

# **RICHLAND COUNTY BOARD OF ZONING APPEALS**



**Thursday, 16 March 2023  
3 p.m.  
Council Chambers**





**Richland County  
Board of Zoning Appeals  
Thursday, March 16, 2023  
3:00 p.m.**

**David Fulmer • Robert T Reese • Shasai S. Hendrix**

## **Agenda**

- I. CALL TO ORDER & RECOGNITION OF QUORUM**
- II. PUBLIC NOTICE ANNOUNCEMENT**
- III. ADDITIONS / DELETIONS TO THE AGENDA**
- IV. ADOPTION OF AGENDA**
- V. RULES OF ORDER**
- VI. PUBLIC HEARING**

**Chairman**

**Geonard Price,  
Zoning Administrator**

### **OPEN PUBLIC HEARING [ACTION]**

- 1. Case SE22-004  
Shirpolle Peniston-Blair  
2044 Heyward Brockington Road  
Columbia, SC 29203  
TMS: 09700-02-56**

**Request to establish a orphanage  
on property zoned Rural (RU).**

**District 7  
Gretchen Barron**

- VII. OTHER BUSINESS**
- VIII. ADJOURNMENT**





16 March 2023  
Board of Zoning Appeals

## REQUEST, DISCUSSION AND RECOMMENDATION

### **CASE:**

SE22-004

### **REQUEST:**

The applicant is requesting the Board of Zoning Appeals to grant a special exception to permit the establishment of a orphanage on property zoned Rural (RU) district.

### **GENERAL INFORMATION:**

*Applicant:* Shirpolle Peniston-Blair

*TMS:* 09700-02-56

*Location:* 2044 Heyward Brockington Road, Columbia, SC 29203

*Parcel Size:* 1.35 - acre tract

*Existing Land Use:* The parcel is currently occupied by a residential structure.

*Proposed Land Use:* The applicant proposes to use the property and existing structure to establish a residential care institution.

*Character of Area:* The general area consists of large residentially and undeveloped parcels.

### **ZONING ORDINANCE CITATION:**

Table 26-V-2 of the Land Development Code authorizes the Board of Zoning Appeals to authorize orphanages subject to the provisions of section 26-152 (d) (19).

### **CRITERIA FOR SPECIAL EXCEPTION:**

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

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

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### **Special exception requirements (as found in section 26-152 (d) (19)):**

- (19) Orphanages.
  - a. Use districts: Rural; Rural Residential; Residential, Multi-Family, Medium Density; Residential, Multi-Family, High Density.
  - b. Minimum lot size to establish an orphanage shall be one (1) acre.
  - c. The front setback shall be the same as permitted in the applicable zoning district. Side and rear setbacks shall be twenty-five (25) feet from property lines.
  - d. No parking space or drive shall be located closer than twenty (20) feet from any road line or property line. No parking shall be permitted in the front yard.

## **DISCUSSION:**

Staff visited the site.

The applicant is proposing to utilize the existing residential structure for a “Residential care institution” for adolescent boys ages 12 to 21; Level III Therapeutic.”

Records indicate that the existing residential structure totals 2,452 square feet (1,922 square feet heated). The applicant proposes to house thirteen (13) residents in the four (4) bedroom structure. According to the applicant, there will be three (3) full time employees for each of the expected three (3) shifts.

Staff did not observe any conditions or factors that would negatively impact the properties in the surrounding area by the establishment of this type of development. The applicant proposes to erect a privacy fence on the southern portion of the parcel to provide a buffer between the subject site and the adjacent residentially developed property.

Staff recommends **approval**.

If granted approval, the proposed project will be subject to site plan review, which will entail a review from the following Richland County divisions:

- Planning
- Engineering
- Building
- Fire Marshal

If an approval is granted, it is recommended the BZA review the proposed development schedule to determine if conditions should be applied. It is staff’s recommendation that an approval stipulate the following:

1. Plans for the development of the site must be submitted for official review by Richland County within one (1) year of the approval of the special exception;
2. If the stipulation of item #1 is not met, the special exception for the orphanage is voided;
3. The submitted site plan is considered to be a conceptual layout for the proposed development. The special exception approval by the Board of Zoning Appeals does not constitute an official site and/or building plan review and approval;
4. Major changes to the site plan, such as an increase in square footage, height, and/or orientation of the buildings, will require an additional review and approval by the Board of Zoning Appeals; and
5. The Zoning Administrator shall determine if any requested changes to the Special Exception are major changes.

