

# **RICHLAND COUNTY BOARD OF ZONING APPEALS**



**Wednesday, 1 November 2023**

**3 p.m.**

**Council Chambers**





**Richland County  
Board of Zoning Appeals  
Wednesday, November 1, 2023  
3:00 p.m.**

**Chairman – Robert T Reese  
Co-Chairman – Shasai S. Hendrix**

**David Fulmer • S. Blakely Copeland-Cahoon • DeAnta Reese  
• Mandy Lautzenheiser • Annette Nelson**

**Agenda**

- |   |  |
|---|--|
| <b>I. CALL TO ORDER &amp; RECOGNITION OF QUORUM</b> | <b>Chairman Robert T. Reese</b>                |
| <b>II. PUBLIC NOTICE ANNOUNCEMENT</b>               | <b>Chairman Robert T. Reese</b>                |
| <b>III. ADDITIONS / DELETIONS TO THE AGENDA</b>     |  |
| <b>IV. ADOPTION OF AGENDA</b>                       |  |
| <b>V. RULES OF ORDER</b>                            | <b>Chairman Robert T. Reese</b>                |
| <b>VI. PUBLIC HEARING</b>                           | <b>Geonard Price,<br/>Zoning Administrator</b> |

**OPEN PUBLIC HEARING [ACTION]**

- |   |  |  |
|---|--|--|
| <b>1. Case SE22-002<br/>Adrian Williams, PE<br/>2204 East Boundary Road<br/>Columbia, SC 29223<br/>TMS# R19702-05-04<br/>Page 1</b> | <b>Request a special exception to<br/>establish a place of worship on<br/>property zoned Residential Single-<br/>Family Low Density (RS-LD).</b> | <b><u>District 10</u><br/>Cheryl English</b> |
| <b>2. Case# SE23-003<br/>Natasha A. Jones<br/>1041 McCords Ferry Road<br/>Lugoff, SC 29078<br/>TMS# R38000-03-02<br/>Page 7</b>     | <b>Request to establish a bar and<br/>drinking place property zoned<br/>Neighborhood Commercial (NC).</b>  | <b><u>District 10</u><br/>Cheryl English</b> |

**VII. OTHER BUSINESS**

**VIII. ADJOURNMENT**





## REQUEST, DISCUSSION AND RECOMMENDATION

### **CASE:**

23-002 Special Exception

### **REQUEST:**

The applicant is requesting the Board of Zoning Appeals to grant a special exception to permit the establishment of a place of worship on a parcel zoned Residential, Single-Family, Medium Density (RS-MD) district.

### **GENERAL INFORMATION:**

*Applicant:* Adrian Williams

*TMS:* 19702-05-04

*Location:* 2204 East Boundary Road, Columbia, SC 29223

*Parcel Size:* 1.03 acres

*Existing Land Use:* The parcel currently has an existing 1,246 square foot structure, which serves as a place of worship.

*Proposed Land Use:* The applicant proposes to establish a 2,222 square foot place of worship.

*Character of Area:* The area is comprised primarily with residentially developed parcels and large, undeveloped lots.

### **ZONING ORDINANCE CITATION:**

Table 26-V-2 of the Land Development Code authorizes the Board of Zoning Appeals to authorize places of worship subject to the provisions of section 26-152 (d) (20).

### **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) (20)):**

(20) *Places of worship.*

- a. Use districts: Residential, Single-Family, Estate; Residential, Single-Family, Low Density; Residential, Single-Family, Medium Density; Residential, Single-Family, High Density; Manufactured Home Park.
- b. Facilities for a place of worship located on a site of three (3) acres or more shall have primary access to the facility from a collector or thoroughfare road.
- c. No parking space or drive shall be located closer than twenty (20) feet to a residence not associated with the place of worship. No parking area may be located in the front setback.

- d. The front setback shall be the same as permitted in the respective district, but shall not be less than the lesser setback of any existing homes on adjacent lots. The side and rear setbacks shall be thirty (30) feet.

**DISCUSSION:**

Staff visited the site.

The applicant proposes to construct a 2,222 square foot place of worship within a 1.03-acre parcel. The proposed 103 seat sanctuary is proposed to have a setback of 160+ feet from the front property line and will be located centrally within the parcel. The existing vegetation will buffer the development from adjacent parcels and roadways.

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 is required to obtain a driveway permit from the SCDOT. The permit should address the appropriateness of any access points.

