RICHLAND COUNTY BOARD OF ZONING APPEALS



Wednesday, 5 October 2011 1:00 p.m. Council Chambers

RICHLAND COUNTY BOARD OF ZONING APPEALS October 5, 2011



CASE NO.	APPLICANT	TMS NO.	LOCATION	DISTRICT
1. 11-10 SE	Calvary Chapel Northeast Columbia	22905-08-01	1120 Sparkleberry Lane Ext. Columbia, SC 29223	Hutchinson
2. 11-11 SE	Two Notch Hospitality	17011-02-06	7525 Two Notch Rd., Columbia, SC 29223	Kennedy



Richland County Board of Zoning Appeals Wednesday, October 5, 2011 2020 Hampton Street 2nd Floor, Council Chambers

Agenda

I. CALL TO ORDER & RECOGNITION OF QUORUM

Joshua McDuffie, Chairman

- II. PUBLIC NOTICE ANNOUNCEMENT
- III. RULES OF ORDER

Amelia Linder, Attorney

- IV. APPROVAL OF MINUTES September 2011
- V. PUBLIC HEARING

Geonard Price, Deputy Planning Director/ Zoning Administrator

OPEN PUBLIC HEARING

11-10 SE Calvary Chapel Northeast Columbia 1120 Sparkleberry Lane Ext.	Request a communicatio Commercial)	tion tower on	exception property zonec	to es ed GC.	tablish (General
Columbia, SC 29223 22905-08-01					P.01

11-11 V Two Notch Hospitality 7525 Two Notch Rd. Columbia, SC 29223 17011-02-06 Request a variance to encroach into the setbacks on property zoned GC. (General Commercial)

P. 15

VI. ADJOURNMENT



REQUEST, ANALYSIS AND RECOMMENDATION

11-10 Special Exception

REQUEST

The applicant is requesting the Board of Zoning Appeals to grant a special exception to permit the construction of a communication tower on property zoned GC (General Commercial).

GENERAL INFORMATION

Applicant

Michael E. Frisina

Tax Map Number 22905-08-01

Location

Parcel Size 1.27-acre tract Existing Land Use Commercial

1120 Sparkleberry Lane Ext.

Existing Status of the Property

The subject parcel has an existing 1140+ square foot, multi-tenant office structure.

Proposed Status of the Property

The applicant proposes to erect a 30-foot communication tower.

Character of the Area

The surrounding area consists of various commercial and industrial uses.

ZONING ORDINANCE CITATION

Table 26-V-2 of the Land Development Code authorizes the Board of Zoning Appeals to authorize radio, television and all other types of communications towers subject to the provisions of section 26-152 (d) (22).

CRITERIA FOR SPECIAL EXCEPTIONS

In addition to definitive standards in this chapter, the Board shall consider the following:

- 1. Traffic impact.
- 2. Vehicle and pedestrian safety.
- 3. Potential impact of noise, lights, fumes or obstruction of airflow on adjoining property.
- 4. Adverse impact of the proposed use on the aesthetic character of the environs, to include possible need for screening from view.
- 5. Orientation and spacing of improvements or buildings.

Special exception requirements (as found in section 26-152 (d) (22)):

