

BOARD OF ZONING APPEALS
April 4, 20151

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3
4 *Present: Michael Spearman, Frank Richardson, Joshua McDuffie, Susanne Cecere,*
5 *Christopher Sullivan; Absent: William Smith]*

6
7 Called to order: 3:00 pm

8 CHAIRMAN MCDUFFIE: I'd like to call this meeting of the Richland County
9 Board of Zoning Appeals to order. And at this point I'll recognize a quorum. As far as the
10 Agenda we have at least one amendment to make to the Agenda today. We did the
11 election of officers at the last meeting, so I would move to strike Item 4 off of today's
12 Agenda.

13 MR. SPEARMAN: For Item 1.

14 CHAIRMAN MCDUFFIE: Item 1?

15 MR. SPEARMAN: Yeah, the very beginning.

16 CHAIRMAN MCDUFFIE: Call to Order and Recognition of a Quorum?

17 MR. SPEARMAN: Yes, sir. The, he's got the Vice-Chairman.

18 CHAIRMAN MCDUFFIE: Oh, okay. Yeah, I didn't even notice that. Okay. Alright,
19 is there a motion to adopt the Agenda as amended?

20 MR. SULLIVAN: So moved.

21 CHAIRMAN MCDUFFIE: Oh sorry, go ahead.

22 MR. SPEARMAN: The first case, was it withdrawn or just administratively
23 deferred?

24 MR. PRICE: It was [inaudible] administratively deferred.

25 MR. SPEARMAN: Okey-dokey, thanks.

1 CHAIRMAN MCDUFFIE: Alright, so was there a motion to, there was a motion to
2 adopt the Agenda as amended.

3 MR. SPEARMAN: Motion to adopt as amended.

4 CHAIRMAN MCDUFFIE: Alright, second?

5 MR. RICHARDSON: Second.

6 CHAIRMAN MCDUFFIE: Okay. All in favor?

7 *[Approved: Spearman, Richardson, McDuffie, Cecere, Sullivan; Absent: Smith]*

8 CHAIRMAN MCDUFFIE: Alright, the Agenda is, the Agenda is officially adopted.
9 At this point we'll proceed to the Public Notice Announcement. In accordance with the
10 Freedom of Information Act a copy of the Agenda was sent to radio and television
11 stations, newspapers, persons requesting notification, and posted on the bulletin board
12 located in the lobby of this building, the County Administration building. At this time we'll
13 move on to the Rules of Order and I would turn the meeting over to the Board's attorney
14 Ms. Amelia Linder.

15 MS. LINDER: Thank you, Mr. Chairman. Good afternoon ladies and gentlemen.
16 My name is Amelia Linder and I am the attorney for the Board of Zoning Appeals. The
17 Board as you may know is a *quasi*-judicial court which means the decisions they make
18 today will be final subject to anybody that has a substantial interest in it going to circuit
19 court. The Applicant today will have 15 minutes to present their case. If there's any
20 opposition in the room they would have three minutes, and then the Applicant would
21 have another five minutes to rebut the opposition. We have one case today and that's
22 all we're going to be handling. If you're testifying please address your remarks to the
23 Board. No testimony other than at the podium. I need your name and your phone

1 number for the Record. You will be under oath and it will be recorded. When you speak
2 to the Board it's not quite as formal as a court, if you have documents you want, wish to
3 submit you may do so. The Board will give the proper weight to those documents. After
4 all the testimony has been given the Board will make a decision. They could put some
5 conditions on your request if they decide to approve it. Any person who again has
6 substantial interest in the decision may request a reconsideration prior to the approval
7 of the Minutes, which would happen next month. So if you're unhappy with the decision
8 you may ask that it be reconsidered but it has to be based on a specific error made by
9 the Board. And if you have any questions about that you can reach the Zoning
10 Administrator, Mr. Geo Price, who's sitting at the table here. If you are planning to
11 appeal to the circuit court you have 30 days after the decision of the Board is mailed to
12 you. I would ask at this time that all cell phones be turned off or muted. And once you've
13 given your testimony you may leave as long as you do so you can come and go quietly.
14 If the Board has any legal questions there could be an executive session. And that
15 about sums up what kind of procedure we're going to take, what is, the kind of
16 procedure that's going to take place today. At this time anybody that's planning to testify
17 I'd ask them to stand cause you will be under oath. If you would stand and raise your
18 right hand. Do you swear or affirm that the testimony you shall give shall be the truth,
19 the whole truth and nothing but the truth, so help you God?

