

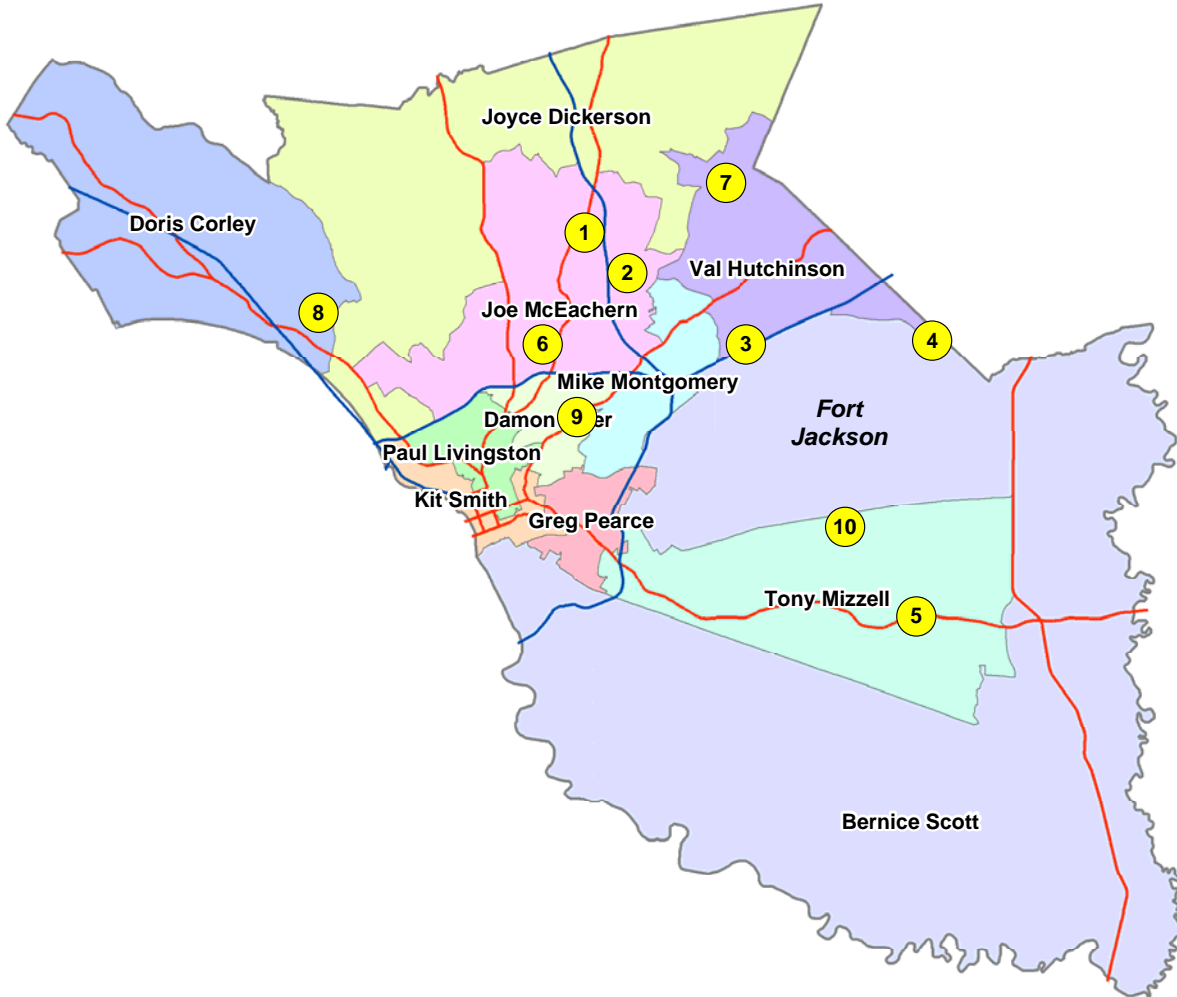
RICHLAND COUNTY  
BOARD OF  
ZONING APPEALS



Wednesday, July 6, 2005  
1:00 p.m.  
Council Chambers



# RICHLAND COUNTY BOARD OF ZONING APPEALS JULY 6, 2005



CASE NO.	APPLICANT	TMS NO.	ADDRESS	DISTRICT
1. 05-70 SE	Danny Kiser <b>[DEFERRED]</b>	14700-07-07	8741 Wilson Blvd.	McEachern
2. 05-74 SE	Eugene Resch	17300-02-34	9221 Farrow Road	McEachern
3. 05-77 SE	Jonathan Yates <b>[DEFERRED]</b>	22709-02-01	3609 Percival Road	Scott
4. 05-78 SE	Jonathan Yates	33900-01-63	1703 Screaming Eagle Road	Hutchinson
5. 05-79 SE	Jonathan Yates	30600-03-11	Garners Ferry Road	Mizzell
6. 05-80 SE	Tasha Canzater <b>[DEFERRED]</b>	11816-01-03	13 Leaf Circle	McEachern
7. 05-81 V	Rex L. Casterline	23201-06-76	325 Laurel Rise Lane	Hutchinson
8. 05-82 V	Patricia Towery	05100-03-05 (portion)	10 Regal Court	Corley
9. 05-83 V	Maurice Wise	14205-07-17	1630 Albritton Road	Jeter
10. 05-81 V	Lester Wolfe	28111-01-12	1201 Mt. Elon Church Road	Mizzell





**RICHLAND COUNTY  
BOARD OF ZONING APPEALS  
PUBLIC HEARING  
July 6, 2005, 1:00pm**

**2020 HAMPTON STREET  
2<sup>ND</sup> FLOOR, COUNTY COUNCIL CHAMBERS**

**AGENDA**

- |   |  |
|---|--|
| <b>I. CALL TO ORDER &amp; RECOGNITION OF QUORUM</b> | <b>TERRY BROWN,<br/>CHAIRMAN</b>                           |
| <b>II. RULES OF ORDER</b>                           | <b>BRAD FARRAR,<br/>DEPUTY COUNTY<br/>ATTORNEY</b>         |
| <b>III. PUBLIC HEARING</b>                          | <b>GEONARD PRICE,<br/>INTERIM ZONING<br/>ADMINISTRATOR</b> |

**OPEN PUBLIC HEARING**

**a) 05-70 SE**  
Danny Kiser  
8741 Wilson Blvd.  
14700-07-07

**DEFERRED**

**b) 05-74 SE**  
**1** Eugene Resch  
Carlisle Associates  
9221 Farrow Road  
17300-02-34

Request a special exception to reduce the required parking by 75% on property zoned light industrial (M-1)

**c) 05-77 SE**  
Jonathan Yates  
3609 Percival Road  
22709-02-01

**DEFERRED**

**d) 05-78 SE**  
**7** Jonathan Yates  
1703 Screaming Eagle Road  
33900-01-63

Requests special exception for the construction of a communication tower on property zoned rural (RU)

**e) 05-79 SE**  
**21** Jonathan Yates  
Garners Ferry Road  
30600-03-11

Requests special exception for the construction of a communication tower on property zoned rural (RU)

**f) 05-80 SE**  
Tasha Canzater  
13 Leaf Circle  
11816-01-03

**DEFERRED**

**g)** 05-81 V  
**33** Rex L. Casterline  
325 Laurel Rise Lane  
23201-06-76

Request a variance to encroach into the front yard setback by 2 feet on property zoned planned unit development (PUD)

**h)** 05-82 V  
**43** Patricia Towery  
10 Regal Court  
05100-03-05 (p)

Request a variance to encroach into the rear yard setback by 5 feet 5 inches on property zoned single family residential (RS-3)

**i)** 05-83 V  
**53** Maurice Wise  
1630 Albritton Road  
14205-07-17

Request a variance to encroach into the side yard setback by 9 feet on property zoned single family residential (RS-2)

**j)** 05-84 V  
**63** Lester Wolfe  
1201 Mount Elon Ch. Road  
28111-01-12

Request a variance to encroach into the rear yard setback by 7 feet on property zoned rural (RU)

#### **IV. APPROVAL OF MINUTES**

1 June 2005

#### **V. OTHER BUSINESS**

Reconsideration of case 05-75 SE (Page 73)

#### **VI. ADJOURNMENT**



6 July 2005  
Board of Zoning Appeals

## REQUEST, ANALYSIS AND RECOMMENDATION

05-74 Special Exception

### REQUEST

The applicant is requesting the Board of Appeals to grant a special exception to reduce the number of required parking spaces in a M-1 (Light Industrial) zoned district.

### GENERAL INFORMATION

**Applicant**

Eugene Resch

**Tax Map Number**

17300-02-34

**Location**

9221 Farrow Road

**Existing Zoning**

M-1 (Light Industrial)

**Parcel Size**

8.1 acre tract

**Existing Land Use**

Undeveloped

**Existing Status of the Property**

The subject property is undeveloped and heavily wooded.

**Proposed Status of the Property**

The applicant proposes to construct a 41,670 square foot warehouse and a 17,355 square foot office. The proposed construction will require 128 parking spaces.

**Immediate Adjacent Zoning and Land Use**

- North - M-1; undeveloped
- South - RS-3; undeveloped
- East - RS-2 RU; residential/commercial
- West - M-1; undeveloped

**Character of the Area**

The surrounding area is primarily undeveloped, with commercial and residential zonings and uses.

### ZONING ORDINANCE CITATION

Section 26-78.3(2) of the Zoning Ordinance authorizes the Board of Zoning Appeals to grant the reduction of off-street parking for industrial, processing, storage, warehousing, distribution, or wholesaling uses of not more than seventy-five (75) percent of the

required parking, subject to appropriate safeguards and conditions, if such action appears to be reasonably justified as based upon employment levels and characteristics of operation of such uses.

### CRITERIA FOR SPECIAL EXCEPTIONS

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

- 1. Traffic impact.**  
The granting of this variance should have not have a negative impact on traffic.
- 2. Vehicle and pedestrian safety.**  
There were no obstacles or conditions present that seem to present vehicle or pedestrian safety.
- 3. Potential impact of noise, lights, fumes or obstruction of airflow on adjoining property.**  
N/A
- 4. Adverse impact of the proposed use on the aesthetic character of the environs, to include possible need for screening from view.**  
The proposed use does not impose an adverse impact on the aesthetic character of the environs and does not require screening.
- 5. Orientation and spacing of improvements or buildings.**  
N/A

### DISCUSSION

Staff visited the site.

It is staff's opinion that the required parking for warehousing, found in the current zoning ordinance, doesn't realistically address the parking needs of these types of facilities. A majority of the facility is used for storage, rather than occupancy.

The applicant is requesting a special exception to reduce the required number of parking spaces from 128 spaces to 76. The parking reduction will not effect the required parking for the office.

### CONDITIONS

N/A

**26-602.2(d)**

- 1)** Violation of conditions and safeguards prescribed in conformity with this chapter, when made a part of the terms under which the special exception is granted shall be deemed a violation of this chapter, punishable under penalties established herein;
- 2)** Failure to begin or complete, or begin and complete, an action for which a special exception is required, within the time limit specified when such time limit is made a part of the terms under which the special exception is granted shall void the special exception.



**OTHER RELEVANT SECTIONS**

**ATTACHMENTS**

- Plat

**CASE HISTORY**

No record of previous special exception or variance request.

Rcpt # 369840  
Paid \$ 50.00

Application #  
Filed 4-26-05

**RICHLAND COUNTY  
BOARD OF ZONING APPEALS  
SPECIAL EXCEPTION APPEAL**

**NOTICE TO APPLICANTS**

No application for special exception will be processed unless the following conditions are met no later than the first (1<sup>st</sup>) day of the month prior to the date of the Board meeting, which is held the first Wednesday of each month:

- a. All questions on this application have been fully answered;
- b. The application has been signed by the owner or his agent with the written authorization of the owner;
- c. A plot plan drawn to scale, showing the actual dimensions and shape of the lot, the exact size and location on the lot of all buildings and signs existing and proposed, and the location of all required parking spaces has been submitted on an 8 1/2" X 11" size pieces of paper.

1. Location: SC Route 555 (Farrow Rd.) 9221 FARROW ROAD  
TMS #: Page R17300 Block 02 Lot 34 Zoning District M-1
2. The Board of Zoning Appeals is requested to consider the granting of a special exception permitting: (nature of special exception) Reduction of Required Parking for Industrial Use by 75.0%
3. The Board of Zoning Appeals is authorized to grant or deny special exception of this specific nature in Section 26-78.3(2) of the Zoning Ordinance.

**PROPOSED NEW CONSTRUCTION**

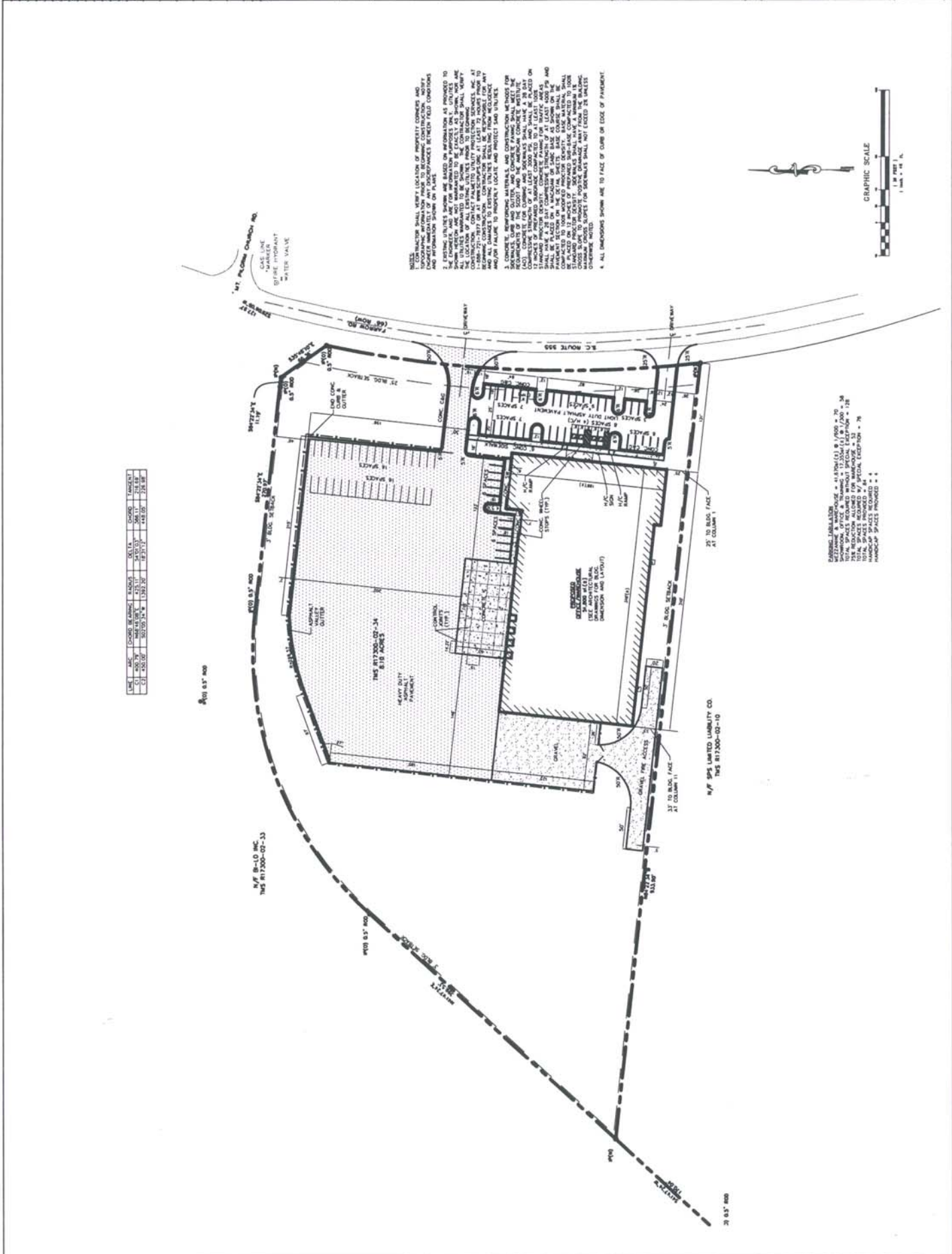
1. Free Standing Structure  Addition to an existing building )
2. Use Warehouse Number of square footage 41,670  
OFFICE/SALES 17,355 sf
3. Answer only if a commercial or manufacturing use :
  - a. Total number of parking spaces on lot 76
  - b. Number of trucks 5 size SINGLE UNIT
  - c. Number of proposed and existing signs N/A  
Size of proposed or existing signs N/A
  - d. Number of employees working on premises 50

**EXISTING USES AND STRUCTURES ON LOT**

1. Number of existing uses / structures N/A
2. Size and use:
  - a. Square footage \_\_\_\_\_ Use \_\_\_\_\_
  - b. Square footage \_\_\_\_\_ Use \_\_\_\_\_
  - c. Square footage \_\_\_\_\_ Use \_\_\_\_\_

[Signature]  
Appellant's Signature  
Chris Franklin  
Print Name

[Icon] C/O EUGENE J. RESCH  
CARLISLE ASSOC INC 803-252-3232  
1015 GERVAIS ST COLA, 29201  
Address, City, State & Zip Code Telephone Number