- (22) Radio, television and telecommunications and other transmitting towers.
- a. Use districts: Rural; Office and Institutional; Neighborhood Commercial; Rural Commercial; General Commercial; LI Light Industrial; Heavy Industrial.
- b. Communication towers shall have a maximum height of three hundred (300) feet. For towers on buildings, the maximum height shall be twenty (20) feet above the roofline of buildings forty (40) feet or four stories in height or less. For buildings greater than four stories or forty-one (41) feet in height, the maximum height of communication towers shall be forty feet above the roofline.
- c. The minimum setbacks for communication towers from abutting districts shall be as follows: (Ord. No. 040-09HR; 7-21-09)
 - 1. Communication towers abutting a residentially zoned parcel shall have a minimum setback of one (1) foot for each foot of height of the tower as measured from the base of the tower. The maximum required setback shall be two hundred and fifty (250) feet. (Ord. No. 040-09HR; 7-21-09)
 - 2. Communication towers abutting a non-residentially zoned parcel with a habitable residential dwelling shall have a minimum setback of fifty (50) feet. (Ord. No. 040-09HR; 7-21-09)
 - 3. Communication towers abutting a non-residentially zoned parcel without a habitable residential dwelling shall observe the setbacks of the district in which it is located. (Ord. No. 040-09HR; 7-21-09)
- d. The proposed user must show proof of an attempt to collocate on existing communication towers, and must be willing to allow other users to collocate on the proposed tower in the future subject to engineering capabilities of the structure. Evidence of an attempt to collocate must show that alternative towers, buildings, or other structures are not available for use within the applicant's tower site search area that are structurally capable of supporting the intended antenna or meeting the applicant's necessary height criteria, or provide a location free of interference from other communication towers.
- e. Towers shall be illuminated as required by the Federal Communications Commission, Federal Aviation Administration, or other regulatory agencies. However, no nighttime strobe lighting shall be incorporated unless required by the Federal Communications Commission, the Federal Aviation Administration, or other regulatory agency.
- f. Each communication tower and associated buildings shall be enclosed within a fence at least seven (7) feet in height.
- g. Each communication tower site shall be landscaped in accordance with the requirements of Section 26-176 of this chapter.
- h. No signage may be attached to any portion of a communications tower. Signs for the purpose of identification, warning, emergency function or contact or other as required by applicable state or federal rule, law, or regulation may be placed as required by standard industry practice.
- i. A communications tower which is no longer used for communications purposes must be dismantled and removed within one hundred twenty (120) days of the date the tower is taken out of service.

DISCUSSION

The applicant proposes to erect a 30-foot monopole telecommunications tower.

Staff visited the site.

According to the provisions of subsection 26-152 (d) (22) (c) (3), towers must observe the setback of the district in which it is located, if abutting non-residentially zoned parcels. The required setbacks for the GC district are:

- Front 25 feet
- Rear 10 feet
- Side none

The abutting parcels are zoned either HI (Heavy Industrial) or GC.

Meeting the criteria for a special exception in section 26-152 (d) (22) (c) may indicate that the applicant has taken necessary measures to minimize the impact of a communication tower on the surrounding area. Staff believes that this request will not impair the properties in the immediate or surrounding area.

The applicant must address, before the Board, the special exception requirements of section 26-152 (d) (22) (d).

Staff recommends approval for this request.

CONDITIONS

Section 26-56 (f) (3)

(3) Conditions: In granting a special exception, the board of zoning appeals may prescribe conditions and safeguards in addition to those spelled out in this chapter. The board of zoning appeals may also prescribe a time limit within which the special exception shall be begun or completed, or both. All conditions placed on the project by the board of zoning appeals shall be incorporated into such project.

OTHER RELEVANT SECTIONS

N/A

ATTACHMENTS

Site plans

CASE HISTORY

No record of previous special exception or variance request.