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

- Planning
- Public Works
- Fire Marshall
- Soil and Water

Staff's review indicates the standards of subsection 26-152 (d) (20) have been met. Staff recommends **approval** for this request.

**CONDITIONS:**

Section 26-56 (f) (3)

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

**OTHER RELEVANT SECTIONS:**

N/A

**CASE HISTORY:**

No record of previous special exception or variance request.

**ATTACHMENTS:**

- Proposed church layout
- Application

Case SE22-002  
Adrian Williams, PE  
2204 East Boundary Road  
Columbia, SC 29223  
TMS# R19702-05-04





# BOARD OF ZONING APPEALS SPECIAL EXCEPTION



1. Location: 2204 East Boundary Road

TMS Page: R19702 Block: 05 Lot: 04 Zoning District: RS - LD

2. The Board of Zoning Appeals is requested to consider the granting of a special exception permitting: Construction of a Place of Worship

3. Describe the proposal in detail: Owners propose to construct a new 2222 sf. church building and accompanying parking areas.

4. Area attributed to the proposal (square feet): 24,830 sf.

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 Place of Worship square footage 1112 sf.

b. Use \_\_\_\_\_ square footage \_\_\_\_\_

c. Use \_\_\_\_\_ square footage \_\_\_\_\_

6. Total number of parking spaces on the subject property: 32 proposed

7. Total number of employees on shift of greatest employment: 103 seat capacity for new church

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: No impact to traffic in the area.

b. Vehicle and pedestrian safety: No impact to pedestrian safety

c. Potential impact of noise, lights, fumes or obstruction of airflow on adjoining property: No impact to noise, lights, fumes, or obstruction of airflow on adjoining property

d. Adverse impact of the proposed use on the aesthetic character of the environs, to include possible need for screening from view: No adverse impact of the proposed use on the aesthetic character of the environs.

e. Orientation and spacing of improvements or buildings: Orientation of building and parking area will meet requirements for places of worship in district.







1 November 2023  
Board of Zoning Appeals

## REQUEST, DISCUSSION AND RECOMMENDATION

### **CASE:**

SE23-003

### **REQUEST:**

The applicant is requesting the Board of Zoning Appeals to grant a special exception for the a bar and drinking establishment on property zoned Neighborhood Commercial (NC)) district.

### **GENERAL INFORMATION:**

*Applicant:* Natasha A. Jones

*TMS:* 22015-03-38 and 69

*Location:* 1041 McCords Ferry, Columbia, SC 29078

*Parcel Size:* 1 - acre tract

*Existing Land Use:* The parcel currently contains a 1,270 square foot commercial building.

*Proposed Land Use:* The applicant a bar and drinking establishment in the existing structure.

*Character of Area:* The general area consists primarily of large tracts of single-family detached developments parcels and undeveloped parcels.

### **ZONING ORDINANCE CITATION:**

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

### **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) (2)):**

*Dwellings, single-family, zero lot line, common.*

- a. Bars and other drinking places.
- a. Use districts: Rural Commercial; General Commercial; M-1 and LI Light Industrial.
- b. Lots used for drinking places shall be no closer than six hundred (600) feet to any lot which contains a school (public or private), and shall be no closer than six hundred (600) feet to any lot which contains a place of worship. However, if the place of worship is located in a GC, M-1, or LI zoning district and is located in a mixed-use shopping center, a mall, or an industrial park, the setback does not apply, unless the place of worship was established at that location prior to March 18, 2014.
- c. The distance shall be measured from the nearest entrance of the place of business by following the shortest route of ordinary pedestrian or vehicular travel along the public

thoroughfare to the nearest point of entrance to the grounds of the church or school, or any building in which religious services or school classes are held, whichever is the closer. The grounds in use as part of the church or school is restricted to the grounds immediately surrounding the building or buildings which provide ingress or egress to such building or buildings and does not extend to the grounds surrounding the church which may be used for beautification, cemeteries, or any purpose other than such part of the land as is necessary to leave the public thoroughfare and to enter or leave such building or buildings. Only one entrance to the grounds of a church or school shall be considered, to wit: the entrance to the grounds nearest an entrance to the church or school building. Where no fence is involved, the nearest entrance to the grounds shall be in a straight line from the public thoroughfare to the nearest door. The nearest point of the grounds in use as part of a playground shall be limited to the grounds actually in use as a playground and the grounds necessary for ingress or egress to such grounds from the public thoroughfare.