20 AUDIENCE: [Inaudible]

21 MS. LINDER: Thank you very much, and both speakers have answered in the
22 affirmative, realizing that they are under oath. Thank you.

1 CHAIRMAN MCDUFFIE: Thank you, Ms. Linder. Let's see, at this time we'll
2 move to the approval of Minutes from the last meeting. Has everyone received a copy
3 and had an opportunity to review the Minutes? Are there any, are there any
4 amendments to be offered to the Minutes? Alright, hearing none is there a motion to
5 approve the Minutes from March 4th?

6 MR. SPEARMAN: Motion to approve.

7 CHAIRMAN MCDUFFIE: Okay, we have a motion. Is there a second?

8 MS. CECERE: [Inaudible]

9 CHAIRMAN MCDUFFIE: Second? Okay, second Ms. Cecere. All in favor?

10 MR. RICHARDSON: Abstaining.

11 MR. PRICE: In favor: Spearman, McDuffie, Cecere, Sullivan.

12 *[Approved: Spearman, McDuffie, Cecere, Sullivan; Abstained: Richardson; Absent:*
13 *Smith]*

14 CHAIRMAN MCDUFFIE: The, the Minutes from March 4th, 2014, or 2015 rather,
15 are approved. And we move on to the public hearing. Mr. Price, if you would please call
16 your first case.

17 **CASE NO. 15-06 SE:**

18 MR. PRICE: The first item, the only item on this Agenda is Case 15-06 Special
19 Exception. The Applicant is requesting the Board of Zoning Appeals to grant a Special
20 Exception to permit the establishment of a continued care retirement community on
21 property zoned RU, which is Rural. The Applicant is Dr. Barbara J. Oliver of Sunlight
22 Resources Institute. The location is 870 Langford Road, it's in Blythewood, South
23 Carolina. The parcel size is 9.10 acres and it's currently occupied by two structures

1 according to county records totaling almost 7,000 square feet. The Applicant proposes
2 to establish as previously stated a continued care retirement community which would
3 total about 49,500 square feet. This, this would be made up of three structures; one
4 structure is proposed to be 15,500 and the other two will be 17,000 square feet and
5 they'll be residential facilities. The facilities are designed to accommodate 72 residents
6 and on shift the greatest employment, there will be eight employees on the site. The
7 proposed development's primarily intended for Veteran residents even though that's, it
8 will not be limited to, to those particular types of residents. According to the Applicant
9 the two, the two existing structures will be utilized for the continued care retirement
10 community until the other facilities or the primary facilities, which I will show you, are
11 completed. Staff did not observe any factors or conditions that would negatively impact
12 the properties in the area. Really this particular area is not that developed at this time.
13 Also to kinda go through, through the criteria that are part of the Special Exception
14 which they must meet for the Board to approve, the lot size is greater than one acre, as
15 previously stated it's about 9.1 acres. According to the plans, which I will show,
16 according to this plan the proposed parking spaces and drive aisles will be at least 20'
17 away from any other residents which is not a part, which is not part of the community.
18 And the proposed front setback is gonna be 40' which is the requirement for that
19 particular zoning district, or this particular zoning district. Proposed side yards are 20'
20 which they will meet. The proposed rear yard would be met of 50'. And those are the
21 main criteria that, that the Board has to look at for the granting of a Special Exception.
22 As stated, this is the proposed facility. As you can see it's made up of the three
23 structures that previously are mentioned, and the parking spaces. This is what the

1 actual structure is proposed to look like with the rooms and the dining areas and the
2 common areas and the other facilities within. This is I guess a conceptual view of what it
3 will look like from the road. As you, if you look in your Agenda under the Staff
4 Discussion, Staff has outlined six items that it was requested that if the Board decides
5 to, to grant approval to this request that you would look at incorporating those as part of
6 the stipulations for your approval. That is it.

