BOARD OF ZONING APPEALS

MINUTES

August 6, 2026 - 4:00 P.M.
City Hall, 3rd Floor, Council Chambers, 1737 Main Street, Columbia, S.C.

KATHRYN FENNER • COLTON DRIVER • SHERARD DUVALL
JONATHAN VANG • SYDNEY LANHAM • JOSH HARDING • DOUG THOMAS

In attendance: Kathryn Fenner, Colton Driver, Sherard Duvall, Jonathan Vang, and Doug Thomas
Absent: Josh Harding, Sydney Lanham
Staff: Andrew Livengood, Erica Jaen and Madelyn Bowden

I. CALL TO ORDER and DETERMINATION OF QUORUM

Ms. Fenner, chair, called the meeting to order at 4:03 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.

Andrew Livengood, Zoning Administrator (ZA), reviewed the consent agenda.

II. CONSENT AGENDA

A. APPROVAL OF MINUTES

1. July 2, 2026 Minutes

B. OLD BUSINESS

NONE

C. NEW BUSINESS

2. 2026-0016-SE 2841 Shop Road Ext. (TMS# 16200-01-24) Special exception to permit a convenience store (Mark James, Cypress Development, LLC) (pending LI, OV-FP, OV-FW)

Ms. Fenner asked for a motion.
Mr. Vang made a motion to approve the consent agenda. Mr. Driver seconded the motion. All aye. Motion passed (5-0).

IV. REGULAR AGENDA

A. OLD BUSINESS

NONE

B. NEW BUSINESS

3. 2026-0014-AA 2406 Superior Street (TMS# 11216-17-02) Appeal of the Zoning Administrator's denial of application to establish a short-term rental (Aaron Tyler, Brookmist Holdings, LLC) (RSF-3)

Mr. Livengood introduced the zoning appeal of the ZA's decision to deny an unoccupied short-term rental application in the RSF-3 zoning district. He then read through the criteria in which the Board must consider to make their determination on whether to rule in favor of the applicant or uphold the zoning administrator's decision to deny the application.

The applicant was then invited to the podium to present the case. As the applicant was not present, members of the public were invited to speak.

- Denise Wellman, member of the Cottontown Historic District Neighborhood Association, approached the podium and advised the Board that many neighborhoods worked with the City to develop a set of ordinances that would help eliminate the rapid growth of short-term rentals within neighborhoods. She then stated that since the property does not have frontage on a four-lane road and it cannot be classified as a major arterial or collector street, the appeal should be denied.

The applicant still had not arrived and Board discussion ensued.

Mr. Livengood advised the Board that the applicant just emailed that he was on his way.

Mr. Driver made a motion to move the case to the end of the agenda. Motion seconded by Mr. Vang. All aye. Motion passed (5-0).

4. 2026-0015-V 2206 Senate Street (TMS# 11410-22-04) Variance to the maximum lot coverage and side yard setback to build an addition to a single-family residence (Christopher Ford) (RSF-3, OV-HP)

Mr. Livengood introduced the variance requests to the maximum lot coverage and the minimum side yard setback. He advised that the plat, drawings and aerials did not match the request and was unsure if this property was identified correctly.

The applicant was then invited to the podium to present the case. The applicant was not present so members of the public were invited to speak in favor of or opposition to the request. Seeing and hearing none, testimony closed.

Ms. Fenner asked for a motion.

Mr. Vang made a motion to deny the variance request based on staff findings. Motion seconded by Mr. Thomas. Motion passed. (5-0).
-Mr. Driver wanted to put on record that specifically the staff findings for the #7 criteria, the inability to tell which structure it is and if it is an issue that generally applies to the area, makes the case hard to evaluate.

The applicant arrived for item number 3; 2026-0014-AA.

Mr. Vang made a motion to reconsider the case for 2406 Superior Street. Motion seconded by Mr. Duvall. Motion passed (5-0).

3. 2026-0014-AA 2406 Superior Street (TMS# 11216-17-02) Appeal of the Zoning Administrator's denial of application to establish a short-term rental (Aaron Tyler, Brookmist Holdings, LLC) (RSF-3)

The applicant, Aaron Tyler, was invited to the podium to be sworn in at 4:30 pm.

Mr. Livengood re-introduced the zoning appeal of the ZA's decision to deny an unoccupied short-term rental application in the RSF-3 zoning district. He then read through the criteria in which the Board must consider to make their determination on whether to rule in favor of the applicant or uphold the zoning administrator's decision to deny the application.

Mr. Tyler maintained that the Zoning Administrator erred in his determination to deny his short-term rental application because the City enacted the moratorium and froze all short-term rental applications in 2025.

Testimony closed and Board discussion ensued.

Mr. Vang asked if the pending application for the STR in 2025 when the moratorium went into effect is something that needs to be considered.

Mr. Driver made the point that a question on the moratorium and a pending application is outside of the Board's scope and they are confined to the appeal criteria and can only consider the appeal of the ZA's determination.

Mr. Duvall wanted on record that the applicant takes issue with the laws of the City and the Board of Zoning Appeals cannot change City laws. He also stated that the applicant's testimony doesn't have anything to do with the ZA's decision, but talked more of laws needing to be changed.

Ms. Fenner asked if the Board would like an executive session to clarify the appeal criteria. Mr. Duvall and Mr. Driver stated that they were prepared to make a motion and the remainder of the Board concurred.

Mr. Driver read through the standards for decision on a zoning appeal and stated that there was not clear and substantial evidence in the record that the ZA made an error in determining whether a standard was met, or that the ZA made a decision based on a standard not contained in the ordinance, or that the ZA made an error in applying a standard's decision in the denial of the STR permit application.

Ms. Fenner asked for a motion.
Mr. Duvall made a motion to uphold the zoning administrator's decision and affirm the determination that the proposed short-term rental fails to meet the road standard. Motion seconded by Mr. Driver. Motion passed (5-0).

VI. OTHER BUSINESS

NONE

VII. ADJOURN

Motion to adjourn the meeting made by Mr. Duvall
Motion seconded by Mr. Driver. All aye. Motion passed (5-0).
Meeting adjourned at 4:44 P.M.