## **CONDITIONS:**

Section 26-56 (f) (3)

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

## **OTHER RELEVANT SECTIONS:**

N/A

**CASE HISTORY:**

N/A

**ATTACHMENTS:**

- Site plan
- Zoning Application Packet



# BOARD OF ZONING APPEALS

## SPECIAL EXCEPTION



1. Location: 2044 Heyward Brockington Road  
 TMS Page: 09700 Block: 02 Lot: 56 Zoning District: RU

2. The Board of Zoning Appeals is requested to consider the granting of a special exception permitting:  
Residential Care for Adolescent Males

3. Describe the proposal in detail: Residential Care Institution  
for Adolescent Males ages 12-21; Level 3  
Therapeutic.

4. Area attributed to the proposal (square feet): Living Space 2220 sqft.

5. Are other uses located upon the subject property?  No  Yes (if Yes, list each use and the square footage attributed to each use):

- a. Use Storage trailer square footage 1300
- b. Use Storage square footage 300
- c. Use Storage square footage 200

6. Total number of parking spaces on the subject property: 10 parking spaces.

7. Total number of employees on shift of greatest employment: 3 Full time employees per shift.

8. Address the following **Standards of Review** (Sec. 26-56 (f) (2) of the Richland County Land Development Code). Please note that the members of the Board of Zoning Appeals will use your answers, among other things, as they evaluate your request.

a. Traffic impact: Rural Residential areas carry less traffic.  
The residential property is 80 yards = 240 feet  
from the rural road.

b. Vehicle and pedestrian safety: The residential property is 80 yards  
= 240 feet from the rural road.

c. Potential impact of noise, lights, fumes or obstruction of airflow on adjoining property: \_\_\_\_\_  
Clean environment, far from smog and pollution  
offering, clean, fresh air and an abundance of green space.

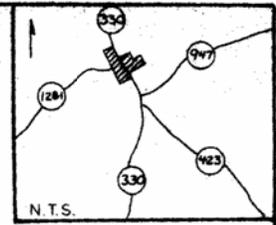
d. Adverse impact of the proposed use on the aesthetic character of the environs, to include possible need for screening from view: The woodlands serves as  
a natural fence. A privacy fence will be  
able to give neighbors on the left isolation.

e. Orientation and spacing of improvements or buildings: Northeast spacing  
Minor renovations

*Case SE22-004  
Shirpolle Peniston-Blair  
09700-02-56  
2044 Heyward Brockington Road  
Columbia, SC 29203*



