

# **RICHLAND COUNTY BOARD OF ZONING APPEALS**



**Wednesday, 9 July 2025  
3 p.m.  
Council Chambers**



**Richland County  
Board of Zoning Appeals  
Wednesday, July 9, 2025  
3:00 p.m.**

**Chairman – Shasai S. Hendrix**

**Vice-Chairman -**

**David Fulmer • Annette Nelson • DeAnta Reese**

**Alexander Alderman • Mandy Lautzenheiser • Merrell Johnson**

**Agenda**

- |   |  |
|---|--|
| <b>I. CALL TO ORDER &amp; RECOGNITION OF QUORUM</b> | <b>Chairman Shasai S. Hendrix</b>                                      |
| <b>II. PUBLIC NOTICE ANNOUNCEMENT</b>               | <b>Chairman Shasai S. Hendrix</b>                                      |
| <b>III. ELECTIONS OF OFFICERS</b>                   |  |
| <b>IV. ADDITIONS / DELETIONS TO THE AGENDA</b>      |  |
| <b>V. ADOPTION OF AGENDA</b>                        | <b>Chairman Shasai S. Hendrix</b>                                      |
| <b>VI. RULES OF ORDER</b>                           |  |
| <b>VII. APPROVAL OF MINUTES: 4 June 2025</b>        |  |
| <b>VIII. PUBLIC HEARING</b>                         | <b>Geonard Price Deputy CP&amp;D<br/>Director/Zoning Administrator</b> |

**OPEN PUBLIC HEARING [ACTION]**

- |   |  |  |
|---|--|--|
| <b>1. AT&amp;T c/o Mastec<br/>Paige Mitchell<br/>1436 Marthan Road<br/>Blythewood, SC 29016<br/>TMS: 17500-04-24<br/><a href="#">Page 3</a></b> | <b>Request a special exception to<br/>construct a telecommunication<br/>tower on property zoned<br/>Residential Transition (RT).</b> | <b><u>District 2</u><br/>The Honorable<br/>Derrek Pugh</b> |
| <b>IX. OTHER BUSINESS</b>   |  |  |
| <b>Reconsideration of Case #ZV24-007 Henrietta Duncan<br/><a href="#">Page 13</a></b>   |  |  |
| <b>X. ADJOURNMENT</b>   |  |  |



## REQUEST, DISCUSSION AND RECOMMENDATION

### **CASE:**

ZV24-007

### **REQUEST:**

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

### **GENERAL INFORMATION:**

*Applicant:* Paige Mitchell

*TMS:* R17500-04-24

*Location:* 1436 Marthan Road, Blythewood, SC 29016

*Parcel Size:* 10.5± acres

*Existing Land Use:* Currently the property is developed for recreation use.

*Proposed Land Use:* The applicant proposes to construct a 195 foot monopole tower.

*Character of Area:* The area is primarily comprised of residentially developed parcels.

### **ZONING ORDINANCE CITATION:**

The Board of Zoning Appeals shall have the following powers and duties under this Ordinance:

- a. To hear and decide appeals from a decision of the Zoning Administrator on any of the following:
  1. Permitted Use with Special Requirements (Sec. 26-2.5(f)(1));
  2. Tree Removal Permits (Sec. 26-2.5(h));
  3. Sign Permits (Sec. 26-2.5(i));
  4. Temporary Use Permits (Sec. 26-2.5(l));
  5. Certificates of Zoning Compliance (Sec. 26-2.5(m)); and
  6. Interpretations (Sec. 26-2.5(q)).
- b. To review and decide applications for the following:
  1. Special Exception Permits (Sec. 26-2.5(d)); and
  2. Variances (Sec. 26-2.5(o)).
- c. To hear and decide appeals from any other order, requirement, decision, or determination made by the Zoning Administrator or other authorized staff of the Community Planning and Development Department.

