, spoke in opposition to the transitional buffer yard variance due to electrical lines in the rear of property and egress issues for emergencies.

Mayna Hewitt, Resident, spoke in opposition to the development and variances due to parking issues, public safety issues, and neighborhood character.

Jacqueline Marshall, Resident, spoke in opposition to the development and variances in order to profit.

Sara Navarez, Vice-President of the Brandon Acres/Cedar Terrace Neighborhood Association, spoke in opposition to the development as a whole in regards to parking and ambulance access. She also spoke in opposition to the waiver of the sidewalk requirement as Drake Street is in the process of getting sidewalks that could join Norris Street in the higher density area which is more aligned with new development.

Jacob Bagler, Resident, spoke to the poor construction of homes built across the street that the applicant was involved with. He also stated concerns regarding the previous chemical plant located on the property where the applicant intends to develop and any issues that could come about due to possible soil contamination.

As no one else spoke in favor or opposition to the request, applicant was granted time for rebuttal.

Mr. Blackmon advised that he only abuts one property at rear of property. He also stated that he developed the properties across the street but was not involved with the construction. He then apologized to the neighborhood for not reaching out to them during the development phase.

Testimony closed and Board discussion ensued.

Ms. Fenner made a motion to approve the variance subject to staff comments. Ms. Mackintosh seconded the motion. Motion failed 1-4 with Mr. Gregory, Mr. Guignard, Ms. Mackintosh and Mr. Whittle in opposition.

A. NEW BUSINESS

- 2. 2023-0027-SE 1901 Academy Street (TMS# 11504-26-14)** Special exception to permit a residential care facility (Shirpolle Peniston-Blair) (MU-2)

Mr. Gregory introduced the special exception and invited the applicant to the podium to present her case.

Shirpolle Peniston-Blair, Applicant, presented the request to the Board. She explained that the program will offer services for up to 8 adolescents at any given time, and that the facility will be staffed 24 hours/day. She also stated that the children will be given multiple forms of therapeutic counseling and activities.

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

In support:

The Chestnuts, subject property owners, expressed their full support of the mission of the applicant and their desire to have the applicant utilize their property for her services to youth. They also offer the youth fitness training at their youth focused gym, Max Speed Fitness.

As no one else spoke in favor or opposition to the request, testimony closed and Board discussion ensued.

Ms. Fenner made a motion to approve the special exception subject to staff comments. Ms. Mackintosh seconded the motion. All aye. Motion passed 5-0.

IV. OTHER BUSINESS

EXECUTIVE SESSION

Receipt of legal advice relating to a pending claim or other matters covered by attorney-client privilege pursuant to S.C. Code Ann. § 30-4-70(a)(2)

Bigby v. Board of Zoning Appeals

Mr. Gregory called for a motion to move into executive session. Ms. Fenner made motion to move into executive session. Mr. Guignard seconded the motion. All Aye. Motion passed 5-0.

The members of the Board exited executive session and resumed regular session at 5:04 PM.

V. ADJOURNMENT

**Motion to adjourn the meeting by Mr. Gregory.
Motion seconded by Ms. Fenner. Motion passed 5-0.
Meeting adjourned at 5:05 P.M.**

Full meeting can be viewed on CityTV at the following link: BOZA Meeting [September 7, 2023](#)