11-10 SE CALVARY CHAPEL NORTHEAST COLUMBIA 1120 SPARKLEBERRY LANE EXT. COLUMBIA, SC 29223 22905-08-01



11-10 SE CALVARY CHAPEL NORTHEAST COLUMBIA 1120 SPARKLEBERRY LANE EXT. COLUMBIA, SC 29223 22905-08-01



	ND G	BOARD OF ZONING APPEALS SPECIAL EXCEPTION
1.		cation: <u>1120 (Svitec) Spavicle berry Lane Ext. Columbia, SC 29223</u> IS Page: Block: Lot: Zoning District: <u>AC</u>
2.	Th <i>ር</i> ፣	e Board of Zoning Appeals is requested to consider the granting of a special exception permitting: Rohn 256 Freestanding, self-supporting, antenna tower (30).
3.	De	allow for reception of church organization radio broadcast signal.
4.	Are	ea attributed to the proposal (square feet): 6 feet square
5.	foc	e other uses located upon the subject property? I No Yes (if Yes, list each use and the square otage attributed to each use):
		Usesquare footage
	b.	Usesquare footage
	C.	Usesquare footage
6.	To	tal number of parking spaces on the subject property: 48 W/ overflow anthrizahim to adjunt
7.		tal number of employees on shift of greatest employment:2
8.	De	dress the following Standards of Review (Sec. 26-56 (f) (2) of the Richland County Land velopment Code). Please note that the members of the Board of Zoning Appeals will use your swers, among other things, as they evaluate your request. Traffic impact: <u>none not located on a thru-street</u> .
	b.	Vehicle and pedestrian safety: <u>there is no pedestrian traffic</u> <u>on backside of the building - distance from street</u> <u>exceeds dimensions</u> Potential impact of noise, lights, fumes or obstruction of airflow on adjoining property:
	c. d.	<u>No noise, light, fumes or obstruction</u> Adverse impact of the proposed use on the aesthetic character of the environs, to include possible
		need for screening from view: <u>trees 20-30' already</u> adjacent to proposed site.
	e.	Orientation and spacing of improvements or buildings:へのの



This document is not to scale

STANDARD G-SERIES SELF-SUPPORTING







GENERAL USE

The self-supporting G-Series towers offer an easy, low-cost solution to get light weight antennas in the air quickly. By using the G-Series tower as a self-supporting structure, you minimize land area usage. They are functional in a wide variety of wind speeds. See ROHN's standard designs to help identify the right structure for your project. These are the same sturdy, robust tower sections that ROHN has fabricated for years. Each larger model allows for more loading capacity.

FEATURES

- Completely hot-dip galvanized after fabrication
- Cross bracing is formed by a continuous solid rod bracing fashioned into a zig-zag pattern for strength
- Pre-engineered loading charts meet varying individual specs and site conditions
- Typical uses include: small dishes, broadband, security and two-way communication
- All towers have 'fixed' bases

KITS

The kit part numbers for ROHN Self-Supporting G-Series towers include:

- · Short base for embedment in concrete
- Rev F ground kit
- All tower sections and connection hardware
- Tapered top (25G and 45G towers)
- Top plate (55G towers)
- Cap plate kit (65G towers)

Per Rev G requirements, any structure greater than 10' requires a climber safety device. Please see page 209 for ordering information.



Phone (309) 566-3000 • Fax (309) 566-3079 • www.rohnnet.com • The Industry Standard

STANDARD VG SELF-SUPPORTING CAMERA TOWERS (field bolted)

REV. G: 110 MPH 3-SEC GUST WIND SPEED (NO ICE), 40 MPH 3-SEC GUST WIND SPEED (3/4" ICE), CLASS II, EXPOSURE C, TOPO CATEGORY 1 SEISMIC COEFFICIENT S_s \leq 1.0



Includes anchor bolts, templates, tower sections, Rev G grounding material, 1/2" top mounting plate with attachment hardware and step bolts. Per Rev. G requirements, any structure greater than 10' requires a climber safety device. See page 175 for ordering information.

Products LLC Phone (309) 566-3000 • Fax (309) 566-3079 • www.rohnnet.com • The Industry Standard

STANDARD 25G GUYED TOWER SECTIONS



* Towers mounted on these bases must be bracketed or guyed at all times. Temporary steel guying may also be necessary during installation and dismantling.

SELF-SUPPORTING G-SERIES FOUNDATIONS





CONCRETE BASE PLATE WITH ANCHORS 25GSSB FOR USE WITH SELF-SUPPORTING 25G TOWERS.

ALTERNATIVE TO USING SHORT BASE. BASE BOLTS & TEMPLATE MUST BE ORDERED SEPARATELY.



BASE BOLTS & TEMPLATE KH8175A FOR USE WITH 25GSSB IN SELF-SUPPORTING 25G TOWER APPLICATIONS. KIT INCLUDES (1) TEMPLATE & (4) BASE BOLTS.