- d. Bars and other drinking places shall provide adequate off-street parking at a rate of twelve (12) spaces for each one thousand (1,000) square feet of gross floor area.
- e. Parking areas related to the establishment of a bar or other drinking place shall be located no closer than thirty (30) feet to the property line of residentially zoned or used property.
- f. A minimum six (6) foot high opaque fence shall be erected adjacent to the property line of abutting residentially zoned or used property.
- g. Dance poles within the establishment are prohibited.
- h. A full floor plan of the establishment must be provided to the Richland County Zoning Administrator.

#### **DISCUSSION:**

Staff visited the site.

The applicant is proposing to bar and drinking place in side of the existing 1,270 square foot structure.

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. Per subsection 26-152 (d) (2) (f) of the LDC, the applicant is required to erect a privacy fence along the eastern and southern property lines 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

#### **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

Case# SE23-003  
Natasha Jones  
1041 McCords Ferry Road  
Lugoff, SC 29078  
TMS: R38000-03-02





# BOARD OF ZONING APPEALS SPECIAL EXCEPTION



1. Location: 1041 McCords ferry Rd Lugoff SC 29078  
 TMS Page: 38000 Block: 03 Lot: 02 Zoning District: NC

2. The Board of Zoning Appeals is requested to consider the granting of a special exception permitting:

Bar opening

3. Describe the proposal in detail: Special exception approved to open a Bar at 1041 McCords ferry Rd Lugoff SC 29078

4. Area attributed to the proposal (square feet): 43560 sq ft.

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 \_\_\_\_\_ square footage \_\_\_\_\_

b. Use \_\_\_\_\_ square footage \_\_\_\_\_

c. Use \_\_\_\_\_ square footage \_\_\_\_\_

6. Total number of parking spaces on the subject property: 12 at the front left (see document 1)

7. Total number of employees on shift of greatest employment: 1

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: Traffic will not be impacted as location of building is directly on HWY 601, a major highway.

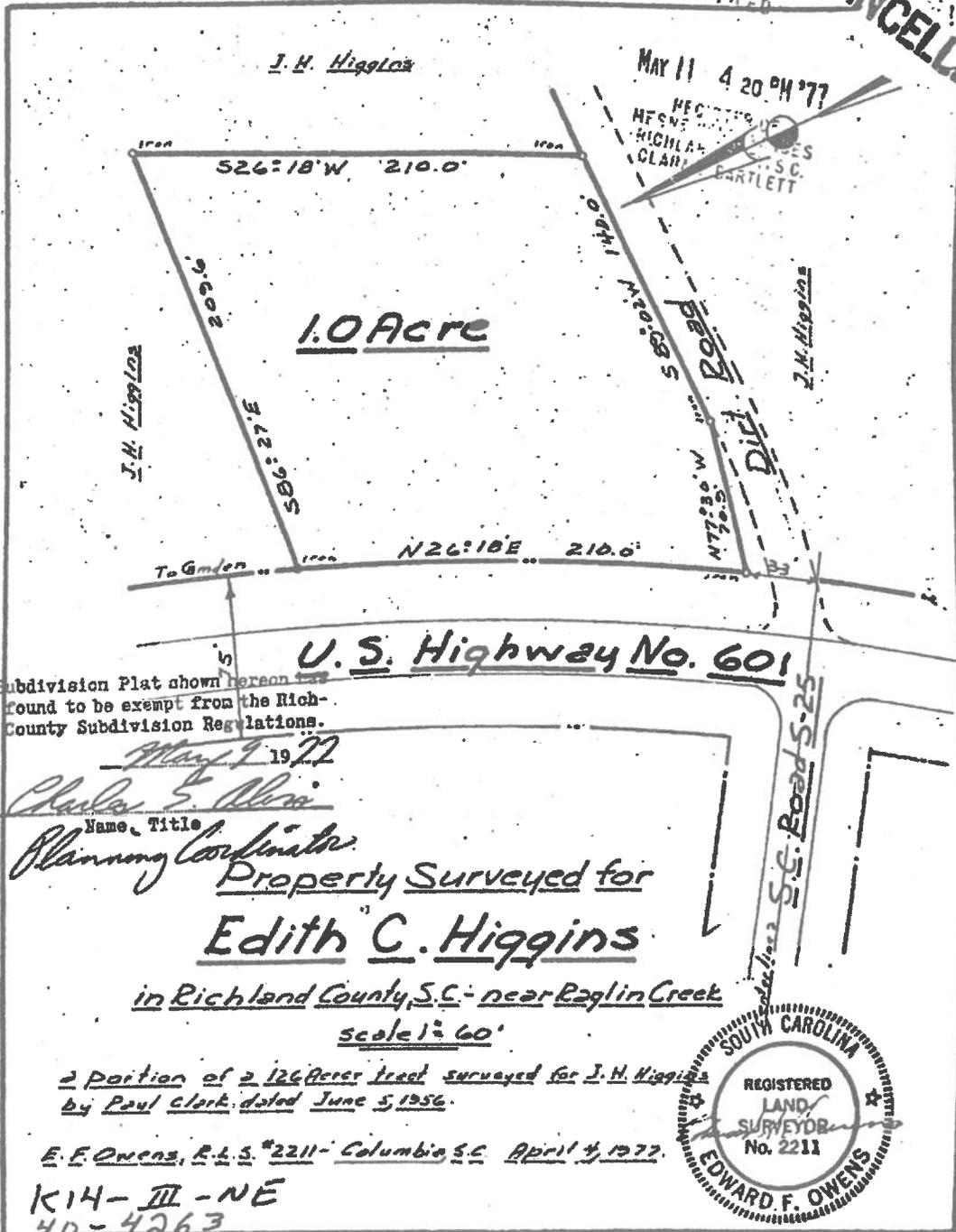
b. Vehicle and pedestrian safety: Building is on its own property with no other buildings. Parking lot is located directly in front (see attachment 2)