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

#### **Special Exception Decision Standards**

The Board of Zoning Appeals shall not approve a special exception permit application unless the Board finds, for all of the following, the proposed use:

- a. Complies with all applicable district-specific standards in Article 26-3: Zoning Districts;
- b. Complies with all applicable use-specific standards in Article 26-4, Use Regulations;
- c. Complies with all applicable standards in Article 26-5, General Development Standards;
- d. Complies with all relevant standards in Article 26-6, Land Development (Subdivision) Standards;

- e. Will not have a substantial adverse impact on vehicular traffic or vehicular and pedestrian safety;
- f. Is compatible with the character of surrounding development and the neighborhood;
- g. Will not have a substantial adverse impact on adjoining properties in terms of noise, lights, glare, vibrations, fumes, odors, litter, or obstruction of air or light;
- h. Will not have a substantial adverse impact on the aesthetic character of the area where it is proposed to be located; and
- i. Will not have a substantial adverse impact on public safety or create nuisance conditions detrimental to the public.

## **SPECIAL EXCEPTION REQUIREMENTS (Section 26-4.2(d)(3)f.1)**

### **1. Communication Tower**

In the AG, HM, RT, RC, MU1, MU3, and MU2 districts, communication towers shall comply with following standards.

- (a) Communication towers shall have a maximum height of three hundred 300 feet. For towers on buildings, the maximum height shall be twenty 20 feet above the roofline of buildings that are not more than 40 feet or four stories in height. For buildings greater than four stories or 41 feet in height, the maximum height of communication towers shall be 40 feet above the roofline.
- (b) The minimum setbacks for communication towers from abutting districts shall be as follows:
  - (1) Communication towers shall be set back from abutting lots located in a Residential zoning district by the greater of one foot for every one foot of tower height or 110 percent of the tower's fall zone (which includes a safety factor of ten percent). Fall zones shall be certified in the form of a letter from an engineer, licensed by the State of South Carolina, that includes the engineer's original signature and seal. The fall zone shall not encroach onto structures on any property, nor shall the fall zone encroach onto adjacent properties, unless the owner of the adjacent property signs a waiver. The waiver shall be in a recordable waiver document and shall indemnify and hold the County harmless. In no case shall the fall zone encroach into a public right-of-way. Additionally, the owner of the tower shall agree in writing to indemnify and hold Richland County harmless from and against any liability arising out of damage to real or personal property or injury to any person or in any way connected with the construction of erection of, maintenance of, and/or collapse of the communication tower and antenna, including the removal of said communication tower and antenna.
  - (2) Communication towers shall be set back from abutting lots located in a zoning district that is not a Residential zoning district:
    - a. If the abutting lot contains a habitable residential dwelling, 50 feet; or
    - b. If the abutting lot does not contain a habitable residential dwelling, the setbacks of the district in which the tower is located.
- (c) The applicant must show proof of an attempt to collocate on existing communication towers, and must be willing to allow other users to collocate on the proposed tower in the future, subject to the engineering capabilities of the structure. Evidence of an attempt to collocate must show that alternative towers, buildings, or other structures are not available for use within the applicant's tower site search area that are structurally capable of supporting the intended antenna or meeting the applicant's necessary height criteria, or provide a location free of interference from other communication towers.
- (d) Communication towers shall be illuminated as required by the Federal Communications Commission, Federal Aviation Administration, or other regulatory agencies. However, no nighttime strobe lighting shall be

incorporated unless required by the Federal Communications Commission, the Federal Aviation Administration, or other regulatory agency.

- (e) Each communication tower and associated buildings shall be enclosed within a fence that has a minimum height of seven feet.
- (f) Each communication tower site shall be landscaped in accordance with **Error! Reference source not found., Error! Reference source not found..**
- (g) No signage may be attached to any portion of a communications tower; however, signs for the purpose of identification, warning, emergency function or contact or other as required by applicable state or federal rule, law, or regulation may be placed as required by standard industry practice.
- (h) A communications tower which is no longer used for communications purposes shall be dismantled and removed within 120 days of the date the tower is taken out of service.

## **DISCUSSION:**

The applicant proposes to erect a 195-foot monopole telecommunications tower, with an associated equipment area located within a 250-square-foot leased space.

Staff visited the site and observed that the proposed tower and equipment area would be situated on the southern side of the existing baseball field. The tower is proposed to replace an existing stadium light pole at this location. Adjacent parcels to the south, east, and west are residentially developed.