Products LLC

ELEVATION VIEW 25G (shown), 45G & 55G SELF-SUPPORTING TOWER FOUNDATION



Tower	Mat Width (W)	Concrete Volume (Cu. Yds.)
25G	4'-0"	2.4
45G	5' - 3″	4.1
55G	6' - 0"	5.3
45GSR 65G	7'-9"	8.9



Phone (309) 566-3000 • Fax (309) 566-3079 • www.rohnnet.com • The Industry Standard

SELF-SUPPORTING G-SERIES DESIGN NOTES

- 1. Tower designs are in accordance with approved national standard ANSI/EIA-222-F and ANSI/TIA-222G, Structure Class I, Exposures B and C, Topographic Category I.
- 2. All towers must have "fixed" bases. Pinned bases may not be used.
- 3. Designs assume transmission lines symmetrically placed as follows:
 - 25G Tower One 5/8'' Line on each face (Total = 3)
 - 45G Tower One 7/8" Line and one 1/2" line on each face (Total = 3 @ 7/8" & 3 @ 1/2")
 - 55G & 65G Towers Two 7/8" Lines on each face (Total =6)
- 4. Antennas and mounts assumed symmetrically placed at tower apex.
- 5. Rev F tabulated allowable antenna areas assume all round antenna members.
- 6. Allowable flat-plate antenna areas, based on EIA RS-222-C, may be obtained by multiplying Rev. F Antenna areas shown by 0.6.
- 7. Standard foundation designs are based on Rev. F normal soil and Rev. G presumptive clay soil parameters.

Refer to pages 147-153 for General Installation and Foundation Notes.





REQUEST, ANALYSIS AND RECOMMENDATION

11-11 Variance

REQUEST

The applicant is requesting the Board of Appeals to grant a variance to encroach into the required front yard setback on property zoned GC (General Commercial).

GENERAL INFORMATION

<u>Applicant</u>

Rakesh Patel

Tax Map Number 17011-02-06

Location 7525 Two Notch Road Parcel Size 1.31 acre tract Existing Land Use Hotel

Existing Status of the Property

The subject property has a six (6) story, 59,664 square foot hotel, constructed circa 1987.

Proposed Status of the Property

The applicant is proposing a canopy addition which will encroach into the required front yard setback.

Character of the Area

The area is comprised primarily of various commercial businesses, including a number of hotels.

ZONING ORDINANCE CITATION

Section 26-33 (a) (2) of the Land Development Code empowers the Board of Zoning Appeals to authorize upon appeal in specific cases such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this chapter would result in an unnecessary hardship. Such appeals shall be made in accordance with the procedures and standards set forth in Sec. 26-57 of this chapter.

CRITERIA FOR VARIANCE

Standard of review. The board of zoning appeals shall not grant a variance unless and until it makes the following findings:

- a. That there are extraordinary and exceptional conditions pertaining to the particular piece of property; and
- b. That these conditions do not generally apply to other property in the vicinity; and
- c. That because of these conditions, the application of this chapter to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and

d. That the authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the granting of the variance will not harm the character of the district.

DISCUSSION

Staff visited the site.

The applicant is requesting a variance to construct a canopy which will encroach into the required front yard setback by ten (10) feet. The required setbacks for this parcel are:

- Front 25 feet (Barbara Drive and Two Notch Road)
- Rear N/A
- Side 0 feet

The addition of the canopy will result in the loss of four (4) parking spaces; however, the remaining number off-street parking spaces will still be in compliance with the provisions of the Richland County Land Development Code.

According to the applicant, the proposed canopy is a requirement of the Best Western franchise agreement.

Staff believes that the subject parcel does not meet all of the criteria required for the granting of a variance. Staff recommends that the request be <u>denied</u>. According to the standard of review, a variance shall not be granted until the following findings are made:

a. Extraordinary and exceptional conditions

Staff was unable to determine that extraordinary and/or exceptional conditions apply to the subject parcel.