500



FULL REGISTER OF EASES, CONVEYANCES, CLAIMS & PARTIALLY

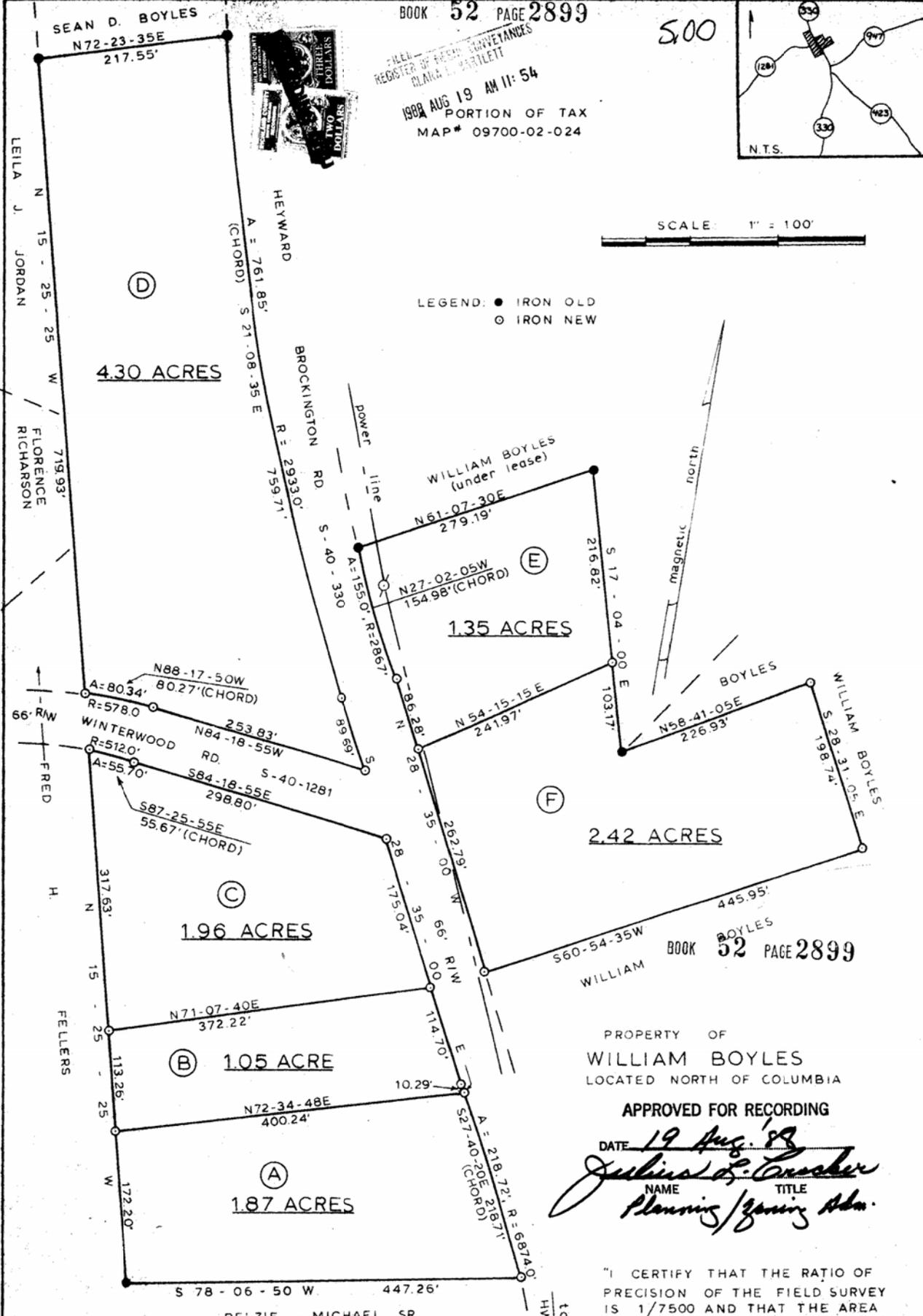
1988 AUG 19 AM 11:54

PORTION OF TAX MAP # 09700-02-024



SCALE 1" = 100'

LEGEND: ● IRON OLD  
○ IRON NEW



BOOK 52 PAGE 2899  
WILLIAM BOYLES

PROPERTY OF  
WILLIAM BOYLES  
LOCATED NORTH OF COLUMBIA

APPROVED FOR RECORDING

DATE 19 Aug '88  
*Julius D. Crisher*  
NAME TITLE  
Planning/Zoning Adm.

"I CERTIFY THAT THE RATIO OF PRECISION OF THE FIELD SURVEY IS 1/7500 AND THAT THE AREA WAS DETERMINED BY COMPUTER."