Per subsection 26-4.2(d)(3)f.1(b)(1) of the Richland County Land Development Code, when a tower abuts a residentially zoned parcel, it must meet one of the following minimum setbacks—whichever is less: one (1) foot of setback for every one (1) foot of tower height, or 110% of the tower's fall zone, plus a 10% safety factor.

Meeting the criteria for a special exception in section 26-4.2(d)(3)f.1 may indicate that the applicant has taken necessary measures to minimize the impact of a communication tower on the surrounding area. Staff believes that this request will not impair the properties in the immediate or surrounding area.

The applicant must address, before the Board, the special exception requirements of section 26-4.2(d)(3)f.1.

Staff recommends approval for this request.

## **BOARD OF ZONING APPEALS REVIEW AND ACTION:**

The Board of Zoning Appeals shall make a decision on the application in accordance with Sec. 26-2.5(d)(4), Special Exception Decision Standards. The Board's decision shall be one of the following:

1. Approve the application as submitted;
2. Approve the application subject to conditions of approval the Board determines are necessary for the proposed use to comply with Sec. 26-2.5(d)(4), Special Exception Decision Standards; or
3. Deny the application.

## **CASE HISTORY:**

No record(s) of previous special exception or variance request.

## **ATTACHMENTS:**

- Plat
- Application
- Support and summarization document



AT&T c/o Mastec  
Paige Mitchell  
1436 Marthan Road  
Blythewood, SC 29016  
TMS: 17500-04-24







# BOARD OF ZONING APPEALS

## SPECIAL EXCEPTION



1. Location: 1436 MARTHAN RD BLYTHEWOOD SC 29016

TMS Page: R17500 Block: 04 Lot: 24 Zoning District: RT

2. The Board of Zoning Appeals is requested to consider the granting of a special exception permitting:  
To provide and improve cell service in the surrounding areas

3. Describe the proposal in detail: \_\_\_\_\_  
Install 195' monopole, antennas, radios, fiber trunks, and DC trunks.  
Adding ice bridge, WUC cabinet, 220 amp service, and concrete slabs for  
foundation only. See CDs for full scope of work.

4. Area attributed to the proposal (square feet): 250

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 Recreation square footage 196,350

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

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

6. Total number of parking spaces on the subject property: 48

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

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: None

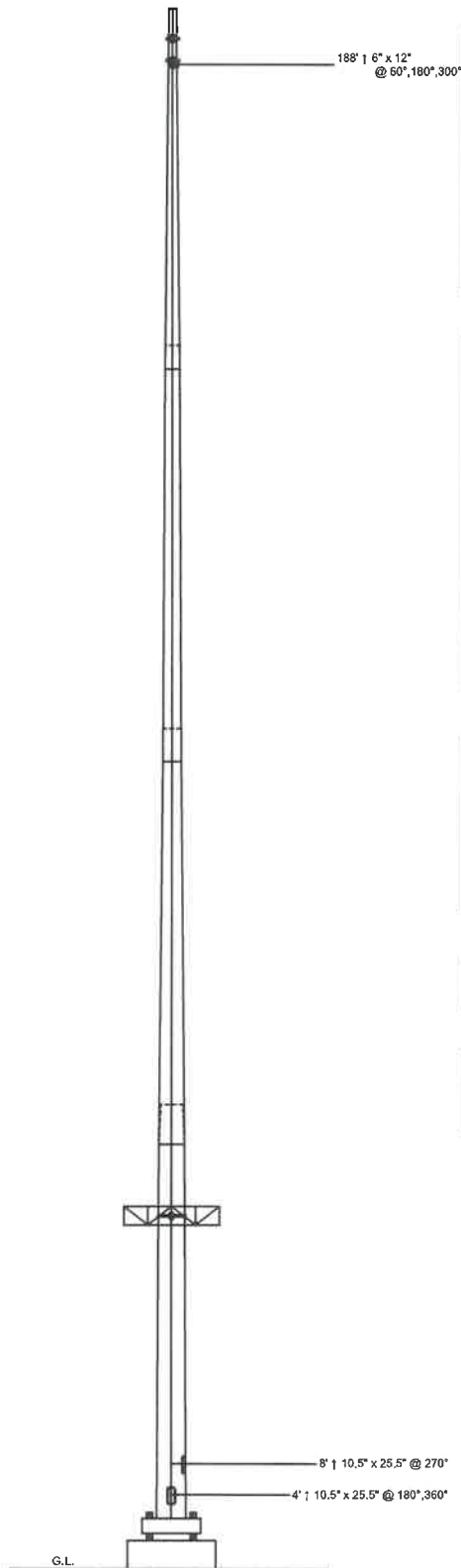
b. Vehicle and pedestrian safety: No issues