7 CHAIRMAN MCDUFFIE: Alright, thank you Mr. Price. Does any Member of the
8 Board have any questions for, for Mr. Price or for Staff at this time? Alright, if not then
9 I'd like to hear from Mrs. Barbara Oliver. Please state your name and address for the
10 Record.

11 **TESTIMONY OF BARBARA OLIVER:**

12 DR. OLIVER: I am Barbara [inaudible] Oliver, Barbara Jane Oliver, 1078 Grover
13 Wilson Road in Blythewood, South Carolina.

14 CHAIRMAN MCDUFFIE: Is there anything you'd like to, to tell us about the
15 project or add to what Mr. Price said?

16 DR. OLIVER: I think he did a wonderful job of explaining what we intend to do.
17 We've been working with Veterans and, and other folk referred to us from the State
18 since 2008 in a residential care facility. But it's not large enough. We get requests every
19 day, even today, for housing for Veterans. And my husband, Mr. Reagan and I, are all
20 Veterans, we're all Marines, and they, they retired, I didn't. And we have been trying to
21 make an impact, trying to help the situation with the homelessness and we think this will
22 help to do that.

1 CHAIRMAN MCDUFFIE: Alright, are there any, any questions for Dr. Oliver at
2 this time?

3 MR. RICHARDSON: I do have one if I may?

4 CHAIRMAN MCDUFFIE: Yes, go ahead.

5 MR. RICHARDSON: Dr. Oliver, I am also a Veteran myself. I've got a question, I
6 believe that you stated that this would be for Veterans, are they handicapped or are
7 they homeless Veteran, which one? Or all?

8 DR. OLIVER: All.

9 MR. RICHARDSON: All Veterans.

10 DR. OLIVER: Anyone who has a need.

11 MR. RICHARDSON: Okay, is there an age limit?

12 DR. OLIVER: No, sir.

13 MR. RICHARDSON: Okay.

14 DR. OLIVER: I have a 96 year old in our facility right now.

15 MR. RICHARDSON: Okay. Thank you.

16 CHAIRMAN MCDUFFIE: Yes?

17 MR. SULLIVAN: Well first I wanna thank you for doing outreach to the Veterans.
18 Being a son, grandson and brother of a Vet I understand the difficulties that they face,
19 especially in our community in Richland County. I do have several questions. The first
20 question is, what made you choose this particular site to do a Veteran development?

21 DR. OLIVER: It has two homes on it already, and we, we have actually land that
22 we're using right now, but it's not established and set up like this particular property.
23 And I know the man who owns this property, he's been trying to sell it for five years. But

1 I wasn't thinking that we could ever do it on this particular property, but he had animals,
2 and over the years he shared his animals so we could do animal therapy with our
3 clients, our residents. And when it became available and it, and we saw that we could
4 get financing for it, it's just a beautiful piece of property that would be wonderful; it's
5 peaceful, it's quiet, it's clean, it already has two facilities on it that we can start with 10
6 clients until we can build the other, the other structures, and so it's just a nice piece of
7 property.

8 MR. SULLIVAN: And my second question, I saw on the application it said that
9 eight people working on a shift, what's the total number including all of the shifts and
10 what have you that the project will, and it can be approximately, what's the total number
11 of jobs that will be created?