*H. R. Oliver*  
H. R. OLIVER R.L.S. 1408  
P.O. BOX 639  
LUGOFF, S.C. 29078

STATE OF SOUTH CAROLINA  
COUNTY OF RICHLAND

31 MAY 1988

# *Case SE22-004*

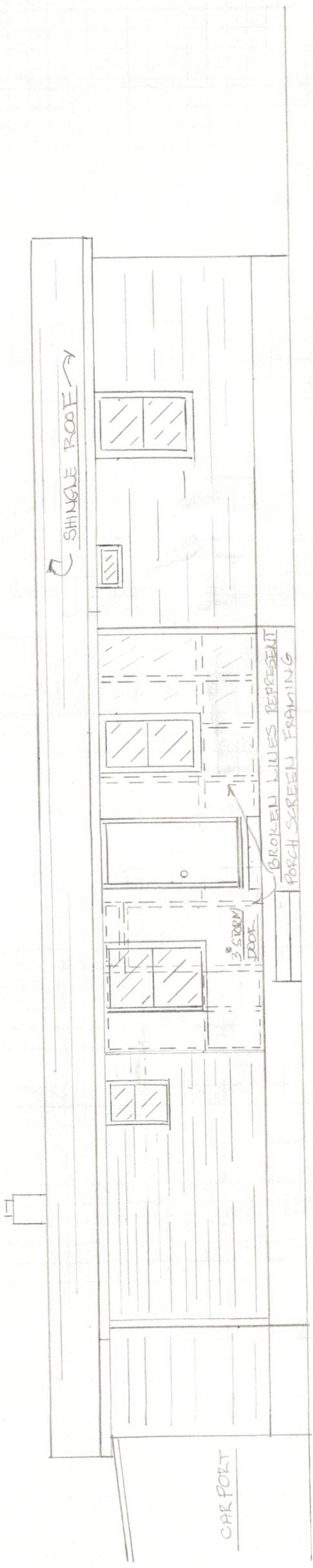


**View of existing structure**

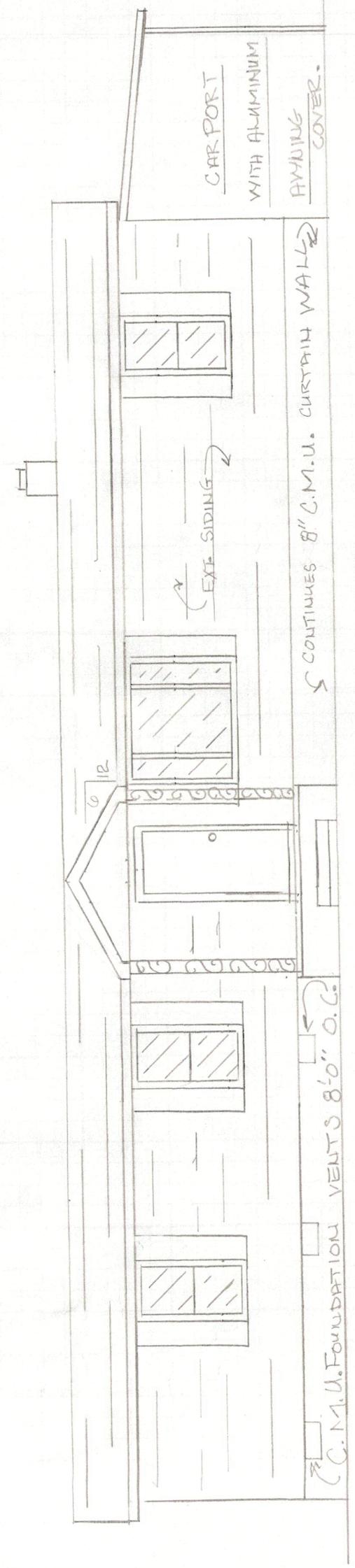


**View from Heyward Brockington Road**

DRAWING'S FOR:  
2044 HEYWARD BROCKINGTON RD.  
COLA. S. C.  
DRAWING BY: TONY BOYLES  
DATE: 6/21/22



REAR ELEV. SCALE: 1/4" = 1'-0"



FRONT ELEV. SCALE: 1/4" = 1'-0"

PAGE: 1 OF 3  
 DRAWING BY:  
 TONY BOYLES  
 6/21/22



3 TAB ROOF SHINGLES,  
15#D. FELT OVER  
1/2" ROOF SHEATHING  
1 1/4" O.C. 2" X 6" RAFTERS

1 1/2" GYM GUM BOARD  
2" X 6" JOIST

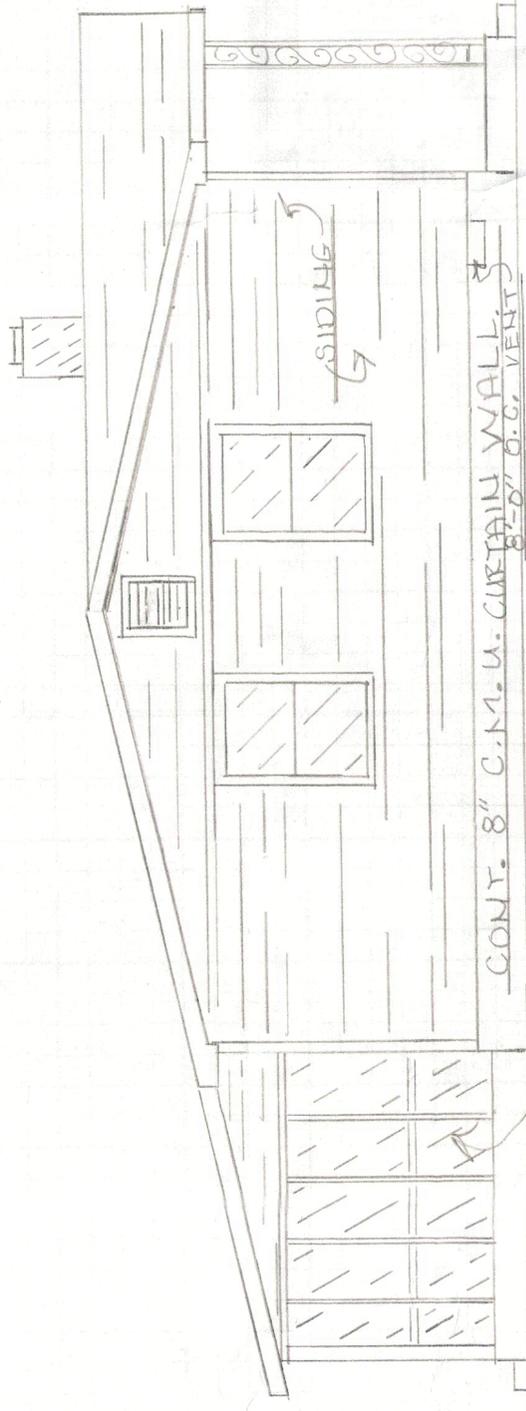
3/4" SUB FLOORING  
2" X 10" JOIST / 16" O.C.