c. Potential impact of noise, lights, fumes or obstruction of airflow on adjoining property: \_\_\_\_\_  
Low risk

d. Adverse impact of the proposed use on the aesthetic character of the environs, to include possible need for screening from view: In a baseball field, so already has stadium lights so low impact

e. Orientation and spacing of improvements or buildings: NA

SIZES ARE PRELIMINARY AND MAY CHANGE UPON FINAL DESIGN									
Length (ft)	53'-3"	53'-6"	53'-6"	53'-6"	46'-3"				
Number Of Sides	18								
Lap Splice (ft)	5'-3"		A		B				
Top Diameter (in)	36.53"	28.79"		20.88"	14"				
Bottom Diameter (in)	45.62"	37.92"		30.02"	21.89"				
Taper (in/ft)	0.1707								
Grade	A572-65								
Weight (lbs)	7098	5092		3880	2441				
Overall Steel Height (ft)	194								



### Designed Appurtenance Loading

Elev	Description	Tx-Line
190	3 HD V-Boom - 6ft Face - 3ft Standoff	
190	(3) RRU 4890	(3) 7/8"
190	(6) NNH4-65C-R6-V3	(6) 7/8"
190	(3) RRU 4490	
190	(3) Air 6419	
190	(3) 4494 B14/B29	
190	(5) Squid (36" x 18" Diameter)	
40	Stadium Light Mount (12 Light)	
40	(4) 2' Stadium Light	(4) 7/8"

### Design Criteria - ANSI/TIA-222-H

Wind Speed (No Ice)	115 mph
Wind Speed (Ice)	30 mph
Design Ice Thickness	1.50 in
Risk Category	II
Exposure Category	B
Topographic Factor Procedure	Method 1 (Simplified)
Topographic Category	1
Ground Elevation	401 ft
Seismic Importance Factor, I <sub>e</sub>	1.00
0.2-sec Spectral Response, S <sub>s</sub>	0.34 g
1-sec Spectral Response, S <sub>1</sub>	0.112 g
Site Class	D (DEFAULT)
Seismic Design Category	C
Basic Seismic Force-Resisting System	Telecommunication Tower (Pole: Steel)

### Limit State Load Combination Reactions

Load Combination	Axial (kips)	Shear (kips)	Moment (ft-k)	Deflection (ft)	Sway (deg)
1.2 D + 1.0 W <sub>o</sub>	25.8	14.56	1743.31	19.1	10.72
0.9 D + 1.0 W <sub>o</sub>	19.32	14.58	1702.9	18.46	10.3
1.2 D + 1.0 D <sub>i</sub> + 1.0 W <sub>i</sub>	43.7	2.06	288.12	3.47	1.95
1.2 D + 1.0 E <sub>v</sub> + 1.0 E <sub>h</sub>	27.13	0.64	116.88	1.55	0.89
0.9 D - 1.0 E <sub>v</sub> + 1.0 E <sub>h</sub>	17.76	0.65	112.3	1.46	0.83
1.0 D + 1.0 W <sub>o</sub> (Service @ 60 mph)	21.43	3.55	423.92	4.76	2.62

### Base Plate Dimensions


Shape	Diameter	Thickness	Bolt Circle	Bolt Qty	Bolt Diameter
Round	54.25"	1.5"	50.5"	14	1.5"

### Material List

Display	Value
A	4' - 3"
B	3' - 0"

### Notes

- 1) Antenna Feed Lines Run Inside Pole
- 2) All dimensions are above ground level, unless otherwise specified.
- 3) Weights shown are estimates. Final weights may vary.
- 4) Full Height Step Bolts
- 5) This tower design and, if applicable, the foundation design(s) shown on the following page(s) also meet or exceed the requirements of the 2021 International Building Code.