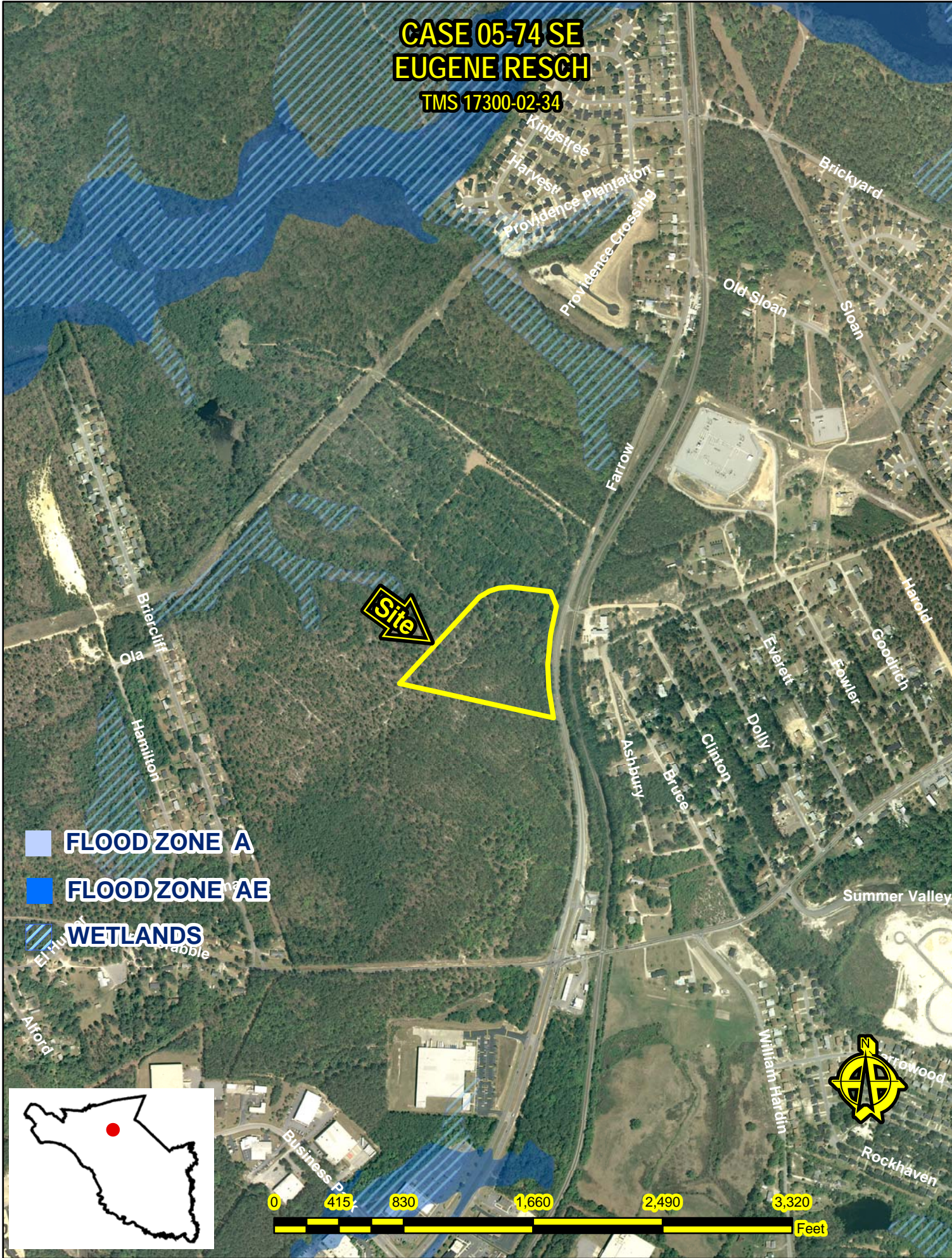


LINE	NO.	DESCRIPTION	AS-BUILT	AS-CONSTRUCTED	REVISION
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2	2	ADD	11/11/09	11/11/09	2
3	3	ADD	11/11/09	11/11/09	3
4	4	ADD	11/11/09	11/11/09	4
5	5	ADD	11/11/09	11/11/09	5
6	6	ADD	11/11/09	11/11/09	6
7	7	ADD	11/11/09	11/11/09	7
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97	97	ADD	11/11/09	11/11/09	97
98	98	ADD	11/11/09	11/11/09	98
99	99	ADD	11/11/09	11/11/09	99
100	100	ADD	11/11/09	11/11/09	100

CLASSIFICATION: 1417 P. COLUMBIA DRIVE, WYOMING, WY 82001  
 ARCHITECT: CARLISLE ASSOCIATES  
 ENGINEER: FITTS & GOODWIN  
 CONTRACT NO.: 1417 P. COLUMBIA DRIVE  
 SHEET NO.: C200SE

# CASE 05-74 SE EUGENE RESCH

TMS 17300-02-34





6 July 2005  
Board of Zoning Appeals

## REQUEST AND ANALYSIS

05-78 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 in a RU (Rural) district.

### GENERAL INFORMATION

**Applicant**

Jonathan Yates

**Tax Map Number**

33900-01-63

**Location**

2001 Screaming Eagle Road

**Existing Zoning**

RU (Rural District)

**Parcel Size**

15.44 acre tract

**Existing Land Use**

Residential

**Existing Status of the Property**

The parcel has two residential structures, but a majority of the parcel is undeveloped and wooded.

**Proposed Status of the Property**

The applicant proposes to erect a 250-foot lattice tower, within a 6,400 square foot leased compound.

**Immediate Adjacent Zoning and Land Use**

- North - RU; residential / undeveloped
- South - RU; residential / undeveloped
- East - RU; undeveloped
- West - Fort Jackson Military Base

**Character of the Area**

The subject property is amongst a scattering of residential structures, undeveloped parcels, and Fort Jackson Military Base.

### ZONING ORDINANCE CITATION

Section 26-61.4(4) of the Zoning Ordinance authorizes the Board of Zoning Appeals to authorize radio, television and all other types of communications towers subject to the provisions of section 26-94A.

## CRITERIA FOR SPECIAL EXCEPTIONS

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

**1. Traffic impact.**

N/A

**2. Vehicle and pedestrian safety.**

N/A

**3. Potential impact of noise, lights, fumes or obstruction of airflow on adjoining property.**

The lights of the communication tower could pose a potential impact on adjoining properties. The applicant has addressed these concerns in previous applications.

**4. Adverse impact of the proposed use on the aesthetic character of the environs, to include possible need for screening from view.**

The depth of the structure within the heavily wooded parcel should serve to help minimize the aesthetic impact of the communication tower on the environs.

**5. Orientation and spacing of improvements or buildings.**

The submitted site plan does not seem to necessitate any changes.

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(9) Special exception requirements (as found in section 26-94):

(a) In addition to the requirements for special exceptions found in section 26-602.2c, the zoning board of adjustment shall consider the following:

**(1) Will the proposed structure endanger the health and safety of residents, employees or travelers, including but not limited to the likelihood of the failure of such structures.**

To be addressed by the applicant.

**(2) Is the proposed tower located in an area where it will not substantially detract from aesthetics and neighborhood character or impair the use of neighboring properties.**

To be addressed by the applicant.

**(3) Is the proposed structure necessary to provide a service that is beneficial to the surrounding community.**

To be addressed by the applicant.

**(4) Does the proposed use meet the setback requirements of the underlying zoning district in which it is located.**

The site plan indicates that the proposed tower meets all required setbacks, however, the site plan review phase will ensure that all requirements have been met.

**(5) Is the proposed tower within one thousand (1,000) feet of another tower unless on the same property.**

To be addressed by the applicant.

**(6) Has the applicant attempted to collocate on existing communication towers and is the applicant willing to allow other users to collocate on the proposed tower in the future subject to engineering**

**capabilities of the structure and proper compensation from the additional user.**

To be addressed by the applicant.

**DISCUSSION**

The applicant proposes to erect a 250-foot lattice tower, within a 6,400 square foot leased compound.

Staff visited the site.

The criteria for a special exception in section 26-602 indicates that applicant has taken necessary measures to minimize the impact of a communication tower on the surrounding area.

The applicant must address before the Board the special exception requirements of section 26-94.

**CONDITIONS**

1. The setback requirements, as measured from the lease area, must be met, unless, as stated in section 26-94A (2), a special exception is granted by the Board of Zoning Appeals.

**26-602.2(d)**

- 1) Violation of conditions and safeguards prescribed in conformity with this chapter, when made a part of the terms under which the special exception is granted shall be deemed a violation of this chapter, punishable under penalties established herein;
- 2) Failure to begin or complete, or begin and complete, an action for which a special exception is required, within the time limit specified when such time limit is made a part of the terms under which the special exception is granted shall void the special exception.

**OTHER RELEVANT SECTIONS**

Due to consideration for health, safety impact on neighboring properties and aesthetics, any such uses proposed for the county shall comply with the following supplemental requirements:

(1) At the time of application for a special exception or zoning permit satisfactory evidence shall be submitted that alternative towers, building or other structures do not exist 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 from interference of any nature, or are otherwise not available for use.

(2) When a proposed site for a communication tower adjoins a residential zoning district, or property on which an inhabited residence is situated, the minimum setback

from the property line(s) adjoining the residential zoning district or residential use shall be fifty (50) feet. For towers over fifty (50) feet in height, the set back shall increase one (1) foot for each one (1) foot of tower height in excess of fifty (50) feet; with the maximum required separation being two hundred fifty (250) feet.

When the separation requirement as set forth herein from a residential zoning district or residential use cannot be met, such location may be permitted by a special exception approval from the zoning board of adjustment subject to the provisions of section 26-94A below.

(3) 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, Federal Aviation Administration or other regulatory agency.

(4) Each communications tower and associated buildings shall be enclosed within a fence at least seven (7) feet in height.

(5) Each tower site shall be landscaped in accordance with the requirements of Article 5 of the county landscape ordinance.

(6) No signage of any nature may be attached to any portion of a communications tower.

(7) Communications towers shall have a maximum height of three hundred (300) feet.

(8) 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.

(9) Special exception requirements:

(a) In addition to the requirements for special exceptions found in section 26-602.2c, the zoning board of adjustment shall consider the following:

(1) Will the proposed structure endanger the health and safety of residents, employees or travelers, including but not limited to the likelihood of the failure of such structures.

(2) Is the proposed tower located in an area where it will not substantially detract from aesthetics and neighborhood character or impair the use of neighboring properties.

(3) Is the proposed structure necessary to provide a service that is beneficial to the surrounding community.

(4) Does the proposed use meet the setback requirements of the underlying zoning district in which it is located.



(5) Is the proposed tower within one thousand (1,000) feet of another tower unless on the same property.

(6) Has the applicant attempted to collocate on existing communication towers and is the applicant willing to allow other users to collocate on the proposed tower in the future subject to engineering capabilities of the structure and proper compensation from the additional user.

(b) A site plan, elevation drawing(s), photographs and other appropriate documentation must be submitted with the request for special exception which provide the following information:

(1) Site plan must include the location of the tower(s), guy anchors (if any), transmission building and other accessory uses, parking, access, fences and adjacent land use. Landscaping and required buffering must also be shown.

(2) Elevation drawings must clearly show the design of the tower and materials to be used.

(3) Photographs must show the proposed site and the immediate area.

(4) Submittal of other detailed information, such as topography and aerial views, which support the request are encouraged at the option of the applicant.

(Ord. No. 048-95HR, § I, 9-5-95; Ord. No. 012-99HR, § III, 4-20-99)

<b>ATTACHMENTS</b>
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- Site plan

<b>CASE HISTORY</b>
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No record of previous special exception or variance request.

RICHLAND COUNTY  
BOARD OF ZONING APPEALS  
SPECIAL EXCEPTION

Paid \$ \_\_\_\_\_

Filed \_\_\_\_\_

**NOTICE TO APPLICANTS**

No application for a special exception will be processed unless the following conditions are met no later than the first (1<sup>ST</sup>) day of the month prior to the date of the Board meeting, which is generally held the first Wednesday of each month:

- a. All questions on this application have been fully answered;
- b. The application has been signed by the owner or his/her agent with the written authorization of the owner;
- c. A plot plan drawn to scale, showing the actual dimensions and shape of the lot, the exact size and location on the lot of all buildings and signs existing and proposed, and the location of all required parking spaces has been submitted an 8½" x 11" size pieces of paper.

1. Location: 1703 Screaming Eagle Road  
TMS #: Page 33900 Block 01 Lot 63 Zoning District RU
2. The Board of Zoning Appeals is requested to consider the granting of a special exception permitting: A wireless communications tower.
3. The Board of Zoning Appeals is authorized to grant or deny a special exception of this specific nature in Section \_\_\_\_\_ Zoning Ordinance.

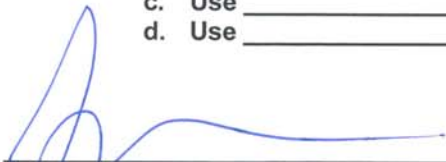
**PROPOSED NEW CONSTRUCTION**

1. Free standing structure () Addition to an existing structure ()
2. Use Comm. tower Number of square footage 2400
3. Answer only if a commercial or manufacturing use:
  - a. Total number of parking spaces on parcel: N/A
  - b. Number of trucks: 0 size(s): \_\_\_\_\_
  - c. Number of signs: proposed 0 existing 0
  - d. Number of employees working of premises: 0

**EXISTING USES AND STRUCTURES ON LOT**

1. Number of existing uses/structures: 0
2. Size and use:
 

a. Use <u>Commercial</u>	square footage _____
b. Use _____	square footage _____
c. Use _____	square footage _____
d. Use _____	square footage _____

  
Appellant's Signature

151 Meeting St.  
Address

843-853-5200  
Telephone Number

Cingular Wireless/JLYates  
Printed (typed) Name

Charleston, SC 29401  
City, State, Zip Code

\_\_\_\_\_  
Alternate Number

# Nelson Mullins

## Nelson Mullins Riley & Scarborough LLP

Attorneys and Counselors at Law  
151 Meeting Street / Sixth Floor / Charleston, South Carolina 29401-2239  
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Brian A. Hellman  
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May 21, 2005

### Via Federal Express

Mr. Geonard Price  
Richland County Planning Department  
2020 Hampton Street  
Columbia, SC 29202  
(803) 576-2180

RE: Cingular Wireless / #091-444B SR268 / TMS # R33900-01-63 / 1703 Screaming  
Eagle Road, Lugoff, SC 29078  
Our file number: 21772/09544

Dear Geo:

On behalf of our client, Cingular Wireless, Inc., I am enclosing for your review the requisite applications, fees, and the following supporting details regarding compliance of the above site with the Richland County Zoning Ordinance Section 26-94A.

### For Section 26-94A – Supplemental Requirements

- (1) At the time of application for a special exception or zoning permit satisfactory evidence shall be submitted that alternative towers, building or other structures do not exist 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 from interference of any nature, or are otherwise not available for use.

**Cingular is in the business of providing cellular communications and does not engage in building towers. As such, Cingular only builds these towers as a last resort. The first thing Cingular looks for in placing its equipment is an existing structure or tower that will allow us to provide coverage in the designated area. In this case, there are no structures or towers under the control of Cingular or other entities that could be used. If such sites were available, Cingular would use those sites.**

- (2) When a proposed site for a communication tower adjoins a residential zoning district, or property on which an inhabited residence is situated, the minimum setback from the property line(s) adjoining the residential zoning district or residential use shall be fifty (50) feet. For towers over fifty (50) feet in height, the set back shall increase one (1) foot for each one (1) foot of tower height in excess of fifty (50) feet; with the maximum required separation being two hundred fifty (250) feet.

When the separation requirement as set forth herein from a residential zoning district or residential use cannot be met, such location may be permitted by a special exception approval from the zoning board of adjustment subject to the provisions of section 26-94A below.

**This 250' tower will be located at least 340' from any adjoining property line, which are zoned RU. The underlying zoning district (RU) setbacks are forty (40) feet for front yards, twenty (20) feet for side yards, and fifty (50) feet for rear yards. The setback line is the same as the depth or width of any required yard. This communications tower will be set back at least 340' from any property line.**

- (3) Towers shall be illuminated as required by the Federal Communications Commission, Federal Aviation Administration or other regulatory agencies. However, no night time strobe lighting shall be incorporated unless required by the Federal Communications Commission, Federal Aviation Administration or other regulatory agency.

**The tower will be finished in a galvanized gray finish which quickly oxidizes to a dull gray patina and will be non-reflective and omit no glare. This tower will be illuminated; however, Cingular will employ the use of a very sophisticated illumination package which involves an intermittent white light during the day and at night, the white light will turn into a soft red light. This light is designed to channel the light above the horizontal to aid air navigation but not to be noticeable from the ground. At night, the light has the same effect on the ground as a forty watt patio bulb.**

- (4) Each communications tower and associated buildings shall be enclosed within a fence at least seven (7) feet in height.

**This tower and associated buildings are enclosed and secured by a security fence at least seven (7) feet in height.**

- (5) Each tower site shall be landscaped in accordance with the requirements of Article 5 of the county landscape ordinance.

**This tower site shall be landscaped in accordance with the requirements of Article 5 of the county landscape ordinance.**

- (6) No signage of any nature may be attached to any portion of a communications tower.

**No signage of any nature may be attached to any portion of this communications tower.**

- (7) Communications towers shall have a maximum height of three hundred (300) feet.

**This proposed wireless communications tower is a 250' lattice design.**

- (8) 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.

**Cingular Wireless has agreed to remove the tower and/or antenna within 90 days after cessation of use as is provided in the enclosed letter by South Carolina counsel, Jonathan L. Yates, attached as Exhibit B.**

**Special exception requirements:**

- a. requirements for special exceptions found in section 26-602.2c

- i. Traffic impact;

**Upon completion of construction, this facility will be unmanned and only visited 8-10 times per year, having virtually no traffic impact.**

- ii. Vehicle and pedestrian safety.

**Due to the inherent safety features of wireless communication devices, this wireless communications facility will have a positive impact on vehicle and pedestrian safety.**

- iii. Potential impact of noise, lights, fumes or obstruction of air flow on adjoining property

**This tower is lighted as required by the FAA (see section 3, above), and will have no impact with respect to noise, fumes, or obstruction of air flow on adjoining property.**

- iv. Adverse impact of the proposed use on the aesthetic character of the environs, to include possible need for screening from view.

**The tower will be finished in a galvanized gray finish which quickly oxidizes to a dull gray patina and will be non-reflective and omit no glare. Also, this tower site shall be landscaped in accordance with the requirements of Article 5 of the county landscape ordinance.**

- v. Orientation and spacing of improvements or buildings.

**There are no other improvements or buildings on this parcel.**

- (1) Will the proposed structure endanger the health and safety of residents, employees or travelers, including but not limited to the likelihood of the failure of such structures.