12 DR. OLIVER: That, I spoke with someone this morning about, we will have to, we
13 will have to address five areas and someone will have to do all of these. And I don't
14 know, I don't know the approximate number of jobs but I can tell you what those five
15 areas are. We need someone, we need a company or someone to hire someone to do,
16 to help to administer the medications every day. We need some, a whole staff of people
17 to help with the, the Activities of Daily Living, that's the ADLs, daily living activities such
18 as bathing and anything that they have a need for we wanna be able to be there for
19 them. We find that a lot of the Veterans don't like to bath anymore, I don't know why that
20 is, but it's just some strange things that are going on with them and some strange things
21 going on in their heads, and so the ones that, the VA call us pretty often because, and
22 they bring to us their most, most difficult cases, and sometimes that's because we have
23 space and they need space and they need to know that somebody actually cares. And

1 so they, we've established a reputation like that with them. We have to have someone
2 to provide meals every day, three meals a day. We have to have planned activities for,
3 so that there are things to do. We find that a lot of the Veterans and a lot of mentally ill
4 people and a lot of people in these homes just simply want to eat, sleep and smoke or
5 something to that, to that affect. And so we would like to provide planned activities,
6 constructive things that they can do; whether it's gardening or horticulture or whatever it
7 takes to, to have a higher quality of life, we'd like to provide that or help to provide that.
8 And then we will need people to help with transportation. So I, I don't have a figure, but I
9 know that all of these are potential jobs that will be created by our being there.

10 MR. SULLIVAN: You answered by third question, my third question was the
11 transportation cause, you know, being in Blythewood and most of the Veteran services
12 being in the central location but you [inaudible] that, so that completes all my questions,
13 thank you.

14 DR. OLIVER: You're welcome.

15 CHAIRMAN MCDUFFIE: Are there any other questions for, for the Applicant?

16 MR. SPEARMAN: I have a couple.

17 CHAIRMAN MCDUFFIE: Yes.

18 MR. SPEARMAN: The requirements that you just stated, are these requirements
19 by the VA or, or whom?

20 DR. OLIVER: It's what we've gotten used to doing.

21 MR. SPEARMAN: Okay.

22 DR. OLIVER: It's, in the residential care home that we have they're required, it's
23 required of a residential care home. But again, we don't have enough space there, and

1 so the things that we've gotten used to providing it's only decent, and it's minimal
2 actually, there's much more that can be done if you take the time to do it and spend the
3 money to do it.

4 MR. SPEARMAN: What kind of licenses are required by the state or Richland
5 County or the federal government would you have to, would you have to apply for and
6 get before you could open up?

7 DR. OLIVER: I am already a long-term care health administrator. I already have
8 my license to operate a nursing home or a residential care home. And we, I will need to,
9 I don't know about the requirements for the people that we will hire, I think there are
10 already, I know that there are already people in place to do those things. So I will just
11 simply sub-contract out for some of it if we can find somebody who will fit the bill.
12 Otherwise, we will bring our own people in and do it. And the licenses, we have to have
13 certified med techs to help with medications, the food, the regulations on the food I'm
14 sure DHEC will be through there to make sure our kitchens are up to par, our kitchen is
15 as it should be. Fire Marshal, you know, to come through, it's – everything will be
16 handicapped accessible and state of the art. We want solar energy in there and we
17 want water recycling. We already have three wells on the property and one is the old-
18 fashioned hand pump so that if water goes out we still have water. And so we've tried to
19 cover all of our bases as well as we could. I'm sure there'll be some unforeseen things
20 that we'll have to meet, but we will.

21 MR. SPEARMAN: Are you a physician, ma'am?

22 DR. OLIVER: My PhD is in theology and natural healing. I've been doing natural
23 healing since 1979. And we simply teach people how to take care of themselves with

1 what they have in their environment. And nutrition, exercise, water, sunshine,
2 temperance, air, rest, trusting in God; those are the eight natural doctrines.