 <p><b>Sabre Industries</b> 7101 Southbridge Drive P.O. Box 658 Sioux City, IA 51102-0658 Phone: (712) 253-6690 Fax: (712) 279-0814</p> <p><small>Information contained herein is the sole property of Sabre Communications Corporation, constitutes a trade secret as defined by Iowa Code Ch. 550 and shall not be reproduced, copied or used in whole or part for any purpose whatsoever without the prior written consent of Sabre Communications Corporation.</small></p>	Quote:	25-4062-RRM
	Customer:	MASTEC INC
	Site Name:	SCL03490, SC SISC009359
	Description:	195' Monopole
	Date:	3/6/2025
By: BL		Page: 1

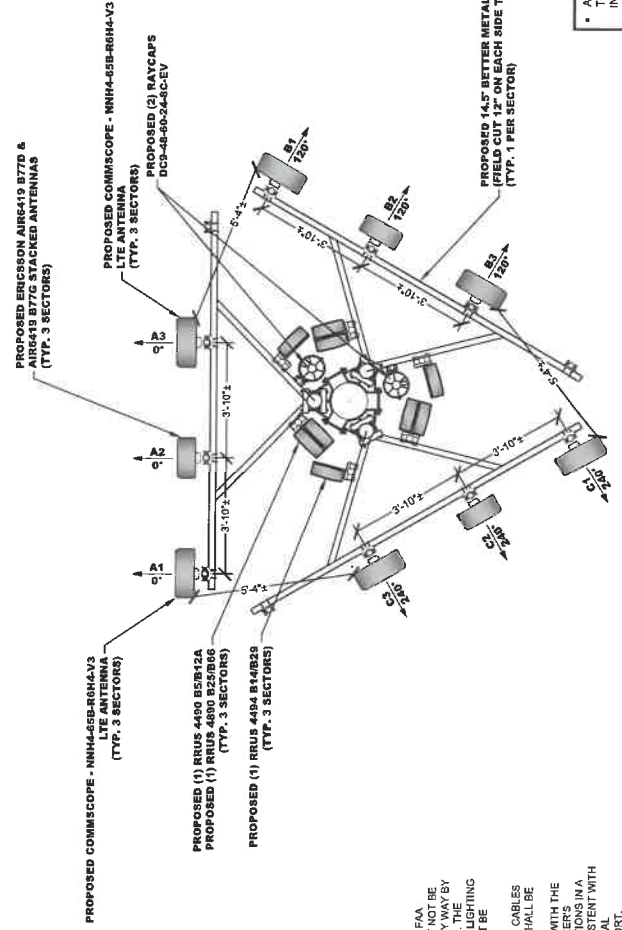


# FINAL RF EQUIPMENT SCHEDULE

SECTOR - POSITION	FREQUENCY BAND	ANTENNA MAKE/MODEL	RAD CENTER	AZIMUTH	(QTY.) RADIO	(QTY.) TMA	(QTY.) SURGE PROTECTION	(QTY.) CABLES	CABLE LENGTH
A1	LTE 700/1900 AWS 5G 1800 AWS	COMMSCOPE - NNH4-65B-R6H4-V3	190°-0'	0°	(1) RRUS 4490 B5B12A (1) RRUS 4890 B25B66	-	(1) DC9-48-50-24-4C-EV	(1) 10MM FIBER CABLE (3) DC TRUNKS	280'-0"
A2	5G C-BAND 5G DOD	ERICSSON - AIR6419 B770 C-BAND (TOP) & AIR6419 B770 DOD (BOTTOM)	190°-0'	0°	-	-	-	-	-
A3	LTE 700 (FN)	COMMSCOPE - NNH4-65B-R6H4-V3	190°-0'	0°	(1) RRUS 4494 B14B29	-	-	-	-
A4	-	-	-	-	-	-	-	-	-
B1	LTE 700/1900 AWS 5G 1800 AWS	COMMSCOPE - NNH4-65B-R6H4-V3	190°-0'	120°	(1) RRUS 4490 B5B12A (1) RRUS 4890 B25B66	-	(1) DC9-48-50-24-4C-EV	(1) 10MM FIBER CABLE (2) DC TRUNKS	280'
B2	5G C-BAND 5G DOD	ERICSSON - AIR6419 B770 C-BAND (TOP) & AIR6419 B770 DOD (BOTTOM)	190°-0'	120°	-	-	-	-	-
B3	LTE 700 (FN)	COMMSCOPE - NNH4-65B-R6H4-V3	190°-0'	120°	(1) RRUS 4494 B14B29	-	-	-	-
B4	-	-	-	-	-	-	-	-	-
C1	LTE 700/1900 AWS 5G 1800 AWS	COMMSCOPE - NNH4-65B-R6H4-V3	190°-0'	240°	(1) RRUS 4490 B5B12A (1) RRUS 4890 B25B66	-	-	-	-