**Due to the inherent safety features of wireless communication devices, this wireless communications facility will be a beneficial addition not only to the health and safety of residents, employees or travelers, but to law enforcement personnel as well. The proposed tower is set back from all property lines a distance equal to or greater than its proposed height so that in the event of structural failure, the health and safety of residents, employees or travelers will not be compromised.**

- (2) Is the proposed tower located in an area where it will not substantially detract from aesthetics and neighborhood character or impair the use of neighboring properties.

**The proposed communications tower is being placed in a rural section of Lugoff in Richland County. The proposed tower is being placed on the property of Eloise E. Starling, which is zoned RU. The subject property is perfect for this proposed tower in that it is a nearly triangular shaped parcel bisected by power lines and poles. With our placement on the subject property, we will be able to effectively cover this section of Lugoff and surrounding vicinity with a minimum visual impact to the surrounding area. In addition, the tower will be finished in a galvanized gray finish which quickly oxidizes to a dull gray patina and will be non-reflective and omit no glare.**

- (3) Is the proposed structure necessary to provide a service that is beneficial to the surrounding community.

**Wireless devices are enabled by communications towers. With their inherent safety features, wireless devices and the towers that enable their use provide a service that is beneficial to the surrounding community, residents, travelers, and law enforcement.**

- (4) Does the proposed use meet the setback requirements of the underlying zoning district in which it is located.

**The underlying zoning district (RU) setbacks are forty (40) feet for front yards, twenty (20) feet for side yards, and fifty (50) feet for rear yards. The setback line is the same as the depth or width of any required yard. This communications tower will be set back at least 340' from any property line, or 6.8 times the minimum required by the underlying zoning district.**

- (5) Is the proposed tower within one thousand (1,000) feet of another tower unless on the same property.

**The tower will not be located within 1,000 feet of any existing tower or antenna.**

- (6) Has the applicant attempted to collocate on existing communication towers and is the applicant willing to allow other users to collocate on the proposed tower in the future subject to engineering capabilities of the structure and proper compensation from the additional user.

**Cingular always attempts to co-locate its equipment on an existing tower. Cingular has investigated all nearby publicly and privately owned sites and was unable to find a suitable site.**

- b. A site plan, elevation drawing(s), photographs and other appropriate documentation must be submitted with the request for special exception which provides information required by this ordinance section:

**A copy of the site plan incorporating the typical specification for this structure is attached hereto, as Exhibit A.**

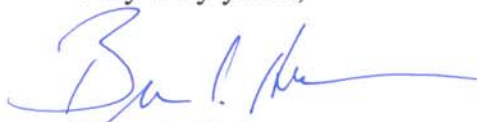
- (1) Site plan must include the location of the tower(s), guy anchors (if any), transmission building and other accessory uses, parking, access, fences and adjacent land use. Landscaping and required buffering must also be shown.

Mr. Geonard Price  
May 21, 2005  
Page 6

**A copy of the site plan incorporating these requirements is attached hereto,  
as Exhibit A.**

There is a sense of urgency to us in getting this special exception approved; therefore any assistance you can give us is very much appreciated. Please contact me at 843-534-4416 or [brian.hellman@nelsonmullins.com](mailto:brian.hellman@nelsonmullins.com) once the hearing date has been set, or if you have any questions or concerns that I may answer or address.

Very truly yours,



Brian A. Hellman

*Enclosures*

cc: Jonathan L. Yates, Esq.






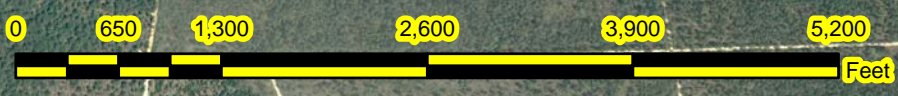
**CASE 05-78 SE**  
**JONATHAN YATES**  
TMS 22709-02-01

**Site**

Spring Creek

Screaming Eagle

-  FLOOD ZONE A
-  FLOOD ZONE AE
-  WETLANDS







6 July 2005  
Board of Zoning Appeals

## REQUEST AND ANALYSIS

05-79 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 in a RU (Rural) district.

### GENERAL INFORMATION

**Applicant**

Jonathan Yates

**Tax Map Number**

30600-03-11

**Location**

N/S Garners Ferry Road

**Existing Zoning**

RU (Rural District)

**Parcel Size**

13.33 acre tract

**Existing Land Use**

Undeveloped

**Existing Status of the Property**

The parcel is undeveloped and heavily wooded.

**Proposed Status of the Property**

The applicant proposes to erect a 150-foot monopole tower, within a 10,000 square foot leased compound.

**Immediate Adjacent Zoning and Land Use**

North - RU; residential / undeveloped

South - RU; residential / undeveloped

East - RU; residential / undeveloped

West - RU; residential / undeveloped

**Character of the Area**

The subject property is amongst a mixture of large and small wooded parcels that are undeveloped or devoted to residential uses.

### ZONING ORDINANCE CITATION

Section 26-61.4(4) of the Zoning Ordinance authorizes the Board of Zoning Appeals to authorize radio, television and all other types of communications towers subject to the provisions of section 26-94A.

## CRITERIA FOR SPECIAL EXCEPTIONS

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

**1. Traffic impact.**

N/A

**2. Vehicle and pedestrian safety.**

N/A

**3. Potential impact of noise, lights, fumes or obstruction of airflow on adjoining property.**

The lights of the communication tower could pose a potential impact on adjoining properties. The applicant has addressed these concerns in previous applications.

**4. Adverse impact of the proposed use on the aesthetic character of the environs, to include possible need for screening from view.**

The depth of the structure within the heavily wooded parcel should serve to help minimize the aesthetic impact of the communication tower on the environs.

**5. Orientation and spacing of improvements or buildings.**

The submitted site plan does not seem to necessitate any changes.

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(9) Special exception requirements (as found in section 26-94):

(a) In addition to the requirements for special exceptions found in section 26-602.2c, the zoning board of adjustment shall consider the following:

**(1) Will the proposed structure endanger the health and safety of residents, employees or travelers, including but not limited to the likelihood of the failure of such structures.**

To be addressed by the applicant.

**(2) Is the proposed tower located in an area where it will not substantially detract from aesthetics and neighborhood character or impair the use of neighboring properties.**

To be addressed by the applicant.

**(3) Is the proposed structure necessary to provide a service that is beneficial to the surrounding community.**

To be addressed by the applicant.

**(4) Does the proposed use meet the setback requirements of the underlying zoning district in which it is located.**

The site plan indicates that the proposed tower meets all required setbacks, however, the site plan review phase will ensure that all requirements have been met.

**(5) Is the proposed tower within one thousand (1,000) feet of another tower unless on the same property.**

To be addressed by the applicant.

**(6) Has the applicant attempted to collocate on existing communication towers and is the applicant willing to allow other users to collocate on the proposed tower in the future subject to engineering**

**capabilities of the structure and proper compensation from the additional user.**

To be addressed by the applicant.

**DISCUSSION**

The applicant proposes to erect a 150-foot monopole tower, within a 10,000 square foot leased compound.

Staff visited the site.

The criteria for a special exception in section 26-602 indicates that applicant has taken necessary measures to minimize the impact of a communication tower on the surrounding area.

The applicant must address before the Board the special exception requirements of section 26-94.

**CONDITIONS**

1. The setback requirements, as measured from the lease area, must be met, unless, as stated in section 26-94A (2), a special exception is granted by the Board of Zoning Appeals.

**26-602.2(d)**

- 1) Violation of conditions and safeguards prescribed in conformity with this chapter, when made a part of the terms under which the special exception is granted shall be deemed a violation of this chapter, punishable under penalties established herein;
- 2) Failure to begin or complete, or begin and complete, an action for which a special exception is required, within the time limit specified when such time limit is made a part of the terms under which the special exception is granted shall void the special exception.

**OTHER RELEVANT SECTIONS**

Due to consideration for health, safety impact on neighboring properties and aesthetics, any such uses proposed for the county shall comply with the following supplemental requirements:

(1) At the time of application for a special exception or zoning permit satisfactory evidence shall be submitted that alternative towers, building or other structures do not exist 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 from interference of any nature, or are otherwise not available for use.

(2) When a proposed site for a communication tower adjoins a residential zoning district, or property on which an inhabited residence is situated, the minimum setback

from the property line(s) adjoining the residential zoning district or residential use shall be fifty (50) feet. For towers over fifty (50) feet in height, the set back shall increase one (1) foot for each one (1) foot of tower height in excess of fifty (50) feet; with the maximum required separation being two hundred fifty (250) feet.

When the separation requirement as set forth herein from a residential zoning district or residential use cannot be met, such location may be permitted by a special exception approval from the zoning board of adjustment subject to the provisions of section 26-94A below.

(3) 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, Federal Aviation Administration or other regulatory agency.

(4) Each communications tower and associated buildings shall be enclosed within a fence at least seven (7) feet in height.

(5) Each tower site shall be landscaped in accordance with the requirements of Article 5 of the county landscape ordinance.

(6) No signage of any nature may be attached to any portion of a communications tower.

(7) Communications towers shall have a maximum height of three hundred (300) feet.

(8) 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.

(9) Special exception requirements:

(a) In addition to the requirements for special exceptions found in section 26-602.2c, the zoning board of adjustment shall consider the following:

(1) Will the proposed structure endanger the health and safety of residents, employees or travelers, including but not limited to the likelihood of the failure of such structures.

(2) Is the proposed tower located in an area where it will not substantially detract from aesthetics and neighborhood character or impair the use of neighboring properties.

(3) Is the proposed structure necessary to provide a service that is beneficial to the surrounding community.

(4) Does the proposed use meet the setback requirements of the underlying zoning district in which it is located.

(5) Is the proposed tower within one thousand (1,000) feet of another tower unless on the same property.

(6) Has the applicant attempted to collocate on existing communication towers and is the applicant willing to allow other users to collocate on the proposed tower in the future subject to engineering capabilities of the structure and proper compensation from the additional user.

(b) A site plan, elevation drawing(s), photographs and other appropriate documentation must be submitted with the request for special exception which provide the following information:

(1) Site plan must include the location of the tower(s), guy anchors (if any), transmission building and other accessory uses, parking, access, fences and adjacent land use. Landscaping and required buffering must also be shown.

(2) Elevation drawings must clearly show the design of the tower and materials to be used.

(3) Photographs must show the proposed site and the immediate area.

(4) Submittal of other detailed information, such as topography and aerial views, which support the request are encouraged at the option of the applicant.

(Ord. No. 048-95HR, § I, 9-5-95; Ord. No. 012-99HR, § III, 4-20-99)

<b>ATTACHMENTS</b>
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- Site plan

<b>CASE HISTORY</b>
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No record of previous special exception or variance request.

Paid \$ \_\_\_\_\_

**RICHLAND COUNTY  
BOARD OF ZONING APPEALS  
SPECIAL EXCEPTION**

Filed \_\_\_\_\_

**NOTICE TO APPLICANTS**

No application for a special exception will be processed unless the following conditions are met no later than the first (1<sup>ST</sup>) day of the month prior to the date of the Board meeting, which is generally held the first Wednesday of each month:

- a. All questions on this application have been fully answered;
- b. The application has been signed by the owner or his/her agent with the written authorization of the owner;
- c. A plot plan drawn to scale, showing the actual dimensions and shape of the lot, the exact size and location on the lot of all buildings and signs existing and proposed, and the location of all required parking spaces has been submitted on an 8½" x 11" size pieces of paper.

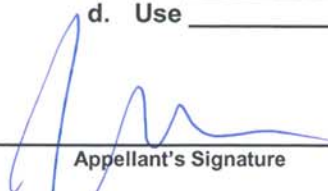
1. Location: Garners Ferry Road  
TMS #: Page 30600 Block 03 Lot 11 Zoning District RU
2. The Board of Zoning Appeals is requested to consider the granting of a special exception permitting: A wireless communications tower.
3. The Board of Zoning Appeals is authorized to grant or deny a special exception of this specific nature in Section \_\_\_\_\_ Zoning Ordinance.

**PROPOSED NEW CONSTRUCTION**

1. Free standing structure () Addition to an existing structure ()
2. Use Comm. tower Number of square footage 2400
3. Answer only if a commercial or manufacturing use:
  - a. Total number of parking spaces on parcel: N/A
  - b. Number of trucks: 0 size(s): \_\_\_\_\_
  - c. Number of signs: proposed 0 existing 0
  - d. Number of employees working of premises: 0

**EXISTING USES AND STRUCTURES ON LOT**

1. Number of existing uses/structures: 0
2. Size and use:
  - a. Use Commercial square footage \_\_\_\_\_
  - b. Use \_\_\_\_\_ square footage \_\_\_\_\_
  - c. Use \_\_\_\_\_ square footage \_\_\_\_\_
  - d. Use \_\_\_\_\_ square footage \_\_\_\_\_

  
 \_\_\_\_\_  
 Appellant's Signature  
 Cingular Wireless/JLYates  
 Printed (typed) Name

151 Meeting St.  
 \_\_\_\_\_  
 Address  
Charleston, SC 29401  
 \_\_\_\_\_  
 City, State, Zip Code

843-853-5200  
 \_\_\_\_\_  
 Telephone Number  
 \_\_\_\_\_  
 Alternate Number



# Nelson Mullins

## Nelson Mullins Riley & Scarborough LLP

Attorneys and Counselors at Law  
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May 27, 2005

### Via Federal Express

Mr. Geonard Price  
Richland County Planning Department  
2020 Hampton Street  
Columbia, SC 29202  
(803) 576-2180

RE: Cingular Wireless / # 091-452B Louis LeConte / TMS # R30600-03-11 / Garners  
Ferry Road, Columbia, SC 29044  
Application for Special Exception  
Our file number: 21772/09643

Dear Geo:

On behalf of our client, Cingular Wireless, Inc., I am enclosing for your review the requisite applications, fees, and the following supporting details regarding compliance of the above site with the Richland County Zoning Ordinance Section 26-94A.

### For Section 26-94A – Supplemental Requirements

- (1) At the time of application for a special exception or zoning permit satisfactory evidence shall be submitted that alternative towers, building or other structures do not exist 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 from interference of any nature, or are otherwise not available for use.

**Cingular is in the business of providing cellular communications and does not engage in building towers. As such, Cingular only builds these towers as a last resort. The first thing Cingular looks for in placing its equipment is an existing structure or tower that will allow us to provide coverage in the designated area. In this case, there are no structures or towers under the control of Cingular or other entities that could be used. If such sites were available, Cingular would use those sites.**

- (2) When a proposed site for a communication tower adjoins a residential zoning district, or property on which an inhabited residence is situated, the minimum setback from the

property line(s) adjoining the residential zoning district or residential use shall be fifty (50) feet. For towers over fifty (50) feet in height, the set back shall increase one (1) foot for each one (1) foot of tower height in excess of fifty (50) feet; with the maximum required separation being two hundred fifty (250) feet.

When the separation requirement as set forth herein from a residential zoning district or residential use cannot be met, such location may be permitted by a special exception approval from the zoning board of adjustment subject to the provisions of section 26-94A below.

**This 150 foot tower will be located at least the maximum required separation of one hundred fifty (150) feet from property adjoining a residential zoning district, or property on which an inhabited residence is situated.**

- (3) Towers shall be illuminated as required by the Federal Communications Commission, Federal Aviation Administration or other regulatory agencies. However, no night time strobe lighting shall be incorporated unless required by the Federal Communications Commission, Federal Aviation Administration or other regulatory agency.

**The tower will be finished in a galvanized gray finish which quickly oxidizes to a dull gray patina and will be non-reflective and omit no glare. This tower will not be illuminated.**

- (4) Each communications tower and associated buildings shall be enclosed within a fence at least seven (7) feet in height.

**This tower and associated buildings are enclosed and secured by a security fence at least seven (7) feet in height.**

- (5) Each tower site shall be landscaped in accordance with the requirements of Article 5 of the county landscape ordinance.

**This tower site shall be landscaped in accordance with the requirements of Article 5 of the county landscape ordinance.**

- (6) No signage of any nature may be attached to any portion of a communications tower.

**No signage of any nature may be attached to any portion of this communications tower.**

- (7) Communications towers shall have a maximum height of three hundred (300) feet.

**This proposed wireless communications tower is a 150' monopole design.**

- (8) 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.

**Cingular Wireless has agreed to remove the tower and/or antenna within 90 days after cessation of use as is provided in the enclosed letter by South Carolina counsel, Jonathan L. Yates, attached as Exhibit B.**

**Special exception requirements:**

- a. requirements for special exceptions found in section 26-602.2c

- i. Traffic impact;

**Upon completion of construction, this facility will be unmanned and only visited 8-10 times per year, having virtually no traffic impact.**

- ii. Vehicle and pedestrian safety.

**Due to the inherent safety features of wireless communication devices, this wireless communications facility will have a positive impact on vehicle and pedestrian safety.**

- iii. Potential impact of noise, lights, fumes or obstruction of air flow on adjoining property

**This tower will not be illuminated, and will have no impact with respect to noise, fumes, or obstruction of air flow on adjoining property.**

- iv. Adverse impact of the proposed use on the aesthetic character of the environs, to include possible need for screening from view.

**The tower will be finished in a galvanized gray finish which quickly oxidizes to a dull gray patina and will be non-reflective and omit no glare. Also, this tower site shall be landscaped in accordance with the requirements of Article 5 of the county landscape ordinance.**

- v. Orientation and spacing of improvements or buildings.

**There are no other improvements or buildings on this parcel.**

- (1) Will the proposed structure endanger the health and safety of residents, employees or travelers, including but not limited to the likelihood of the failure of such structures.

**Due to the inherent safety features of wireless communication devices, this wireless communications facility will be a beneficial addition not only to the health and**

safety of residents, employees or travelers, but to law enforcement personnel as well. The proposed tower is set back from all property lines a distance equal to or greater than its proposed height so that in the event of structural failure, the health and safety of residents, employees or travelers will not be compromised.

- (2) Is the proposed tower located in an area where it will not substantially detract from aesthetics and neighborhood character or impair the use of neighboring properties.