3 MR. SPEARMAN: Does the state tell you how many folks you can have at any
4 one time due to the, to the size of your buildings or whatever? Is there a limit to the, to
5 the folks who can live there?

6 DR. OLIVER: No, sir. You mean as far as how many we can have?

7 MR. SPEARMAN: Yes, ma'am.

8 DR. OLIVER: No, sir. They normally tell us actually that we can have two to a
9 room, sometimes three. All of our rooms will be single occupant rooms.

10 MR. SPEARMAN: So these 72 –

11 DR. OLIVER: Single occupant.

12 MR. SPEARMAN: - single-occupancy.

13 DR. OLIVER: Everybody will have their own bathroom and their own space.

14 MR. SPEARMAN: Yes, ma'am. What would be the size of these, are the, are
15 these apartments, rooms or do they have a mini kitchen or anything like that or?

16 DR. OLIVER: They don't have a mini kitchen, we have a common, we have a –

17 MR. SPEARMAN: Yes, ma'am. So it's just a, it's a place to lay your head and
18 then you go to other areas of the facility for treatment or meals or physical therapy?

19 DR. OLIVER: It's sort of like living in an apartment house except they don't have
20 their own kitchen, and that's by design. And they don't have, if they need assistance
21 with medication, you know, we'll have people coming through there to help every
22 morning, noon and night for meds, you know, to make sure that everybody gets what
23 they're supposed to get.

1 MR. SPEARMAN: You are not currently occupying the structures that's on the
2 property at this time.

3 DR. OLIVER: No, sir.

4 MR. SPEARMAN: Okay. Just one second.

5 MR. PRICE: Mr. Chair, while Mr. Spearman is contemplating his next question,
6 just for the Record and, and while I appreciate who her target audience is, I do think that
7 the Board should take into consideration that what they're asking for is just a continued
8 care retirement community and that let's just say worst case scenario they build it and
9 they decide that they just don't have the Vets there or they sell it, it will still continue to
10 be an improved continued care retirement community for anyone to into. So I just, just
11 wanted to make sure that, you know, I'm sure as you ask your questions that we aren't
12 specifically targeting one particular clientele for the Applicant.

13 CHAIRMAN MCDUFFIE: Sure. As always we're, we're approving the use not the
14 specific clientele.

15 MR. PRICE: Exactly.

16 MS. CECERE: I'm not sure you can hear me, my allergies are acting up. Are, is
17 this going to be built like in stages or just as one big thing right from the beginning?

18 MR. PRICE: The Applicant – can you speak up please? I'm just joking. The
19 Applicant can answer that question, and of course as you look in the, in the Staff
20 Discussion under some of the recommendations made by Staff, you can also add to
21 that as to when you think this should be completed. Because, you know –

22 MS. LINDER: Ms. Cecere is asking whether the facility is gonna be built in stages
23 or all at once?

1 DR. OLIVER: It will be done in stages. I'd like Mr. Reagan to address that.

2 CHAIRMAN MCDUFFIE: Please, before we, before we do are there any other
3 questions for Dr. Oliver? Did you have one more question?

4 MR. SPEARMAN: I'm good.

5 CHAIRMAN MCDUFFIE: Okay. Alright. One moment.

6 MS. LINDER: Ms. Cecere is asking if you're currently operating a facility and if so
7 where?

8 DR. OLIVER: Are we currently operating a facility?

9 MS. LINDER: Correct.

10 DR. OLIVER: We're operating, I'm the administrator for Oliver's Care Home on
11 Lawhorn Road in Blythewood. It's a five bed.

12 MS. LINDER: Could you repeat that last part.

13 DR. OLIVER: I'm the administrator for Oliver's Care Home, it's a residential care
14 facility on, at 1200 Lawhorn Road in Blythewood.

15 CHAIRMAN MCDUFFIE: Alright, if there're no further questions for Dr. Oliver, the
16 Chair will recognize, is it Mike, Mike Reagan?