c. Potential impact of noise, lights, fumes or obstruction of airflow on adjoining property: NO impact of noise or lights all lights are street lights (see attached document 2)

d. Adverse impact of the proposed use on the aesthetic character of the environs, to include possible need for screening from view: \_\_\_\_\_

e. Orientation and spacing of improvements or buildings: Will not be adding anything other than whats already there except a 6 foot fence

CANCELLED



The Subdivision Plat shown hereon has been found to be exempt from the Richland County Subdivision Regulations.

May 9 1977  
*Charles S. Allen*  
 Name, Title  
 Planning Coordinator

Property Surveyed for  
Edith C. Higgins

in Richland County, S.C. - near Raglin Creek

scale 1" = 60'

a portion of a 126 Acre tract surveyed for J. H. Higgins  
by Paul Clark, dated June 5, 1956.

E. F. Owens, R.L.S. #2211 - Columbia, S.C. April 4, 1977.

K14-III-NE  
40-4263

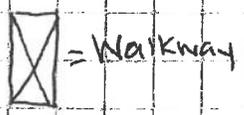
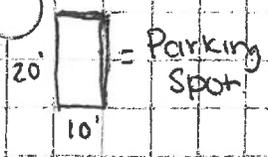


8462-2

Parking Lot floorplan



H = Handicap Parking



McCord's ferry Rd

Shady Grove



# Outdoor Smoking Area

Storage Room

to Sink

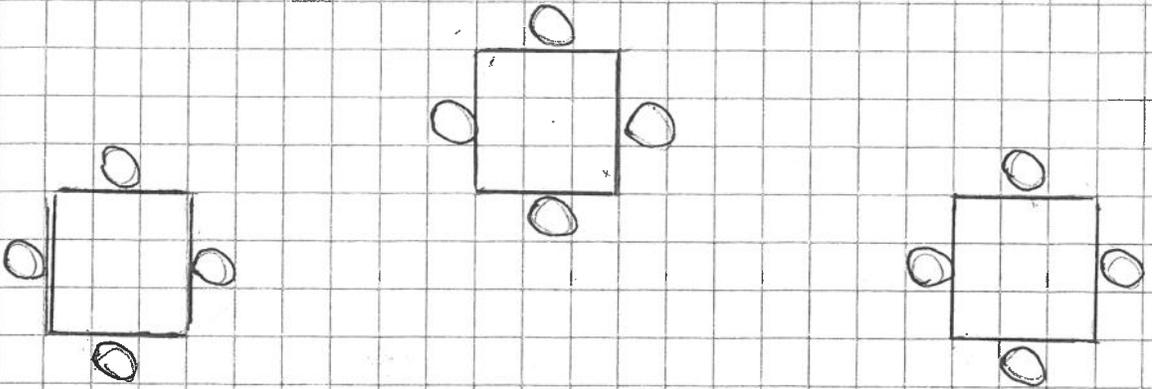
Restroom

each square  
= 13 equat to  
1 ft.

- table

O chair

Outdoor area used for  
Smoking.









Richland County Government  
2020 Hampton Street  
Columbia, SC 29204

Phone (803) 576-2180  
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