The proposed communications tower is being placed directly adjacent to Garners Ferry Road/Highway 76 to improve service along this important interstate highway. The proposed tower is being placed on the property of Billie Arant, which is zoned RU. The subject property is perfect for this proposed tower in that it is a rather large triangular shaped parcel with significant highway coverage. With our placement on the subject property, we will be able to effectively cover sections of Garners Ferry Road/Highway 76 and nearby vicinity with a minimum visual impact to the surrounding area. In addition, the tower will be finished in a galvanized gray finish which quickly oxidizes to a dull gray patina and will be non-reflective and omit no glare.

- (3) Is the proposed structure necessary to provide a service that is beneficial to the surrounding community.

Wireless devices are enabled by communications towers. With their inherent safety features, wireless devices and the towers that enable their use provide a service that is beneficial to the surrounding community, residents, travelers, and law enforcement.

- (4) Does the proposed use meet the setback requirements of the underlying zoning district in which it is located.

The underlying zoning district (RU) setbacks are forty (40) feet for front yards, twenty (20) feet for side yards, and fifty (50) feet for rear yards. The setback line is the same as the depth or width of any required yard. This communications tower will be set back at least 150' from any property line, or 3.0 to 7.5 times the minimum required by the underlying zoning district.

- (5) Is the proposed tower within one thousand (1,000) feet of another tower unless on the same property.

The tower will not be located within 1,000 feet of any existing tower or antenna.

- (6) Has the applicant attempted to collocate on existing communication towers and is the applicant willing to allow other users to collocate on the proposed tower in the future subject to engineering capabilities of the structure and proper compensation from the additional user.

Mr. Geonard Price  
May 27, 2005  
Page 5

**Cingular always attempts to co-locate its equipment on an existing tower. Cingular has investigated all nearby publicly and privately owned sites and was unable to find a suitable site.**

- b. A site plan, elevation drawing(s), photographs and other appropriate documentation must be submitted with the request for special exception which provides information required by this ordinance section:

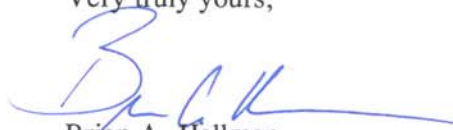
**A copy of the site plan incorporating the typical specification for this structure is attached hereto, as Exhibit A.**

- (1) Site plan must include the location of the tower(s), guy anchors (if any), transmission building and other accessory uses, parking, access, fences and adjacent land use. Landscaping and required buffering must also be shown.

**A copy of the site plan incorporating these requirements is attached hereto, as Exhibit A.**

There is a sense of urgency to us in getting this special exception approved; therefore any assistance you can give us is very much appreciated. Please contact me at 843-534-4416 or [brian.hellman@nelsonmullins.com](mailto:brian.hellman@nelsonmullins.com) once the hearing date has been set, or if you have any questions or concerns that I may answer or address.

Very truly yours,

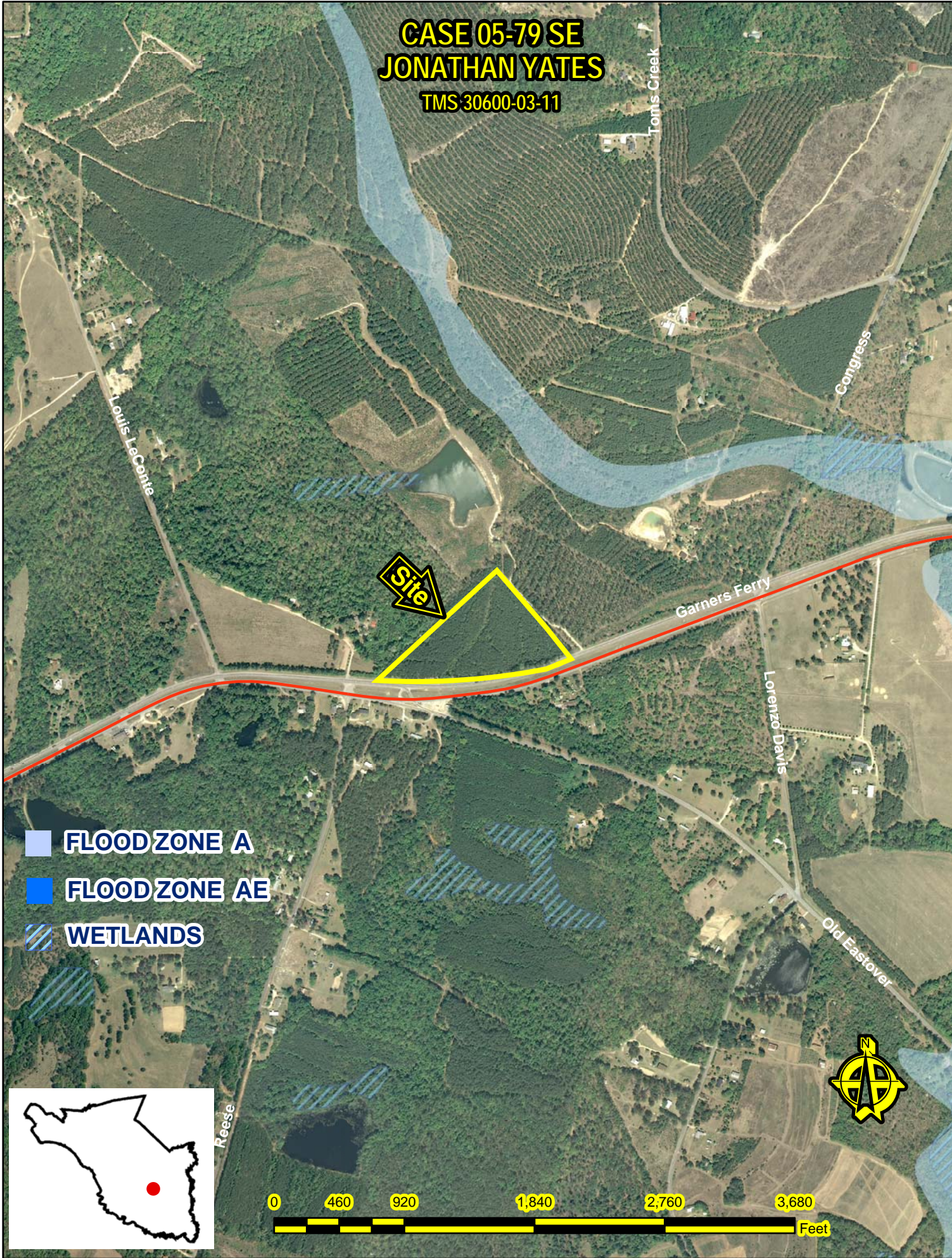


Brian A. Hellman

*Enclosures*

cc: Jonathan L. Yates, Esq.

**CASE 05-79 SE**  
**JONATHAN YATES**  
**TMS 30600-03-11**



-  FLOOD ZONE A
-  FLOOD ZONE AE
-  WETLANDS





6 July 2005  
Board of Zoning Appeals

## REQUEST, ANALYSIS AND RECOMMENDATION

05-81 Variance

### REQUEST

The applicant is requesting the Board of Zoning Appeals to grant a variance to encroach into the required front yard setbacks in a PUD (Planned Unit Development) zoned district.

### GENERAL INFORMATION

**Applicant**

Rex L. Casterline

**Tax Map Number**

23201-06-76

**Location**

325 Laurel Rise Lane

**Existing Zoning**

PUD (Planned Unit Development)

**Parcel Size**

.24 acre tract

**Existing Land Use**

Residential

**Existing Status of the Property**

The subject property has an unoccupied residential structure.

**Proposed Status of the Property**

The proposed structure will encroach into the required front yard setback by 2 feet.

**Immediate Adjacent Zoning and Land Use**

North - PUD; residential

South - PUD; residential

East - PUD; residential

West - PUD; residential

**Character of the Area**

The subject property is located in the Laurel Chase @ Lake Carolina Subdivision. The surrounding properties are dedicated to residential uses.

## ZONING ORDINANCE CITATION

Section 26-602.3 of the Zoning Ordinance authorizes the Board of Zoning Appeals to grant variances from the strict interpretation of the Zoning Ordinance that are not contrary to the public interest when literal enforcement would result in unnecessary hardship.

Under no circumstances shall the Board grant a variance to permit a use not generally or by special exception permitted in the district involved. No nonconforming use of neighboring lands or structures in the same district or in other districts shall be grounds for the issuance of a variance. Under no circumstances shall the Board grant a variance to permit a decrease in minimum lot size, minimum lot width or in any other manner create a nonconforming lot.

## CRITERIA FOR VARIANCE

The board of zoning appeals may grant a variance in an individual case of unnecessary hardship if the board makes and explains in writing the following findings:

- (a) **That there are extraordinary and exceptional conditions pertaining to the particular piece of property.**

Staff did not observe any extraordinary and/or exceptional conditions.

- (b) **That these conditions do not result from the actions of the applicant.**

N/A

- (c) **That these conditions do not generally apply to other property in the vicinity.**

Staff is unable to determine whether these conditions apply to other parcels.

- (d) **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.**

Applying the required setback requirements would not unreasonably restrict the utilization of the property.

- (e) **That 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.**

The granting of this variance will not create a detriment to the adjacent property, the public good, or the character of the district.

## DISCUSSION

Staff visited the site.

The parcel is located along a street that has a slight curvature. The portion of the structure that encroaches into the setback is the garage.



## CONDITIONS

N/A

### **26-602.2(c)**

- 1) Violation of conditions and safeguards prescribed in conformity with this chapter, when made a part of the terms under which the special exception is granted shall be deemed a violation of this chapter, punishable under penalties established herein;
- 2) Failure to begin or complete, or begin and complete, an action for which a special exception is required, within the time limit specified when such time limit is made a part of the terms under which the variance is granted shall void the variance.

## OTHER RELEVANT SECTIONS

### *26-63.7 Minimum yard requirements.*

The depth of front and rear yards, and the width of side yards shall be as follows, for single family detached dwellings and for other permitted or permissible structures, unless otherwise specified:

1. Front Yards:
  - a. 25 feet on lots fronting minor residential streets.
  - b. 40 feet on lots fronting collector streets, commercial or industrial streets or major thoroughfares.
  - c. On corner lots the secondary front yard shall be not less than one-half (1/2) the depth of the primary front yard in a. or b. above.
2. Side yards of interior or corner lots:
  - a. RR: 10 feet.
  - b. RS-1, RS-1A: Combined side yards shall total 16 feet provided however, that no individual side yard shall be less than 5 feet in width.
  - c. RS-2: Combined side yards shall total 13 feet, provided however, that no individual side yard shall be less than 4 feet.
  - d. RS-3: Combined side yards shall total 12 feet, provided however, that no individual side yard shall be less than 4 feet in width.
3. Rear yards:
  - a. For permitted principal structures: 20 feet.
  - b. For permitted accessory structures: 5 feet.

## ATTACHMENTS

- Plat.

## CASE HISTORY

There are no records of this property previously requesting a special exception or variance.



RICHLAND COUNTY
PLANNING AND DEVELOPMENT SERVICES
P.O. BOX 192
2020 HAMPTON STREET
COLUMBIA, SOUTH CAROLINA 29202

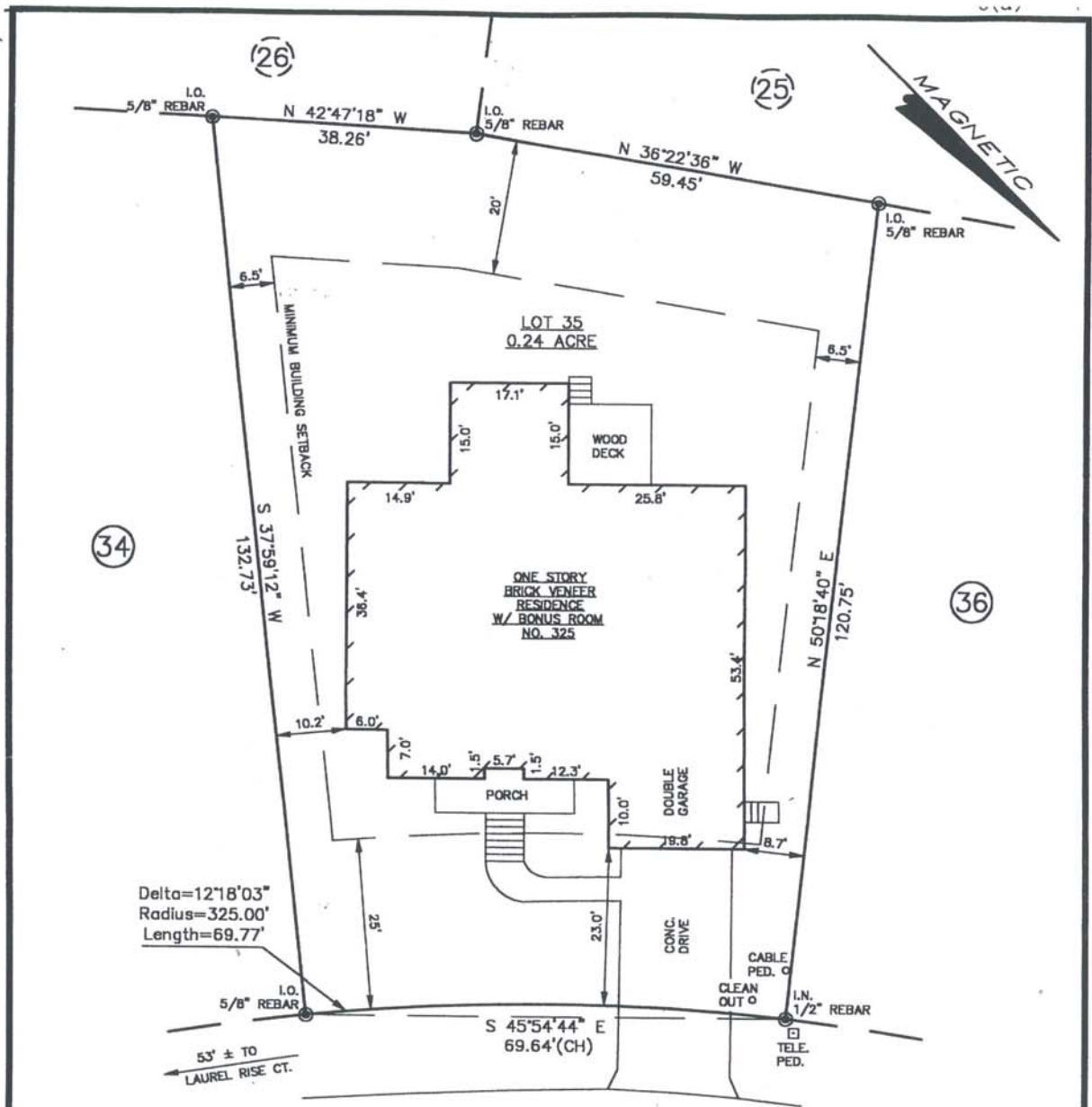
BOARD OF ZONING APPEALS
VARIANCE APPEAL

Appeal # \_\_\_\_\_ Fee 100.00 Application # \_\_\_\_\_
Filed \_\_\_\_\_ Receipt # 369648 Filed 5-27-05

No application for a variance will be received for inclusion on the Board of Zoning Appeals' Agenda unless the following conditions are met not later than the first day of the month prior to the date of the Board meeting, which is held on the first Wednesday of each month.
(a) All questions on this application have been fully answered.
(b) The application has been signed by the owner or his agent with the written authorization of the owner.
(c) A plat plan drawn to scale, showing the actual dimensions and shape of the lot, the exact size and locations on the lot of all buildings and signs existing and proposed, and the location of all required parking spaces has been submitted.
(d) The Zoning Administrator has certified that the proposed use and/or construction plans comply with all provisions of the Zoning Ordinance except those for which a variance has been requested.

\*If the Zoning Administrator finds that the requirements of the Zoning Code for a variance have not been met, the application will be rejected.

- 1. Location 325 Laurel Rise Lane; Columbia, SC 29229
2. Lot See attached exhibit/addendum Block Page Zoning District
3. 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 26.63.7 of the Richland County Zoning Ordinance.
4. Applicant requests a variance to allow use of the property in a manner shown on the attached site plan, describe as follows: See attached exhibit/addendum
5. The application of the ordinance will result in unnecessary hardship, and the standards for a variance set by Sec 26-602.3b(1) 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 See attached exhibit/addendum
b) Describe how the conditions listed above were created: See attached exhibit/addendum
c) These conditions do not generally apply to other property in the vicinity as shown by: See attached exhibit/addendum
d) 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 as follows: See attached exhibit/addendum
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: See attached exhibit/addendum
8. The following documents are submitted in support of this application [a site plan must be submitted]:
a) See attached exhibit/addendum
b)
c)



LOT NEAR COLUMBIA, IN RICHLAND COUNTY, S.C.; SHOWN AS LOT 35, ON PLAT OF LAUREL CHASE, PHASES 3 & 5, AT LAKE CAROLINA, BY U.S. GROUP, INC., DATED SEPTEMBER 3, 2004, AND RECORDED IN RECORD BOOK 981, PAGE 1939, IN THE OFFICE OF R.O.D. FOR RICHLAND COUNTY. TMS: 23201-06-76.

PLAT PREPARED FOR

**JAMES CAMPBELL & JANICE CAMPBELL**

**BEN WHETSTONE ASSOCIATES**  
 1321 AUGUSTA ROAD  
 WEST COLUMBIA, S.C. 29169  
 PHONE (803) 791-8467

**MAY 4, 2005**  
**SCALE: 1" = 20'**



I HEREBY STATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "B" SURVEY AS SPECIFIED THEREIN; ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.

JOB NO. 05-05-012

*Benjamin H. Whetstone*  
 BENJAMIN H. WHETSTONE, R.L.S.  
 S.C. REGISTERED SURVEYOR NUMBER #2904

EXHIBIT "A"  
RICHLAND COUNTY PLANNING AND DEVELOPMENT SERVICES  
BOARD OF ZONING APPEALS  
VARIANCE APPEALS

**NOTE:** The following numbered paragraphs correspond with the numbered questions on the attached variance appeal application.