2" X 10" SILL  
2" X 8" SILL PLATE

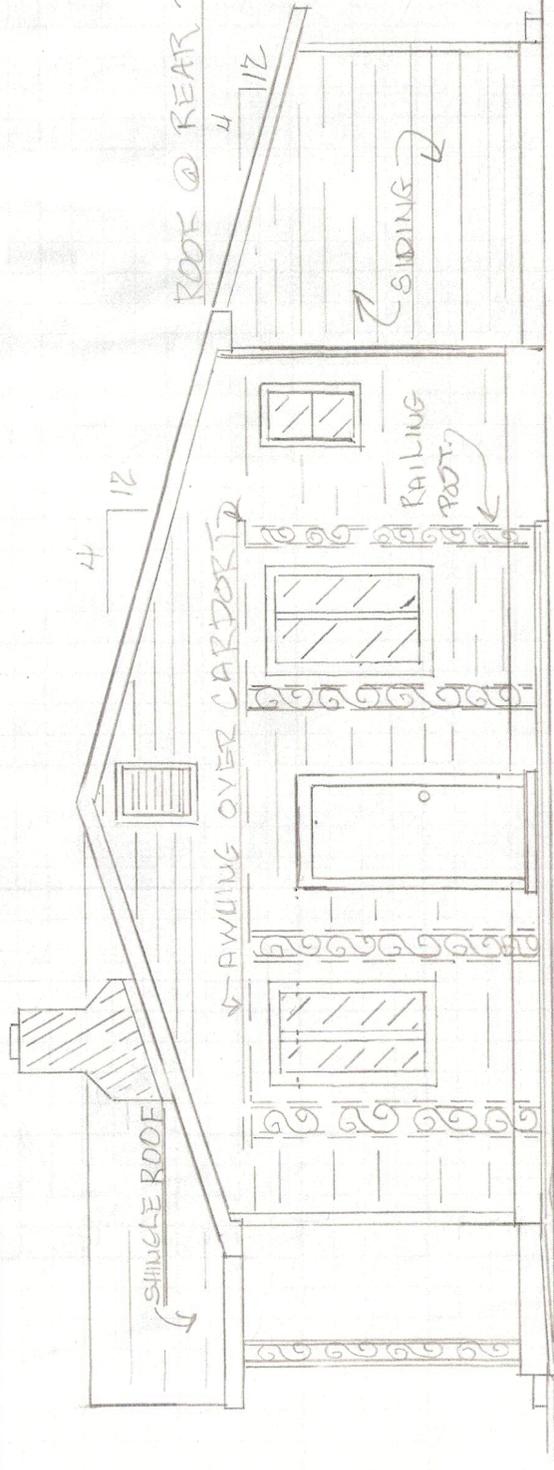
CONTINUES FOOTING  
@ PERIMETER / #4 REBAR  
(MIN. 2500 P.S.I.)

DETAILS: SCALE: 1/2" = 1'-0"

1" X 6" FACIAL  
SOFFIT VENTS  
1/2" EXT. SHEATHING  
EXT. SIDING  
PROVIDE FOUNDATION TIED.



LEFT SIDE ELEV. SCALE: 1/4" = 1'-0"



RIGHT SIDE ELEV.  
SCALE: 1/4" = 1'-0"

PAGE: 3 OF 3  
DRAWING BY:  
TOMY BOYLES  
DATE: 6/21/22







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