17 **TESTIMONY OF MIKE REAGAN:**

18 MR. REAGAN: My name's Mike Reagan, I live at 310 Country Club Drive in the
19 City. Our initial thought was is that we would do these one building at a time. However,
20 the, subsequent to just talking to –

21 CHAIRMAN MCDUFFIE: Please speak into the mic.

22 MR. REAGAN: Subsequent to talking to the gentleman downstairs and talking to
23 the proposed contractor, the contractor seems to think that it would be less expensive

1 and the total can be done quicker and more efficiently if they do all three buildings
2 together. And we would do that so as to keep the existing structures in place to be able
3 to operate while we had a construction site that was going on. The way he explained it
4 to me is that if you can do all your grading while you've got the grader there, then you
5 can do all your concrete while you got the concrete people there, all you're left with
6 [inaudible] get the job done a lot quicker and less expensive. So that's what our, our
7 thought is at the moment.

8 CHAIRMAN MCDUFFIE: Any other, any other questions for Mr. Reagan or do
9 you have anything else to add?

10 MR. REAGAN: No, that's all. I just wanted to clarify that.

11 CHAIRMAN MCDUFFIE: Okay. Any other questions? Alright.

12 MR. SPEARMAN: What is your affiliation with this if I could ask?

13 MR. REAGAN: Well, I'm retired Marine Colonel and was a fighter pilot in Viet
14 Nam and I have a keen and passionate interest over taking care of fellow Veterans are
15 not quite so fortunate as I've been in business for the last 40 some odd years. And Dr.
16 Oliver and I became good friends a while back and I've been impressed with what she's
17 doing and the results that she gets that, that this is something that I've taken on as a
18 project for the next five years of my life.

19 MR. SPEARMAN: Thank you.

20 MR. REAGAN: Does that help?

21 MR. SPEARMAN: Yes, sir. Thank you.

1 CHAIRMAN MCDUFFIE: Alright, are there any questions for the Applicant or for
2 Staff at this time? Alright, if not, Mr. Spearman would you care to go through the
3 Findings of Fact?

4 MR. SPEARMAN: Yes, sir. This is the Finding of Facts for Special Exception 15-
5 06. The address is 870 Langford Road in Blythewood. The tax map number is 20600-
6 0809. The parcel size is 9.10 acres. The property is zoned Rural. Notice of this hearing
7 was posted on the property, it was also in the legal advertisement of a newspaper here
8 in the county as well. That's number 3. Number 4, the lot size is 9.10 acres. Are the
9 proposed parking spaces and drive aisles at least 20' away from other residences not
10 part of the community? Yes. Is the proposed front setback at least 40'? Yes. From any
11 adjacent or existing homes or adjacent lots. They do meet that criteria. Are the
12 proposed setbacks, side setbacks at least 20'? Yes. Is the proposed rear setback at
13 least 50'? Yes. Will traffic be impacted by the proposal? It is my understanding from the
14 Applicant that, other than employees and transportation for the residents of the facility,
15 they would be transported by vans so there would not be any traffic impact. Will the
16 proposed affect vehicle and pedestrian safety? I've got one question about that to ask
17 the Applicant. Alright, Mr. Chairman? Do you, do any of your residents walk up and
18 down the roads or anything like that that would – I notice there are no sidewalks out
19 there and the, the sides of the roads are kinda narrow in some places. Do you have any
20 problems with that, would that be a, something that we need to, to look at?

21 DR. OLIVER: That property's completely fenced in.

22 MR. SPEARMAN: Yes, sir. Yes, ma'am.

1 DR. OLIVER: It's not too pretty right now but it's completely fenced in. And yes,
2 they do like to walk but they don't walk up and down the main roads, and –

3 MR. SPEARMAN: Okay.

4 DR. OLIVER: - there's a large area on the back with a little stream that comes
5 through it and we're gonna put walking trails around it.