1. Location: 325 Laurel Rise Lane, Columbia, SC 29229  
The property is located in Laurel Chase at Lake Carolina in Northeast Columbia.
  
2. 35, Laurel Chase, Phases 3 & 5 at Lake Carolina  
TMS#: 23201-06-76 (new for 2005)  
Zoning District: PUD RS2  
Lot Area: 0.24 acres  
Description: Improved lot with house.
  
4. Applicant requests that the front minimum building setback line as it applies to the subject property be reduced from 25.0 feet to 23.0 feet with regard to the portion of the property where the garage is located. Attached hereto is a plat prepared for James Campbell and Janice Campbell by Ben Whetstone Associates dated May 4, 2005 (hereinafter "Plat"). According to the Plat, the dwelling located on the subject property fronts on Laurel Rise Lane. The Plat shows that the minimum building setback line for along Laurel Rise Lane is 25.0 feet. The garage for the residential dwelling is located at the front right portion of the lot, and at its widest point of violation is 2.0 feet over the minimum building setback requirement. Applicant seeks a variance with regard to the garage front only and, more specifically, that the minimum building setback requirement be reduced from 25.0 feet to 23.0 feet at the points where the garage structure encroaches over the front minimum building setback requirement.
  
5.
  - a) The subject property is located in a curve on Laurel Rise Lane; and there is a 20.0 feet minimum building setback in the rear of the property.
  
  - b) The dwelling located on the subject property is a newly constructed house built by the current owner of record, Essex Homes Southeast, Inc. The plot plan indicates the house was scheduled to be built behind the front minimum building setback limit of 25.0 feet and inside the rear 20.0 feet minimum building setback (as the lot survey indicates was possible); however, when the house was actually built, the house was built such that the garage for the dwelling exceeded the front minimum building setback limit.
  
  - c) Generally, all the lots in the subdivision vary in shape and size, as well as road frontage, thereby creating the opportunity for various types of residential dwellings. In this particular case, a residential dwelling that is relatively square in appearance was possible, except for the rear of the home where a room juts out adjacent to a wood deck and steps of almost equal distance. The other lots in the subdivision would allow for

various types of residential dwellings, i.e., some wider and shorter in length and some more narrow and longer in length depending upon which street they face.

d) If the front minimum building setback line requirement is not reduced to 23.0 feet and the house needs to be modified, such structural change to the house would affect the property's appraised value, marketability, and would render the use and desirability of the house different than if the house was allowed to stand and remain in its current condition. More specifically, the removal of the encroaching portion of the home would shorten the size of the garage and make it unusable for the purpose of which it was intended.

e) The variance requested would not be of substantial detriment to adjacent properties because the curve in the property and corresponding curve in the minimum building setback make it appear the home is not in violation. Furthermore, the other residential structures in the subdivision will be of similar construction, value and size, including the use of double-car garages, and it is desirable that the homes be of similar construction, value and size, including garages, to maintain the aesthetics and marketability in the subdivision. Moreover, the neighborhood contains severe restrictions upon use and minimum building setbacks as established by Laurel Chase at Lake Carolina Association, Inc., A Lake Carolina Neighborhood, Declaration of Covenants, Conditions and Restrictions recorded on October 23, 2003 in the Office of the ROD for Richland County in Book 00866 at page 3760. It is the policy and procedure of both Lake Carolina Development, Inc. and Laurel Chase at Lake Carolina Association, Inc. to monitor potential violations of the restrictions, including minimum building setbacks, and to impose sanctions upon builders who may repeatedly violate the restrictions.

6. a) The final survey of the subject lot (by Ben Whetstone Associates for James Campbell and Janice Campbell dated May 4, 2005) showing the current violation of the front minimum building setback line requirement of 25.0 feet.

b) The subdivision survey for Laurel Chase Phases 3 & 5 at Lake Carolina prepared by U.S. Group, Inc. dated September 3, 2004, and recorded on September 28, 2004 in the Office of the ROD for Richland County in Record Book 00981 at Page 1939.

c) Deed from Lake Carolina Development, Inc. to Essex Homes Southeast, Inc. dated October 4, 2004 and recorded on October 7, 2004 in the Office of the ROD for Richland County in Record Book 000985 at Page 2822.

d) Contract of Sale dated July 26, 2004 for current contemplated conveyance of the property from Essex Homes Southeast, Inc. to James F. and Janice S.C. Campbell.

e) Laurel Chase at Lake Carolina Association, Inc., A Lake Carolina Neighborhood, Declaration of Covenants, Conditions and Restrictions recorded on October 23, 2003 in the Office of the Register of Deeds for Richland County in Record Book 00866 at Page 3760.





**Adjacent parcels  
and structures**

**Garage**







6 July 2005  
Board of Zoning Appeals

## REQUEST, ANALYSIS AND RECOMMENDATION

05-82 Variance

### REQUEST

The applicant is requesting the Board of Zoning Appeals to grant a variance to encroach into the required rear yard setbacks in a RS-3 (Single Family Residential) zoned district.

### GENERAL INFORMATION

**Applicant**

Patricia O. Towery

**Tax Map Number**

05100-03-05 (p)

**Location**

10 Regal Court

**Existing Zoning**

RS-3 (Single Family Residential)

**Parcel Size**

.16 acre tract

**Existing Land Use**

Vacant

**Existing Status of the Property**

The subject property is vacant.

**Proposed Status of the Property**

The proposed structure will encroach into the required rear yard setback by 5.5 feet.

**Immediate Adjacent Zoning and Land Use**

North - RS-3; residential

South - RS-3; residential

East - RS-3; residential

West - RS-3; residential

**Character of the Area**

The subject property is located in the Summerset Patio Homes. The surrounding properties are dedicated to residential uses.

## ZONING ORDINANCE CITATION

Section 26-602.3 of the Zoning Ordinance authorizes the Board of Zoning Appeals to grant variances from the strict interpretation of the Zoning Ordinance that are not contrary to the public interest when literal enforcement would result in unnecessary hardship.

Under no circumstances shall the Board grant a variance to permit a use not generally or by special exception permitted in the district involved. No nonconforming use of neighboring lands or structures in the same district or in other districts shall be grounds for the issuance of a variance. Under no circumstances shall the Board grant a variance to permit a decrease in minimum lot size, minimum lot width or in any other manner create a nonconforming lot.

## CRITERIA FOR VARIANCE

The board of zoning appeals may grant a variance in an individual case of unnecessary hardship if the board makes and explains in writing the following findings:

- (a) That there are extraordinary and exceptional conditions pertaining to the particular piece of property.**  
Staff observed that the parcel's configuration angles inwardly from the front to rear.
- (b) That these conditions do not result from the actions of the applicant.**  
The parcel was designed by the developer/engineer, not the applicant.
- (c) That these conditions do not generally apply to other property in the vicinity.**  
Staff is unable to determine whether these conditions apply to other parcels.
- (d) 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.**  
Applying the required setback requirements would not unreasonably restrict the utilization of the property.
- (e) That 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.**  
The granting of this variance will not create a detriment to the adjacent property, the public good, or the character of the district.

## DISCUSSION

Staff visited the site.

The left side of the parcel angles inward from the front property line to the rear. The left and rear sides of the parcel are abutted by a storm drain easement. The location of the storm drain easement necessitates the configuration of the parcel.

The proposed home is similar in size and design to the other homes in this development.

## CONDITIONS

N/A

### **26-602.2(c)**

- 1) Violation of conditions and safeguards prescribed in conformity with this chapter, when made a part of the terms under which the special exception is granted shall be deemed a violation of this chapter, punishable under penalties established herein;
- 2) Failure to begin or complete, or begin and complete, an action for which a special exception is required, within the time limit specified when such time limit is made a part of the terms under which the variance is granted shall void the variance.

## OTHER RELEVANT SECTIONS

### Sec. 26-87. Cluster housing development.

#### *26-87.1 Intent.*

It is the intent of this section of the ordinance to encourage variety and flexibility in land development and land use for residential areas, subject to the purpose of zoning and the conditions and safeguards which will promote the comprehensive plan; to provide a harmonious relationship with the surrounding development, minimizing such influences as land use incompatibilities, heavy traffic and congestion, and excessive demands on planned and existing public facilities; to provide a means of developing areas of physiographic or other physical features to enhance natural beauty and other attributes, and in so doing, to provide for the use of such lands as recreational space for the residents of such developments; to encourage the efficient use of those public facilities required in connection with new residential development; and to encourage innovative design techniques to utilize the environment as a guide to development such as but not limited to, zero lot lines, party walls site locations with regard to energy consumption, and other concepts.

#### *26-87.2 Cluster Housing, Cluster Housing Developments Defined.*

(1) *Cluster housing:* A development design wherein conventional zoning and/or subdivision standards are relaxed to permit modifications in lot size and shape by concentrating single family dwellings in specific areas of an overall tract. Depending on the zoning district in which the development is located, cluster housing may be detached or attached if building code standards are met.

(2) *Cluster housing development:* Detached or attached dwelling units on individual lots within an overall tract with the remaining area in common open space.

#### *26-87.3 Zoning districts in which cluster housing developments are allowed.*

(1) Attached or detached cluster housing developments are allowed in RG-1, RG-2 and C-1 zoning districts as permitted principal uses.

(2) Detached cluster housing developments are allowed in RS-1, RS-1A, RS-2, RS-3, MH- 1, MH-2 and MH-3 zoning districts as a special exception.

#### *26-87.4 Requirements concerning planning commission review.*

(1) The zoning administrator shall issue no zoning permit for the erection of any attached or detached cluster house or any alteration to any cluster house which does not conform to a development plan approved by the planning commission.

#### *26-87.5 Minimum gross land area per dwelling unit.*

The minimum gross land area per dwelling unit for cluster housing developments is as follows:

<i>Zoning District</i>	<i>Minimum Gross Land Area Per Unit</i>
RS-1 & MH-1	12,000 square feet per dwelling unit
RS-1A	10,000 square feet per dwelling unit
RS-2 & MH-2	8,500 square feet per dwelling unit
RS-3 & MH-3	5,000 square feet per dwelling unit
RG-1	5,000 square feet per dwelling unit
RG-2 & C-1	5,000 square feet for the first dwelling unit and 2,500 square feet for each additional dwelling unit

26-87.6 *Minimum yard requirements from exterior property lines of cluster housing developments.*

<i>Zoning District</i>	<i>Distance From Right-of-Way Along Public Street</i>	<i>Property Lines External to the Development</i>
RS-1, RS-1A & MH-1	35 feet	15 feet
RS-2 & MH-2	35 feet	15 feet
RS-3 & MH-3	25 feet	15 feet
RG-1	25 feet	15 feet
RG-2	25 feet	15 feet
C-1	25 feet	15 feet

26-87.7 *Minimum building setback requirements from new public or private streets within cluster housing developments.*

A minimum building setback of twenty-five (25) feet from the centerline of the right-of-way is required.

26-87.8 *Other lot requirements.*

Notwithstanding other provisions of this ordinance, lots within Cluster Housing Developments are not subject to minimum lot width, lot frontage, or lot area.

26-87.9 *Minimum off-street parking spaces.*

Two (2) off-street parking spaces per dwelling unit are required.

26-87.10 *Minimum spacing between detached principal buildings.*

<i>Zoning District</i>	<i>Front to Front</i>	<i>Front to Side</i>	<i>Side to Side</i>	<i>Rear to Front</i>	<i>Rear to Side</i>	<i>Rear to Rear</i>
RS-1;	35'	25'	6'	100'	10'	20'
RS-1A; MH-1						
RS-2; MH-2	35'	25'	6'	100'	10'	20'
RS-3; MH-3	25'	20'	5'	100'	10'	20'
RG-1	25'	20'	5'	100'	10'	20'
RG-2	25'	20'	5'	100'	10'	20'
C-1	25'	20'	5'	100'	10'	20'

## ATTACHMENTS

- Plat.

## CASE HISTORY

There are no records of this property previously requesting a special exception or variance.

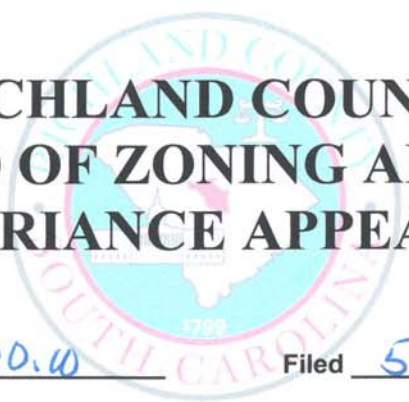
# RICHLAND COUNTY BOARD OF ZONING APPEALS VARIANCE APPEALS

Rcpt# 369591

Application# \_\_\_\_\_

Paid \$ 100.00

Filed 5-19-05



1. Location 10 Regal Court, Sommerset Patio Homes,  
 Page 05100 Block 03 Lot 89 05 (P) Zoning District RU PS-3 (cluster)
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.
3. Applicant requests a variance to allow use of the property in a manner shown on the attached site plan, described as follows: Single family residential home on one level, 2220 square feet, to be constructed on an irregularly shaped lot by Mielke Builders Inc..
4. The application of the ordinance will result in unnecessary hardship, and the standards for a variance set by Sec. 26-602.3b(1) 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: The irregularly shaped corner lot is turned at an unusual angle and is the only one in the Sommerset Subdivision with this particular shape. .
  - b) Describe how the conditions listed above were created: nature.
  - c) These conditions do not generally apply to other property in the vicinity as shown by: site map.
  - d) 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 as follows: the lot would not accommodate the house due to its peculiar shape..
  - 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: There is no other home behind this property or beside this property on the affected sides. This home duplicates two other homes and floorplans on the same side of the street.
5. The following documents are submitted in support of this application [a site plan must be submitted]:
  - a) site plan.
  - b) bonded plat.
  - c) \_\_\_\_\_  
 (Attach additional pages if necessary)

Patricia O. Towery  
Appellant's Signature

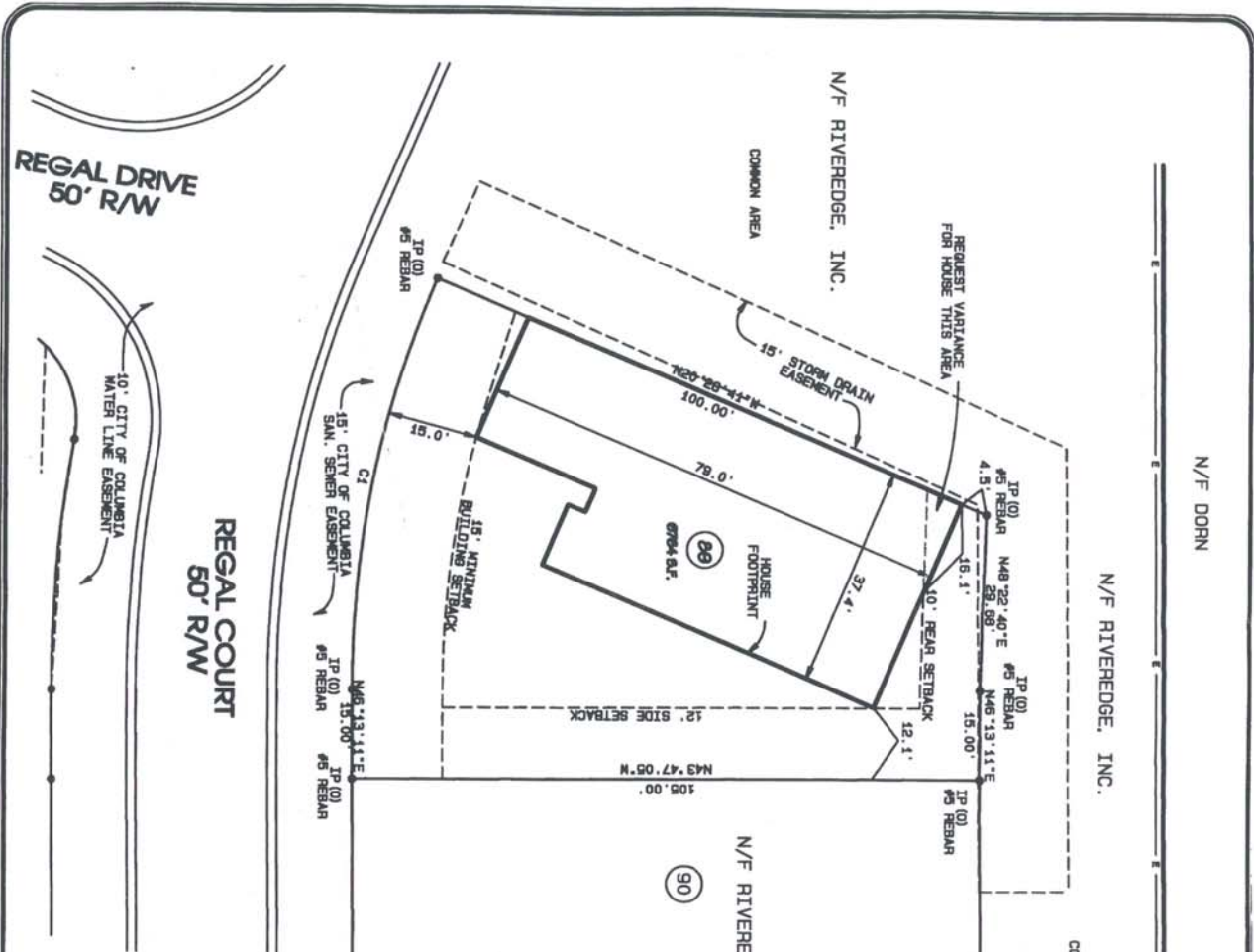
159 Sandhurst Rd.  
Address

803-269-9816  
Telephone Number

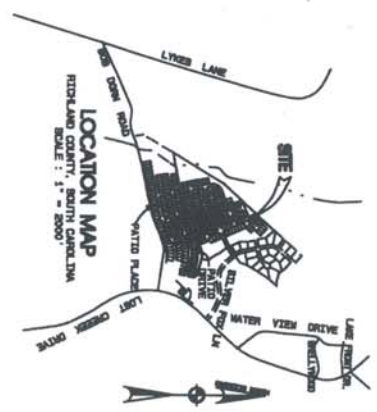
Patricia O. Towery  
Printed (typed) Name

Columbia, SC 29210  
City, State, Zip Code

803-798-7771  
Alternate Number



- NOTES & REFERENCES:**
1. SHOWN AS LOT 89 ON BONDED PLAT SUMMERSET PATTO HOMES PHASE 1 PREPARED FOR RIVEREDGE, INC. BY CIVIL ENGINEERING OF COLUMBIA. PLAT DATED 12-28-01. LAST REVISED 11-22-04.
  2. A PORTION OF RICHLAND COUNTY TAX MAP SHEET 05100, BLOCK 3, LOT 5.
  3. EXISTING ZONING: RS-3.
  4. THE PURPOSE OF THIS EXHIBIT IS TO SHOW THE HOUSE FOOTPRINT ON LOT 89 FOR A ZONING VARIANCE.