- b. <u>How were conditions created</u>
- c. <u>Conditions applicable to other properties</u>
- d. Application of the ordinance restricting utilization of property
- e. Substantial detriment of granting variance

CONDITIONS

26-57(f)(3)

Conditions. In granting a variance, the board of zoning appeals may attach to it such conditions regarding the location, character, or other features of the proposed building, structure or use as the board of zoning appeals may consider advisable to protect established property values in the surrounding area, or to promote the public health, safety, or general welfare. The board of zoning appeals may also prescribe a time limit within which the action for which the variance was sought shall be begun or completed, or both.

OTHER RELEVANT SECTIONS

26-57 (f) (1) Formal review.

(1) Action by the board of zoning appeals. Upon receipt of the application for a variance request from the planning department, the board of zoning appeals shall hold a public meeting on the proposed variance request. Any party may appear in person or be represented by an authorized agent. In considering the application, the board of zoning

appeals shall review the application materials, the staff comments and recommendations, the general purpose and standards set forth in this chapter, and all testimony and evidence received at the public hearing. After conducting the public hearing, the board of zoning appeals may:

- a. Approve the request;
- b. Continue the matter for additional consideration; or
- c. Deny the request.

Any approval or denial of the request must be by a concurring vote of a majority of those members of the board of zoning appeals both present and voting. The decision of the board of zoning appeals shall be accompanied by written findings that the variance meets or does not meet each of the standards set forth in subparagraph (2) below. The decision and the written findings shall be permanently filed in the planning department as a public record. The written decision of the board of zoning appeals must be delivered to the applicant.

ATTACHMENTS

- Application
- Site Plans
- Floor Plans

CASE HISTORY

No record of previous special exception or variance request.

11-11V Two Notch Hospitality 7525 Two Notch Rd. Columbia, SC 29223 17011-02-06



11-11V Two Notch Hospitality 7525 Two Notch Rd. Columbia, SC 29223 17011-02-06





BOARD OF ZONING APPEALS VARIANCE APPEALS



Application #

1.	1. Location		7525 Two Notch Rd, Columbia, SC 29223			
	TMS Page <u>17011</u> Block	02	Lot06	Zoning District	GC	_

- 2. Applicant hereby appeals to the Zoning Board of Appeals for a variance from the strict application to the property as described in the provisions of Section _______ of the Richland County Zoning Ordinance.
- Applicant requests a variance to allow use of the property in a manner shown on the attached site plan, described as follows: <u>Addition of a drive through canopy for guest check-in as required by</u> <u>Best Western Franchise Agreement.</u>
- 4. The application of the ordinance will result in unnecessary hardship, and the standards for a variance set by <u>Sec. 26-602.3b(1)</u> of the Richland County Zoning Code are met by the following facts.
 - a) There are extraordinary and exceptional conditions pertaining to the particular piece of property as following: <u>The Best Western Franchise Agreement requires a covered drive through canopy</u>. The side road, Barbara Drive, is not a busy road, yet it has the same setback requirement as Two Notch Road, a heavily travelled road.
 - b) Describe how the conditions listed above were created:
 - c) These conditions do not generally apply to other property in the vicinity as shown by:

 - e) The authorization of the variance will not be of substantial detriment to the adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance for the following reasons: <u>The property will be significantly improved</u>, both aesthetically and in its targeted clientele, improving the adjacent properties in the process.
- 5. The following documents are submitted in support of this application [a site plan must be submitted]:
 - a) Site Plan
 - b) Renovated First Floor Plan
 - c) Exterior Elevations

(Attach additional pages if necessary)

Applicant's Signature

Rakesh Patel Printed (typed) Name

7525 Two Notch Rd Address Columbia, SC 29223 City, State, Zip Code 706-202-5591 Telephone Number

803-736-6666 Alternate Number

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Richland County Government 2020 Hampton Street Columbia, SC 29204 Phone (803) 576-2180 Fax (803) 576-2182