6 MR. SPEARMAN: So they would be on the property.

7 DR. OLIVER: They would be on the property.

8 MR. SPEARMAN: Okay. Okay, thank you. The answer to that is, the answer to
9 that is no. Are there potential impacts for noise, lights, fumes, other obstruction of
10 airflow on adjacent properties? No. Will the proposed continued care retirement
11 community be an adverse impact on the aesthetic character of the environs? There has
12 not been any evidence to that presented so the answer would be no. Is the orientation
13 and spacing of improvements or buildings appropriate? The answer to that is yes.
14 That's the Finding of the Facts, Mr. Chairman.

15 CHAIRMAN MCDUFFIE: Thank you very much. Is there any discussion of, of the
16 Findings? Anything? Alright, would anyone care to make a motion at this time?

17 MR. SPEARMAN: Mr. Chair?

18 CHAIRMAN MCDUFFIE: Yes, sir?

19 MR. SPEARMAN: I'd like to make a motion to approve Special Exception 15-6
20 with some conditions. Condition number 1, plans of the development of the site must be
21 submitted for official review to Richland County within one year of approval of this
22 Special Exception. Number 2, construction of the proposed, excuse me, construction of
23 the project must be initiated within 18 months of the approval of this Special Exception.

1 Number 3, if stipulations in items 1 and 2 are not met, the existing structures of
2 continued care retirement community would be prohibited immediately. If you're going to
3 use that, once you purchase the property, until your construction gets done and if you
4 fail to, to meet items 1 and 2, then you would have to stop immediately the retirement
5 home on the property there on Langford Road. Does that, do you understand what I'm
6 trying to, trying to say?

7 DR. OLIVER: [Inaudible].

8 MR. SPEARMAN: Yes, ma'am, that's correct.

9 DR. OLIVER: No problem. Yes, sir.

10 MR. SPEARMAN: For the Record, the Applicant answered to the affirmative
11 about items 1 and 2 and the stipulation in item 3. Number 4, the submitted site plan is
12 considered to be conceptual, considered to be a conceptual layout for the proposed
13 development for Special Exception approved by this Zoning Board of Appeals does not
14 constitute an official site or building plan review or approval. Major changes to the site
15 plan such as an increase in square footage, height, and/or orientation of the buildings
16 will require an additional review and approval by the Zoning Board of Appeals. And
17 number 6, the Zoning Administrator shall determine if any requested changes to the
18 Special Exception are major changes. Does anybody have any other conditions they
19 would like to add at this time? Any questions about the conditions that were stipulated?

20 CHAIRMAN MCDUFFIE: So we have a, we have a –

21 MR. SPEARMAN: Motion to approve.

22 CHAIRMAN MCDUFFIE: - we have a motion to approve –

23 MR. SPEARMAN: With those conditions.

1 CHAIRMAN MCDUFFIE: - based on the Findings of Fact, with the conditions that
2 Mr. Spearman stated being the same, the same conditions that Staff has asked us to, to
3 include on our approval. Is there a second?

4 MR. SULLIVAN: Second.

5 CHAIRMAN MCDUFFIE: Alright. Mr. Sullivan has seconded. All in favor?

6 MR. PRICE: Those in favor: Spearman, Richardson, McDuffie, Cecere, Sullivan.

7 *[Approved: Spearman, Richardson, McDuffie, Cecere, Sullivan; Absent: Smith]*

8 CHAIRMAN MCDUFFIE: Alright, that is all of us so Dr. Oliver, you have your
9 Special Exception and Mr. Price will be in touch. Thank you very much and best of luck.
10 Alright. Is there, is there any, let's see, is there any other business at this time?