**LOT LINE CURVE DATA**

LINE	ARC	CHORD BEARING	RADIUS	DELTA	CHORD	TANGENT
C1	71.17'	S97°29'15" W	179.00'	23°18'08"	70.88'	58.09'

**ZONING VARIANCE EXHIBIT**  
 RICHLAND COUNTY, SOUTH CAROLINA

SCALE IN FEET

NO.	DATE	REVISION DESCRIPTION	BY

DATE: MAY 17, 2005  
 DRAWN: HDE  
 SCALE: 1" = 20'



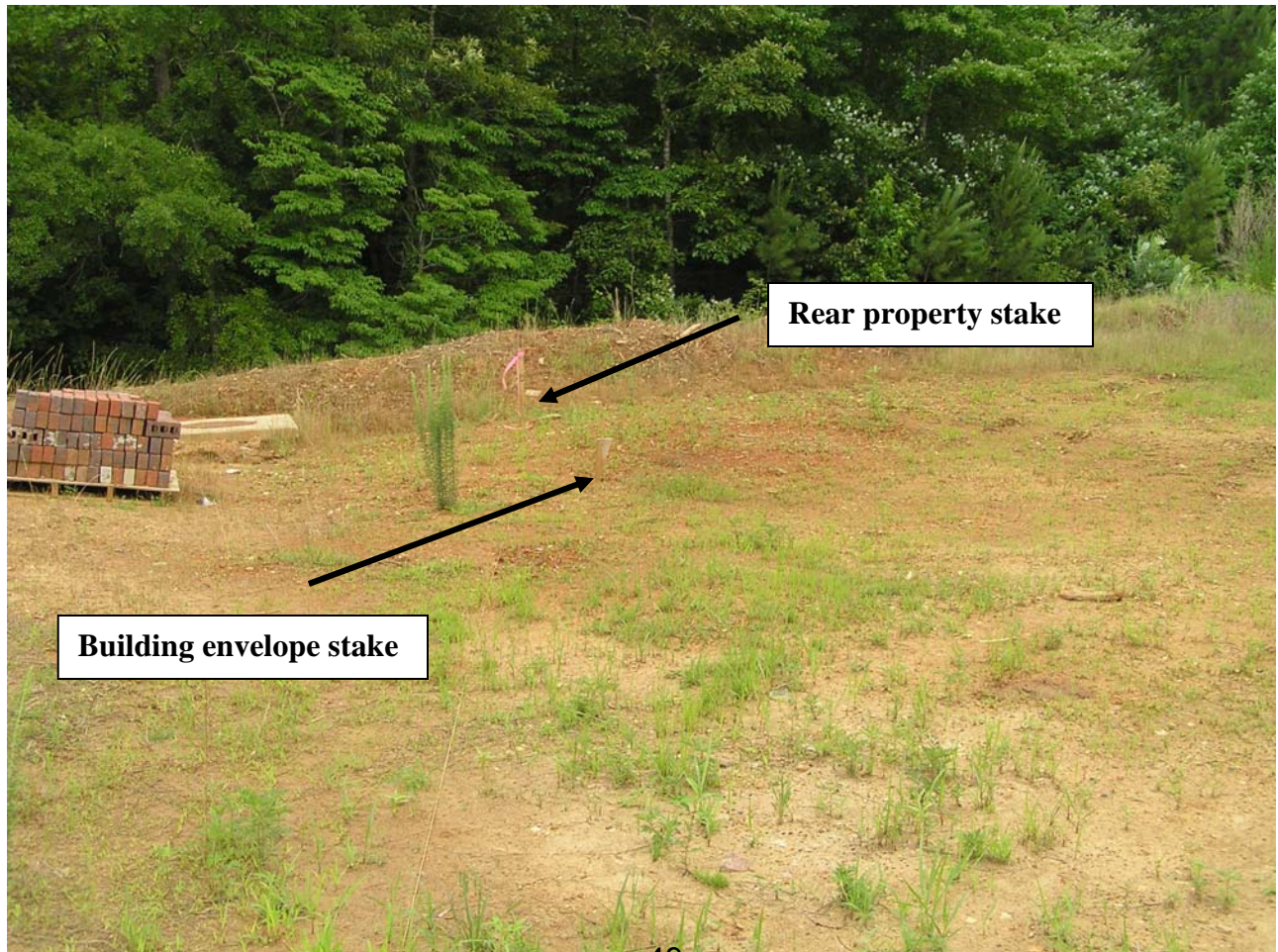
PREPARED FOR  
**JAMES P. & PATRICIA O. TOWERY**

**CIVIL ENGINEERING OF COLUMBIA**  
 CONSULTING ENGINEERING SURVEYING AND PLANNING  
 3608 FERNANDINA ROAD COLUMBIA, SOUTH CAROLINA 29210  
 TELEPHONE (803) 796-2820 FAX (803) 796-2826



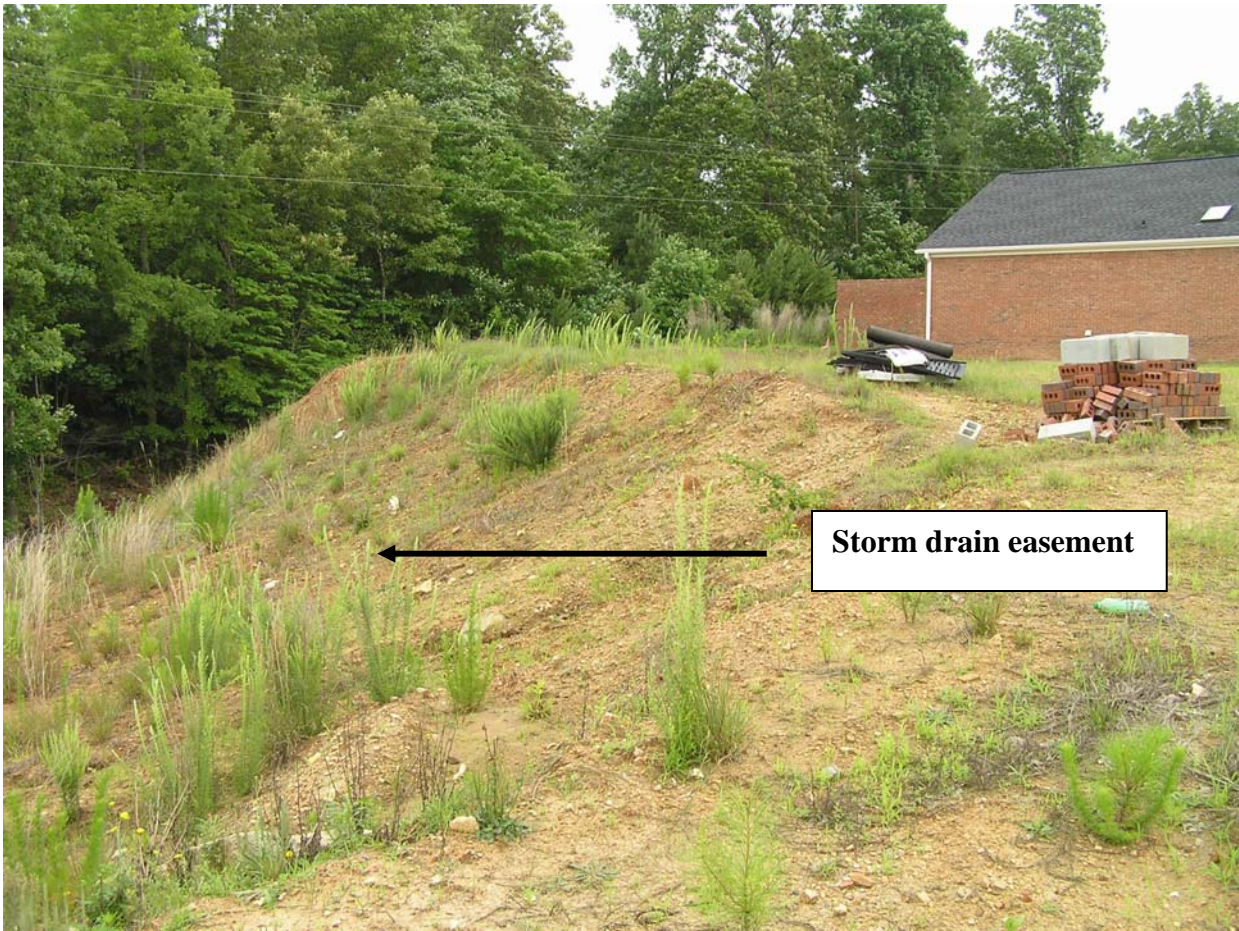
Site

SOLD



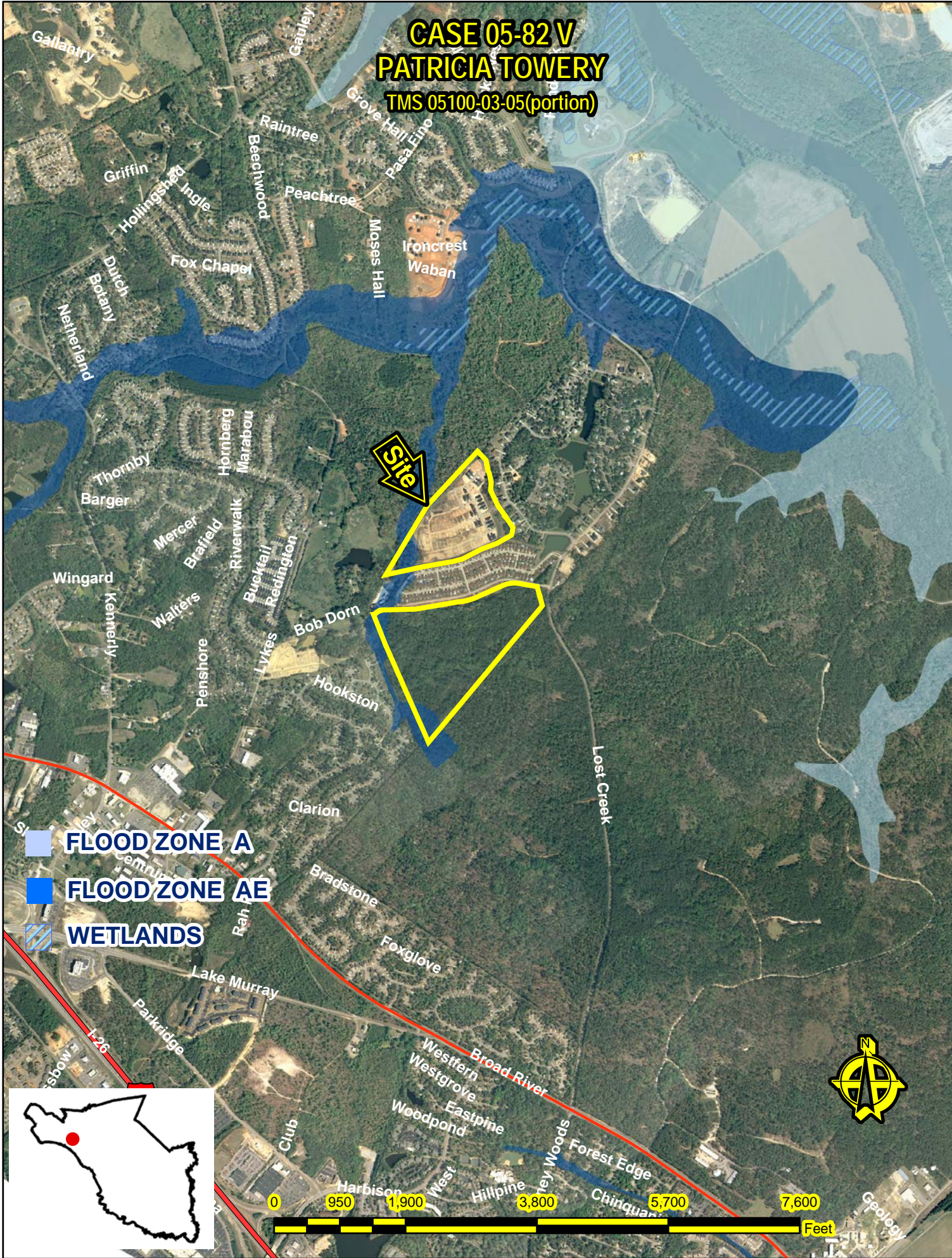
Rear property stake

Building envelope stake





**CASE 05-82 V**  
**PATRICIA TOWERY**  
**TMS 05100-03-05(portion)**







6 July 2005  
Board of Zoning Appeals

## REQUEST, ANALYSIS AND RECOMMENDATION

05-83 Variance

### REQUEST

The applicant is requesting the Board of Zoning Appeals to grant a variance to encroach into the required side yard setbacks in a RS-2 (Single Family Residential) zoned district.

### GENERAL INFORMATION

**Applicant**

Maurice Wise

**Tax Map Number**

14205-07-17

**Location**

1630 Albritton Road

**Existing Zoning**

RS-2 (Single Family Residential)

**Parcel Size**

.26 acre tract

**Existing Land Use**

Residential

**Existing Status of the Property**

The subject property has a 1717 square foot residential structure that was constructed in 1959.

**Proposed Status of the Property**

The proposed structure will encroach into the required side yard setback by three (3) feet.

**Immediate Adjacent Zoning and Land Use**

North - RS-2; residential

South - RS-2; residential

East - RS-2; residential

West - RS-2; residential

**Character of the Area**

The subject property is located in the Mossley Hills Subdivision. The surrounding properties are dedicated to residential uses.

## ZONING ORDINANCE CITATION

Section 26-602.3 of the Zoning Ordinance authorizes the Board of Zoning Appeals to grant variances from the strict interpretation of the Zoning Ordinance that are not contrary to the public interest when literal enforcement would result in unnecessary hardship.

Under no circumstances shall the Board grant a variance to permit a use not generally or by special exception permitted in the district involved. No nonconforming use of neighboring lands or structures in the same district or in other districts shall be grounds for the issuance of a variance. Under no circumstances shall the Board grant a variance to permit a decrease in minimum lot size, minimum lot width or in any other manner create a nonconforming lot.

## CRITERIA FOR VARIANCE

The board of zoning appeals may grant a variance in an individual case of unnecessary hardship if the board makes and explains in writing the following findings:

- (a) That there are extraordinary and exceptional conditions pertaining to the particular piece of property.**  
Staff observed that the structure is nonconforming. The carport portion of the structure encroaches into the side yard setback.
- (b) That these conditions do not result from the actions of the applicant.**  
The structure was constructed before zoning came into place.
- (c) That these conditions do not generally apply to other property in the vicinity.**  
Staff observed that there are a number of homes in the subdivision that appear to encroach into the required setbacks.
- (d) 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.**  
Applying the required setback requirements would not unreasonably restrict the utilization of the property.
- (e) That 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.**  
The granting of this variance will not create a detriment to the adjacent property, the public good, or the character of the district.

## DISCUSSION

Staff visited the site.

The applicant proposes to enclose the carport portion of the structure. Since the structure is nonconforming, a variance must be obtained before the structure is extended, enlarged, or intensified.

## CONDITIONS

N/A

### **26-602.2(c)**

- 1) Violation of conditions and safeguards prescribed in conformity with this chapter, when made a part of the terms under which the special exception is granted shall be deemed a violation of this chapter, punishable under penalties established herein;
  
- 2) Failure to begin or complete, or begin and complete, an action for which a special exception is required, within the time limit specified when such time limit is made a part of the terms under which the variance is granted shall void the variance.

## OTHER RELEVANT SECTIONS

### *26-63.7 Minimum yard requirements.*

The depth of front and rear yards, and the width of side yards shall be as follows, for single family detached dwellings and for other permitted or permissible structures, unless otherwise specified:

1. Front Yards:
  - a. 25 feet on lots fronting minor residential streets.
  - b. 40 feet on lots fronting collector streets, commercial or industrial streets or major thoroughfares.
  - c. On corner lots the secondary front yard shall be not less than one-half (1/2) the depth of the primary front yard in a. or b. above.
  
2. Side yards of interior or corner lots:
  - a. RR: 10 feet.
  - b. RS-1, RS-1A: Combined side yards shall total 16 feet provided however, that no individual side yard shall be less than 5 feet in width.
  - c. RS-2: Combined side yards shall total 13 feet, provided however, that no individual side yard shall be less than 4 feet.
  - d. RS-3: Combined side yards shall total 12 feet, provided however, that no individual side yard shall be less than 4 feet in width.
  
3. Rear yards:
  - a. For permitted principal structures: 20 feet.
  - b. For permitted accessory structures: 5 feet.

### [Sec. 26-51.](#)

#### [Nonconforming uses.](#)

##### *26-51.1 Intent.*

Within the districts established by this ordinance, or by amendments which may later be adopted, there exist lots, structures, uses of land and structures, and activities which were lawful before this ordinance was passed or amended, but which would be prohibited or regulated and restricted under the terms of this ordinance or future amendment. It is the intent of this ordinance to permit these nonconformities to continue until they are removed, but not to encourage their survival. Nonconforming

uses are declared by this ordinance to be incompatible with permitted uses in the districts involved.

It is further the intent of this ordinance that nonconformities shall not be enlarged upon, expanded or extended, reconstructed to continue nonconformity after major damage, or used as grounds for adding other structures or uses prohibited elsewhere in the same district.

(4) *Extension or enlargement:* A nonconforming use, structure or activity shall not be extended, enlarged, or intensified except in conformity with this ordinance, provided however, that any nonconforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the time of adoption or amendment of this ordinance, but no such use shall be extended to occupy any land outside such building, except that nonconforming single-family residential uses may be extended or enlarged; provided such extension or enlargement shall meet all applicable requirements of the district in which the use is located.

#### **ATTACHMENTS**

- Plat.

#### **CASE HISTORY**

There are no records of this property previously requesting a special exception or variance.



RICHLAND COUNTY  
 PLANNING AND DEVELOPMENT SERVICES  
 P.O. BOX 192  
 2020 HAMPTON STREET  
 COLUMBIA, SOUTH CAROLINA 29202

BOARD OF ZONING APPEALS  
 VARIANCE APPEAL

Appeal # \_\_\_\_\_ Fee 100.00 Application # \_\_\_\_\_  
 Filed 5-25-05 Receipt # 369422 Filed 5-25-05

No application for a variance will be received for inclusion on the Board of Zoning Appeal's Agenda unless the following conditions are met not later than the first day of the month prior to the date of the Board meeting, which is held on the first Wednesday of each month.

- (a) All questions on this application have been fully answered.
- (b) The application has been signed by the owner or his agent with the written authorization of the owner.
- (c) A plat plan drawn to scale, showing the actual dimensions and shape of the lot, the exact size and locations on the lot of all buildings and signs existing and proposed, and the location of all required parking spaces has been submitted.
- (d) The Zoning Administrator has certified that the proposed use and/or construction plans comply with all provisions of the Zoning Ordinance except those for which a variance has been requested.

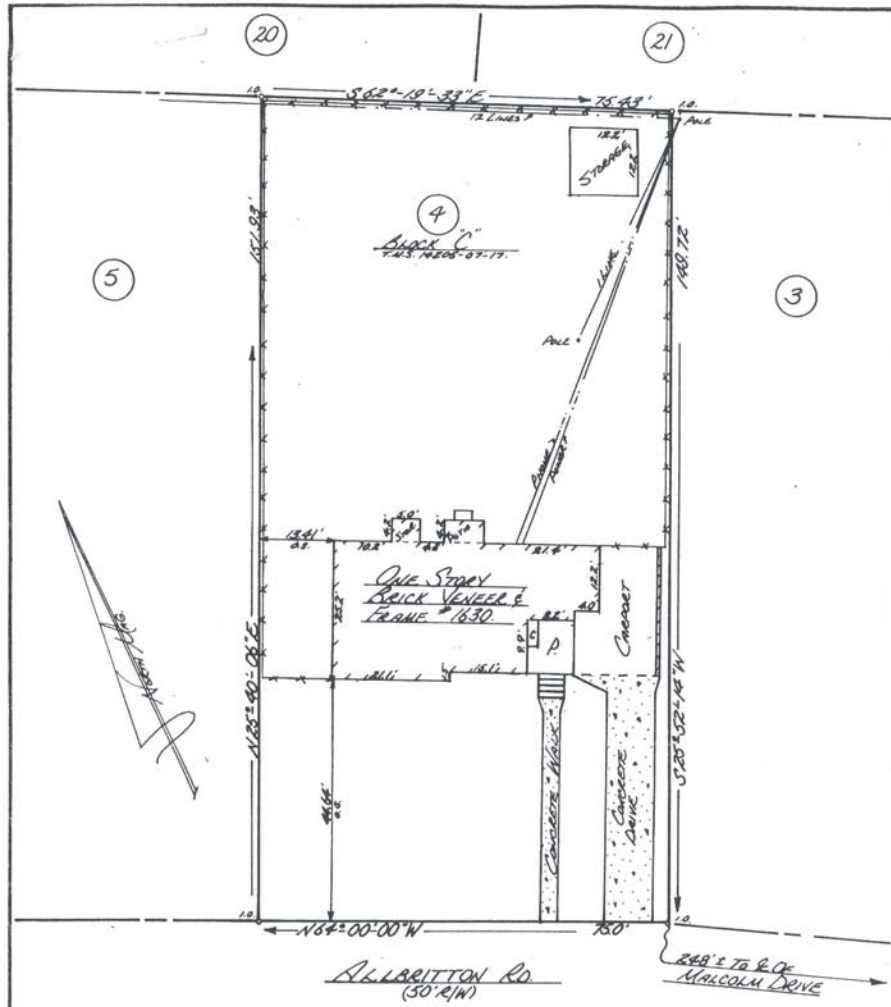
**If the Zoning Administrator finds that the requirements of the Zoning Code for a variance have not been met, the application will be rejected.**

1. Location 1630 ALBRITTON RD. COLUMBIA, SC 29204
2. Lot 14205 Block 07 Page 17 Zoning District RS-MD
3. 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.
4. Applicant requests a variance to allow use of the property in a manner shown on the attached site plan, described as follows:  
TO ENCLOSE CARPORT AREA, AND ADD GOOD LIVABLE SPACE, ENHANCE PROPERTY VALUE.
5. The application of the ordinance will result in unnecessary hardship, and the standards for a variance set by Sec. 26-602.3b(1) 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:  
THE CARPET AREA IS 1 FOOT FROM THE PROPERTY LINE ON THE RIGHT SIDE, UNDER THE EXISTING ROOF THE ENCLOSER WOULD GRANT GOOD LIVABLE SPACE TO THE EXISTING STRUCTURE.
  - b) Describe how the conditions listed above were created:  
MY PROPERTY WAS BUILT IN 1959, MOSSLEY HILLS WAS GRANDFATHER INTO RICHLAND COUNTY ZONING CODE, (10 FOOT PROPERTY LINE CODE)
  - c) These conditions do not generally apply to other property in the vicinity as shown by: DO TO THE LOCATION AND DISTANCES FROM THE MAIN ROAD THIS PROPERTY WILL NOT AFFECT THE PUBLIC AND OR THE ADJACENT PROPERTY
  - d) 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 as follows: AS A 21 YEAR PROPERTY OWNER, I WOULD LIKE TO ENHANCE MY PROPERTY VALUE, AND MAINTAIN A HIGH VALUE OF UP KEEP OF MY PROPERTY
  - 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:  
BECAUSE OF THIS VARIANCE, ALL OTHER BUILDING CODES AND ORDINANCES WILL BE IN COMPLY WITH RICHLAND COUNTY ZONING
6. The following documents are submitted in support of this application [a site plan must be submitted]: CODES
  - a) PLAT
  - b) ENCLOSER PLANS
  - c)

(Attach additional pages if necessary)  
 CWN 12/19/02

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Page



PLAT PREPARED FOR

MAURICE WISE  
BARBARA JEAN WISE

THE SAME BEING SHOWN AS LOT 4 BLOCK C ON A PLAT OF "HASSLEY HILLS"  
 BY WILLIAM WINGFIELD, DATED NOVEMBER 1952, REVISED NOVEMBER 18, 1959, AND  
 RECORDED IN THE R.M.C. OFFICE FOR RICHMOND COUNTY IN PLAT BOOK "5"  
 AT PAGE NUMBER 120.

SURVEYED BY: COLLINGWOOD & ASSOCIATES NEAR COLUMBIA, RICHMOND COUNTY, S.C.

I HEREBY CERTIFY THAT THE MEASUREMENTS ARE CORRECT AND THAT THERE ARE NO ENCROACHMENTS OR ABUSIONS OTHER THAN SHOWN.

I HEREBY CERTIFY THAT THIS PLAT DEPICTS ONLY EXISTING PARCELS OR TRACTS OF LAND WHICH WERE PLATTED AND RECORDED IN THE OFFICE OF PUBLIC CONVEYANCE PRIOR TO THE SURVEY UPON WHICH THIS PLAT IS BASED HAVING SUBSTANTIALLY THE SAME SHAPES AND DIMENSIONS AS SHOWN HEREON, AND THAT NO NEW DIVISIONS CREATING NEW OR DIFFERENT LOTS OR TRACTS WERE MADE IN PREPARING THIS PLAT OR APPEAR HEREON.

THIS IS TO CERTIFY THAT I HAVE CONSULTED THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD BOUNDARY MAP, AND FOUND THAT THE ABOVE DESCRIBED IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA.



Robert E. Collingwood  
 REGISTERED SURVEYOR NO. 2318  
 P.O. BOX 3053, CAYCE, S.C. 29171

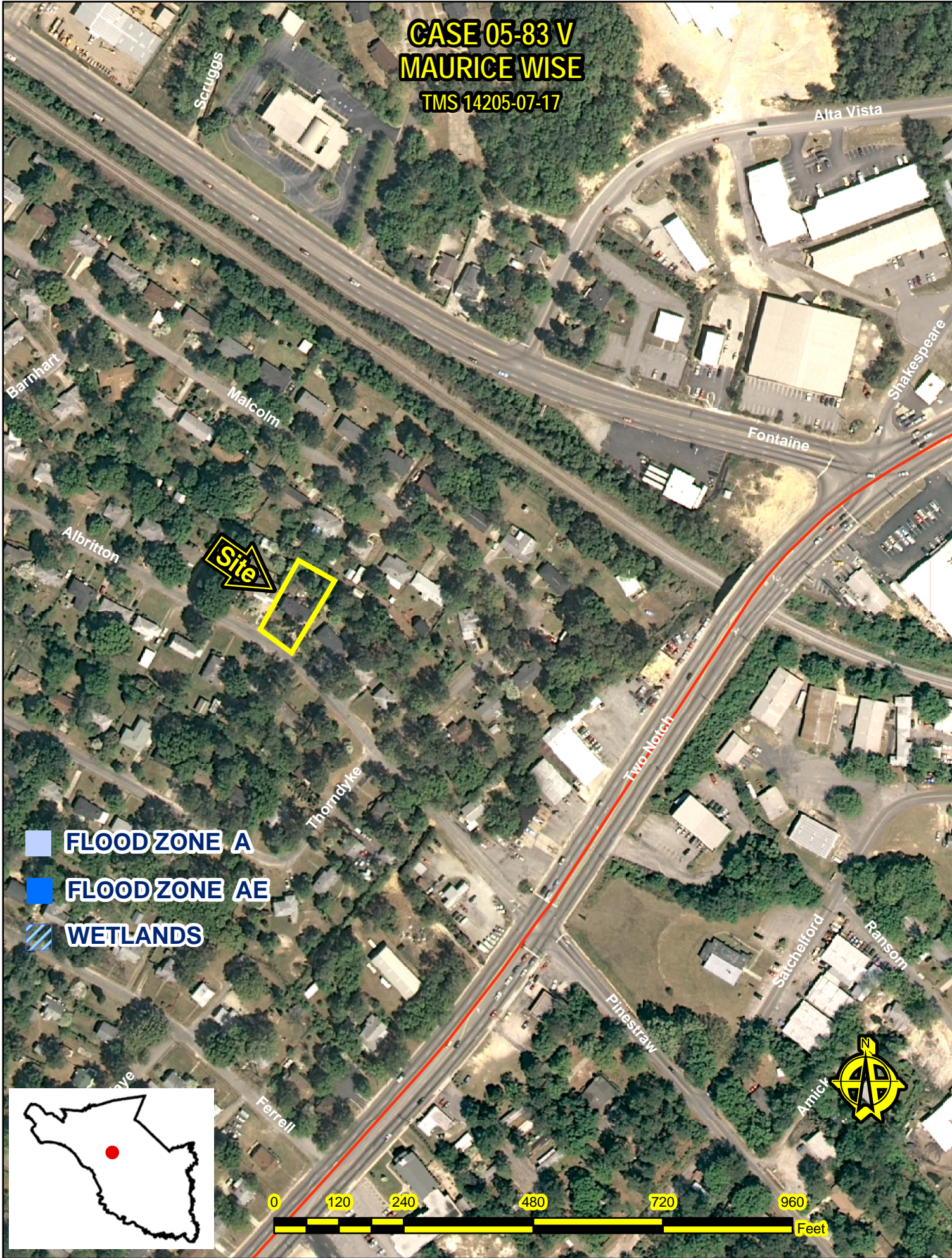
DRW: S. Sullivan  
 CKD: W.O.P.  
 JOB: 11.306  
 SCALE: 1" = 20'  
 MAY 1, 1987







**CASE 05-83 V**  
**MAURICE WISE**  
TMS 14205-07-17



-  FLOOD ZONE A
-  FLOOD ZONE AE
-  WETLANDS





6 July 2005  
Board of Zoning Appeals

## REQUEST, ANALYSIS AND RECOMMENDATION

05-84 Variance

### REQUEST

The applicant is requesting the Board of Zoning Appeals to grant a variance to encroach into the required side yard setbacks in a RU (Rural) zoned district.

### GENERAL INFORMATION

**Applicant**

Lester Wolfe

**Tax Map Number**

28111-01-12

**Location**

1201 Mount Elon Church Road

**Existing Zoning**

RU (Rural)

**Parcel Size**

.74± acre tract

**Existing Land Use**

Residential

**Existing Status of the Property**

The subject property has a 1215 square foot residential structure.

**Proposed Status of the Property**

The proposed structure will encroach into the required side yard setback by seven (7) feet.

**Immediate Adjacent Zoning and Land Use**

North - RU; residential

South - RU; residential

East - RU; residential

West - RU; residential / undeveloped

**Character of the Area**

The surrounding properties are dedicated primarily to residential uses.

## ZONING ORDINANCE CITATION

Section 26-602.3 of the Zoning Ordinance authorizes the Board of Zoning Appeals to grant variances from the strict interpretation of the Zoning Ordinance that are not contrary to the public interest when literal enforcement would result in unnecessary hardship.

Under no circumstances shall the Board grant a variance to permit a use not generally or by special exception permitted in the district involved. No nonconforming use of neighboring lands or structures in the same district or in other districts shall be grounds for the issuance of a variance. Under no circumstances shall the Board grant a variance to permit a decrease in minimum lot size, minimum lot width or in any other manner create a nonconforming lot.

## CRITERIA FOR VARIANCE

The board of zoning appeals may grant a variance in an individual case of unnecessary hardship if the board makes and explains in writing the following findings:

- (a) That there are extraordinary and exceptional conditions pertaining to the particular piece of property.**

Staff did not observe any extraordinary and exceptional conditions.

- (b) That these conditions do not result from the actions of the applicant.**

N/A

- (c) That these conditions do not generally apply to other property in the vicinity.**

N/A

- (d) 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.**

Applying the required setback requirements would not unreasonably restrict the utilization of the property.

- (e) That 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.**

The granting of this variance will not create a detriment to the adjacent property, the public good, or the character of the district.

## DISCUSSION

Staff visited the site.

The applicant proposes an addition (324 square feet) to the existing structure that will encroach into the required side yard by seven (7) feet.

## CONDITIONS

N/A

### **26-602.2(c)**

- 1) Violation of conditions and safeguards prescribed in conformity with this chapter, when made a part of the terms under which the special exception is granted shall be deemed a violation of this chapter, punishable under penalties established herein;
- 2) Failure to begin or complete, or begin and complete, an action for which a special exception is required, within the time limit specified when such time limit is made a part of the terms under which the variance is granted shall void the variance.

## OTHER RELEVANT SECTIONS

### *26-61.6 Minimum yard requirements.*

The depth of front and rear yards and the width of side yards shall be as follows for all permitted or permissible structures:

- (1) Front yards: Forty (40) feet.
- (2) Side yards: Twenty (20) feet.
- (3) Rear yards:
  - (a) For permitted principal structures: Fifty (50) feet;
  - (b) For permitted accessory structures: Twenty (20) feet.

## ATTACHMENTS

- Plat.

## CASE HISTORY

There are no records of this property previously requesting a special exception or variance.



RICHLAND COUNTY  
 PLANNING AND DEVELOPMENT SERVICES  
 P.O. BOX 192  
 2020 HAMPTON STREET  
 COLUMBIA, SOUTH CAROLINA 29202

BOARD OF ZONING APPEALS  
 VARIANCE APPEAL

Appeal # \_\_\_\_\_ Fee 100.00 Application # \_\_\_\_\_  
 Filed 5-20-05 Receipt # 389594 Filed 5-20-05

No application for a variance will be received for inclusion on the Board of Zoning Appeal's Agenda unless the following conditions are met not later than the first day of the month prior to the date of the Board meeting, which is held on the first Wednesday of each month.

- (a) All questions on this application have been fully answered.
- (b) The application has been signed by the owner or his agent with the written authorization of the owner.
- (c) A plat plan drawn to scale, showing the actual dimensions and shape of the lot, the exact size and locations on the lot of all buildings and signs existing and proposed, and the location of all required parking spaces has been submitted.
- (d) The Zoning Administrator has certified that the proposed use and/or construction plans comply with all provisions of the Zoning Ordinance except those for which a variance has been requested.