11 MR. PRICE: There are no other cases. Just wanted to discuss, I think there were
12 two things that came about today. Typically, and once again as the Board you can look
13 at things any way you want to, so, but I think as Mr. Spearman was looking at vehicle
14 and pedestrian safety and he was asking the Applicant, you know, are their residents
15 gonna be walking on the street? Typically when we look at the vehicle and pedestrian
16 safety it is what is this use going to have on the outside parcels, the other parcels in that
17 area, not so much how they're going to operate. If there are people that are gonna go
18 walking and they go by the street, that's really something that they need to kind of
19 determine how they'll operate. The question is really how is this use going to impact the
20 vehicular safety of other residents in that area or the pedestrians. Just how we typically
21 will look at that.

22 CHAIRMAN MCDUFFIE: Anything else?

1 MR. SPEARMAN: That is a busy intersection right where all those roads come
2 into play; Grover Wilson, Langford, and Hardscrabble, and you know, especially in the
3 morning times you see a lot of, of traffic, people going and coming and going to work
4 and same in the afternoons and so forth, and it's, you can't notice it unless you look for
5 it but there are a lotta construction going on in that –

6 MR. PRICE: Correct.

7 MR. SPEARMAN: - part of Richland County and typically you see some of these
8 care facilities where some of the residents walk up and down the road and, and that
9 was a concern. I understand where you're coming from but I just wanted to make sure
10 that they had something applicable for the residents on the property where they
11 wouldn't do that and take a chance of getting injured as well, so.

12 MR. PRICE: Right, I, I can argue that they really didn't answer that question
13 either from what you asked. I mean, there were no, you didn't put any conditions on
14 what the residents could and couldn't do. So just kinda, just throwing that out how we
15 typically would look at that.

16 CHAIRMAN MCDUFFIE: Well, it would be difficult to stipulate that they couldn't
17 go walk on a public street.

18 MR. PRICE: Exactly, so that's –

19 MR. SPEARMAN: But she, she answered it in a way that, that I felt that, you
20 know, they were gonna provide something onsite to try to stop any type of, of their
21 residents, you know, walking down the street. And I was satisfied with that.

22 MR. PRICE: Right. And it goes back to this particular request is really the
23 establishment of a continued care retirement community, it could change hands, have a

1 different group of people in there, ownership, so those wouldn't apply. Mostly, again just
2 throwing that out there. And the only other thing I think, we've run into this before as a
3 Board, if you, if you're looking for something or if you want to put stipulations on just my
4 opinion that you just put the stipulations on there. I don't think you need to have a
5 discussion with the applicant on whether they agree to them or not. I mean, cause the
6 Board, you, when you are looking at things you understand what it is you're trying to do
7 and, and for your approval. And I know we've run into this over the years where, you
8 know, the applicant said, well, and they get part, they end up actually changing their
9 mind what the actual stipulations are gonna be. But, I mean, once again that's just more
10 of a recommendation or at least just something I've noticed over the years with the, with
11 the Board and applicants. You know, if you're gonna put the stipulation that's what you
12 should do, and it's up to them to abide by it.

13 MR. SPEARMAN: I just wanted to make sure that she understood, I didn't know if
14 I was clear enough in that particular condition and I just wanted to make sure she, she
15 had an understanding of what I was trying to convey.

16 MR. PRICE: Correct.

17 MR. SPEARMAN: That was all I was trying to do.

18 MR. PRICE: I would be happy to explain it to her afterwards. I mean, that's just
19 my, just wanted to throw that out there. We just ran into some problems several years
20 ago with that. But that was it.

21 CHAIRMAN MCDUFFIE: Alright. Any other, any other items at this time?

22 MR. PRICE: That's it.

1 CHAIRMAN MCDUFFIE: Do we have any, any training opportunities coming up
2 or anything like that that we know of?

3 MS. HAYNES: [Inaudible]

4 CHAIRMAN MCDUFFIE: Okay. Alright. Alright, please do. Alright, if there is no
5 other business to conduct at this time, is there a motion to adjourn?

6 MR. SULLIVAN: So moved.

7 CHAIRMAN MCDUFFIE: Alright. Meeting adjourned. Thank y'all very much.

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9

[Meeting Adjourned at 3:45pm]