**\*If the Zoning Administrator finds that the requirements of the Zoning Code for a variance have not been met, the application will be rejected.**

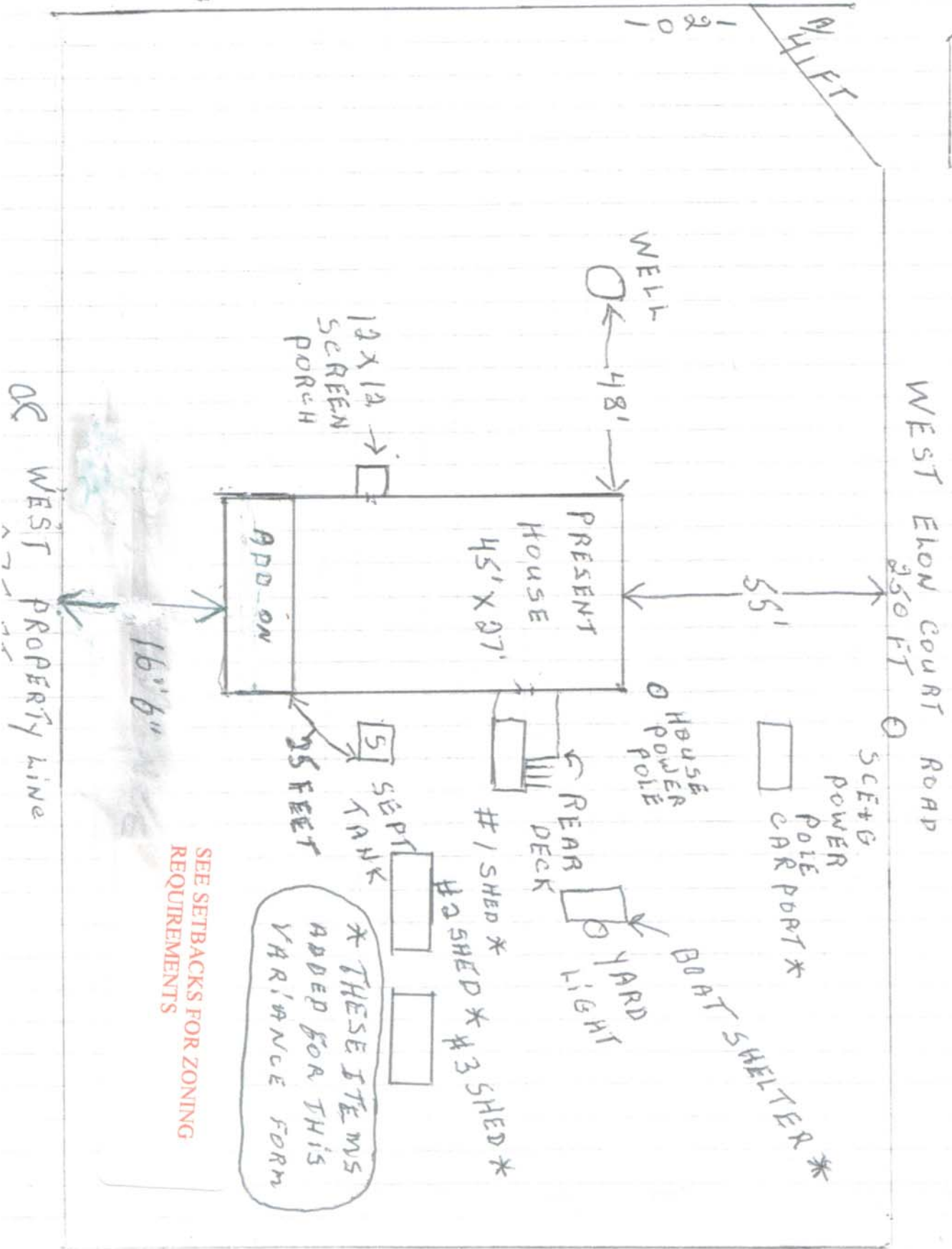
1. Location 1201 Mount ELON Church Rd., Hopkins, SC-29061-8474
2. Lot 18 TMS # 28111-01-12 Block \_\_\_\_\_ Page \_\_\_\_\_ Zoning District RU\_3 Residential R-3
3. Applicant hereby appeals to the Zoning Board of Appeals for a variance from the strict application to the property as described in the provisions of Section 26-602.3 of the Richland County Zoning Ordinance.
4. Applicant requests a variance to allow use of the property in a manner shown on the attached site plan, described as follows: To add a room to the end of the exzesting structure to \_\_\_\_\_  
 be used as a Dinning room and walk in closet, which will require \_\_\_\_\_  
 7 feet.
5. The application of the ordinance will result in unnecessary hardship, and the standards for a variance set by Sec. 26-602.3b(1) 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:  
 When house was spotted on property there was not enough room for \_\_\_\_\_  
 Improvements.
  - b) Describe how the conditions listed above were created:  
 Home and property were purchased from another party in 2001
  - c) These conditions do not generally apply to other property in the vicinity as shown by: \_\_\_\_\_  
 the location of there house on their property.
  - d) 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 as follows: We would not be able to add this room to the house and make it look like a residential house should look like and still be in good tast.
  - e) The authorization of the variance will not be of substantal 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: WE would not be able to add this room and make it look good.
6. The following documents are submitted in support of this application [a site plan must be submitted]:
  - a) Letter from home owner to zoning board.
  - b) Copy of approved building PERMIT # 0502097 dated 05/11/2005
  - c) Copy of paid Building permit fee.
  - d) Copy of completed forms submitted to PLANNING AND DEVELOPMENT SERVICES.

(Attach additional pages if necessary)





MOUNT ELON CHURCH ROAD



SEE SETBACKS FOR ZONING REQUIREMENTS

\* THESE ITEMS ADDED FOR THIS VARIANCE FORM

504TH PROPERTY LINE 199'





**CASE 05-84 V**  
**LESTER WOLFE**  
**TMS 28111-01-12**


Leesb

Old Leesburg

Elon

Mt. Elon Church



-  FLOOD ZONE A
-  FLOOD ZONE AE
-  WETLANDS







1 June 2005  
Board of Zoning Appeals

## REQUEST, ANALYSIS AND RECOMMENDATION

05-75 Special Exception

### REQUEST

The applicant is requesting the Board of Zoning Appeals to grant a special exception to permit the establishment of family daycare on property zoned RS-2 (single family residential).

### GENERAL INFORMATION

**Applicant**

Mary Lindsay

**Tax Map Number**

11815-08-10

**Location**

338 Penrose Drive

**Existing Zoning**

RS-2 (Single Family Residential)

**Parcel Size**

.26± acre tract

**Existing Land Use**

Residential

**Existing Status of the Property**

The subject property has an existing single-family residential structure. A double driveway leads to a garage. There is a second driveway that leads to the rear of the property. A fence encloses the rear of the property.

**Proposed Status of the Property**

The applicant proposes to establish a family daycare for a maximum of six (6) children. The ages of the children would range from newborns to two (2) years of age. The proposed hours of operation are 7:00am to 6:00pm.

**Immediate Adjacent Zoning and Land Use**

North - RS-2; residential

South - RS-2; residential

East - RS-2; residential

West - RS-2; residential

**Character of the Area**

The subject property is located within a subdivision of single-family residential structures (Meadowlakes Subdivision).

## ZONING ORDINANCE CITATION

Section 26-63.4(5) authorizes the Board to permit day nurseries and kindergartens as special exception subject to the provisions of Section 26-84. Section 26-84 requires that, before granting such a special exception, the Board will ensure that the Department of Special Services has approved the daycare facility. The applicant has submitted a letter from DSS.

## CRITERIA FOR SPECIAL EXCEPTIONS

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

**1. Traffic impact.**

The average weekday trips per day for a single-family residential structure is approximately 9.5 (based on the Addendum to the Long Range Major Street Plan for Richland County – adopted by the Richland County Planning Commission - Oct.1993). The establishment of this daycare would generate approximately ten (12) additional trips per day.

**2. Vehicle and pedestrian safety.**

There were no obvious vehicle and/or pedestrian safety hazards noted by staff.

**3. Potential impact of noise, lights, fumes or obstruction of airflow on adjoining property.**

There should be a minimal, if any, impact of noise, lights, fumes or obstruction of airflow by the establishment of a family daycare.

**4. Adverse impact of the proposed use on the aesthetic character of the environs, to include possible need for screening from view.**

The proposed use does not impose an adverse impact on the aesthetic character of the environs and does not require screening.

**5. Orientation and spacing of improvements or buildings.**

The size of the lot and the location of the existing structure precludes the need for changes in orientation and spacing of improvements or buildings.

## DISCUSSION

Staff visited the site.

The applicant is proposing to operate a daycare for six (6) children. Staff did not observe any conditions or factors that would negatively impact this community by the establishment of a family daycare.

The applicant is required to provide loading and unloading in an area other than the right-of-way. Staff believes that an area to sufficiently meet these requirements has been provided.

## CONDITIONS

1. Vacancy, abandonment or discontinuance for any period of twelve (12) months (as verified by a business license) will void the special exception.



**26-602.2(d)**

- 1) Violation of conditions and safeguards prescribed in conformity with this chapter, when made a part of the terms under which the special exception is granted shall be deemed a violation of this chapter, punishable under penalties established herein;
- 2) Failure to begin or complete, or begin and complete, an action for which a special exception is required, within the time limit specified when such time limit is made a part of the terms under which the special exception is granted shall void the special exception.

**OTHER RELEVANT SECTIONS**

**Sec. 26-84. Child day care facilities.**

Child day care facilities are permitted as special exceptions in RS-1, RS-1A, RS-2, RS-2, RR, RG-1, RG-2, MH-1, MH-2 and MH-3 districts, and as permitted uses in C-1, C-2, C-3, D-1 and RU districts subject to the following provisions:

*26-84.1 General requirements.*

a. Permitted Uses--Before granting a zoning permit for the establishment of a child day-care center or a group day-care home, the zoning administrator will ensure that the applicant has applied to the South Carolina Department of Social Services (DSS) for a license to operate the facility and has received a letter from the regulatory agency (DSS) that the facility in question is suitable to accommodate the maximum number of children to be cared for. Prior to issuing a zoning permit for the establishment of a family day-care home, the zoning administrator will ensure that the applicant has applied to DSS for registration of the day-care home.

b. Special Exceptions--Before granting a special exception for the establishment of a child day-care facility, the board of adjustment will ensure that the action outlined in paragraph a. above has been accomplished.

*26-84.2 Fencing.*

Fencing shall be as prescribed by DSS, but in no case less than 4 feet in height, cyclone type or equivalent.

*26-84.3 Play equipment.*

No play equipment shall be closer than 20 feet to any residential lot line.

*26-84.4 Loading and unloading.*

An adequate area to accommodate the loading and unloading of children shall be provided and such area shall not be located within any public right-of-way.

*26-84.5 Space.*

Indoor and outdoor space shall be as prescribed by relation for child day-care facilities published by DSS.

*26-84.6 Signs.*

Signs are permitted in accordance with Article 8, "Regulation of Signs" as applied to the district in which the child day-care facility is located.

(Ord. No. 1027-83, § 1, 4-5-83; Ord. No. 1191-44, § IV, 9-4-84; Ord. No. 055-00HR, § XI, 10-3-00)

## **ATTACHMENTS**

- DSS letter
- Day nursery information sheet
- Pictures of subject property

## **CASE HISTORY**

No record of previous special exception or variance request.

Rcpt # 369732  
Paid \$ 50.00

**RICHLAND COUNTY  
BOARD OF ZONING APPEALS  
SPECIAL EXCEPTION APPEAL**

Application # \_\_\_\_\_  
Filed 4-14-04

**NOTICE TO APPLICANTS**

No application for special exception will be processed unless the following conditions are met no later than the first (1<sup>st</sup>) day of the month prior to the date of the Board meeting, which is held the first Wednesday of each month:

- a. All questions on this application have been fully answered;
- b. The application has been signed by the owner or his agent with the written authorization of the owner;
- c. A plot plan drawn to scale, showing the actual dimensions and shape of the lot, the exact size and location on the lot of all buildings and signs existing and proposed, and the location of all required parking spaces has been submitted on an 8 1/2" X 11" size pieces of paper.

1. Location: 338 PENROSE DRIVE Columbia SC 29203  
TMS #: Page 11815 Block 08 Lot 10 Zoning District RS2
2. The Board of Zoning Appeals is requested to consider the granting of a special exception permitting : (nature of special exception) 1  
To keep Children in my home
3. The Board of Zoning Appeals is authorized to grant or deny special exception of this specific nature in Section 26-63.4(5) of the Zoning Ordinance.

**PROPOSED NEW CONSTRUCTION**

1. Free Standing Structure ( )      Addition to an existing building ( )
2. Use \_\_\_\_\_      Number of square footage \_\_\_\_\_
3. Answer only if a commercial or manufacturing use :
  - a. Total number of parking spaces on lot \_\_\_\_\_
  - b. Number of trucks \_\_\_\_\_ size \_\_\_\_\_
  - c. Number of proposed and existing signs \_\_\_\_\_  
Size of proposed or existing signs \_\_\_\_\_
  - d. Number of employees working on premises \_\_\_\_\_

**EXISTING USES AND STRUCTURES ON LOT**

1. Number of existing uses / structures 1
2. Size and use:
  - a. Square footage 1200      Use Home
  - b. Square footage \_\_\_\_\_      Use \_\_\_\_\_
  - c. Square footage \_\_\_\_\_      Use \_\_\_\_\_

Mary Lindsay  
Appellant's Signature  
MARY LINDSAY  
Print Name

\_\_\_\_\_  
Telephone Number 786-1370  
338 PENROSE DR Columbia SC 29203  
Address, City, State & Zip Code

# DSS

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*Serving Children and Families*

KIM S. AYDLETTE, STATE DIRECTOR

April 11, 2005

Mr. John Hicks  
Richland County Zoning Division  
2020 Hampton Street  
P.O. Box 192  
Columbia, SC 29202

Re: Ms. Mary Lindsay  
338 Penrose Drive  
Columbia, SC 29203

Dear Mr. Hicks:

The Division of Child Care Licensing and Regulatory Services of the South Carolina Department of Social Services has approved Mary Lindsay to operate a Family Day Care Home since January 15, 1996, prior to SC Code of Law 20-7-3005 which required proof of zoning. The above named individual will still be able to continue to operate a Family Day Care Home if all of your zoning requirements are met.

If additional information is needed, please contact me at 929-2740. Thank you for your assistance in this matter.

Sincerely,



Onie Whitehead  
Child Care Regulatory Supervisor, Region II



**RICHLAND COUNTY, SOUTH CAROLINA  
PLANNING & DEVELOPMENT SERVICES DEPARTMENT**

Zoning & Land Development Division  
2020 Hampton Street  
Columbia, SC 29202  
Ph. 803-576-2178 Fax 803-576-2182

DAY NURSERIES

How many children? 6

What ages would the children be? Newborns  
15 week - 2 yrs

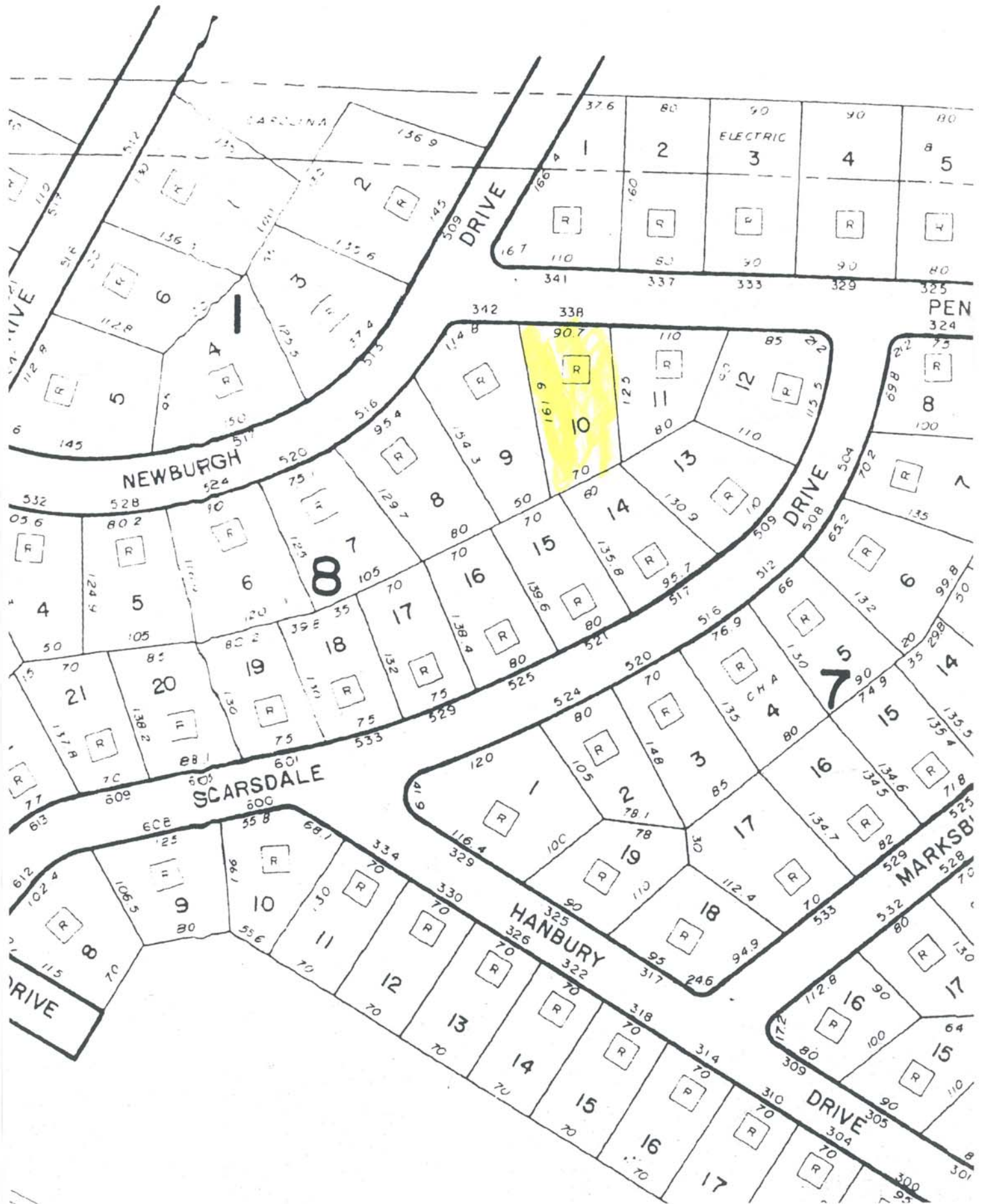
What would the hours of operation be? Till 6 - 60 hrs.

How many employees would there be? NONE

Is the rear yard fenced?  Yes  No (If no, what provisions are being made?)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Are there provisions for the loading and unloading of children off of the public right-of-way?  
 Yes (if yes, please describe)  
Children UNLOAD in MY DRIVEWAY  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

No (if no, what provisions are being made?)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_







Richland County Government  
2020 Hampton Street  
Columbia, SC 29204

Phone (803) 576-2180  
Fax (803) 576-2182

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