C2	5G C-BAND 5G DOD	ERICSSON - AIR6419 B770 C-BAND (TOP) & AIR6419 B770 DOD (BOTTOM)	190°-0'	240°	-	-	-	-	-
C3	LTE 700 (FN)	COMMSCOPE - NNH4-65B-R6H4-V3	190°-0'	240°	(1) RRUS 4494 B14B29	-	-	-	-
C4	-	-	-	-	-	-	-	-	-
TOTALS	-	(12) ANTENNAS	-	-	(9) RRU'S	(10) TMA	(2) SPD'S	(7) CABLES	-

(FN) = FIRSTNET

## RRUS / DC POWER TRUNK REQUIREMENTS: (5) RR DC POWER TRUNK



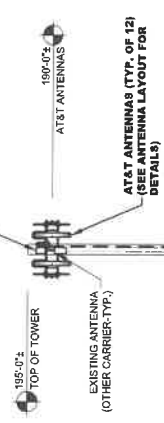
FINAL ANTENNA LAYOUT  
11"x17" SCALE: 1" = 4'-0"

### NOTES:

- THE REQUIRED FAA LIGHTING MUST NOT BE OBTAINED UNTIL AFTER THE ANTENNAS ARE INSTALLED. THE REQUIRED 360° LIGHTING VISIBILITY MUST BE MAINTAINED.
- ALL ANTENNAS, CABLES AND MOUNTS SHALL BE INSTALLED IN ACCORDANCE WITH THE TOWER ENGINEERS' RECOMMENDATIONS IN A MANNER CONSISTENT WITH THE STRUCTURAL ANALYSIS REPORT.
- ALL ANTENNAS SHALL BE BASED ON THE MOST RECENT VERSION OF THIS SITE'S REPORTS.

- ANY AT&T EXISTING MOUNTS TO BE REMOVED PRIOR TO INSTALLATION OF NEW MOUNTS AND EQUIPMENT
- MAINTAIN 3'-0" MIN. SEPARATION BETWEEN FIRSTNET AND LTE 700 ANTENNAS

AIR6419 B770 C-BAND (TOP) & AIR6419 B770 DOD (BOTTOM)  
MINIMUM 16" VERTICAL SEPARATION REQUIRED BETWEEN TIP AND TAIL



(2) FIBER AND (6) DC POWER TRUNKS ROUTED IN INNERDUCT UP EXISTING TOWER PER STRUCTURAL ANALYSIS

TOWER LIGHTING TO BE REMOVED FROM POLE BEING RELOCATED AND RELOCATED TO PROPOSED POLE AT THE SAME HEIGHT AND AZIMUTHS.

EXISTING LIGHT MOUNT CENTERLINE  
40'-0"

PROPOSED AT&T EQUIPMENT

TOWER ELEVATION  
11"x17" SCALE: NTS



06/12/25  
RAPHAEL MOHAMED, P.E.  
SOUTH CAROLINA NO. 24849

SUBMITTALS	
DATE	DESCRIPTION
05/12/25	CONSTRUCTION
0	REV
0	RM

DESIGNED BY:	C2B
CHECKED BY:	CS
APPROVED BY:	RM
MNS PROJECT NO.	

THE INFORMATION CONTAINED IN THESE DOCUMENTS IS PROPRIETARY TO AT&T NETWORK SOLUTIONS. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. WITHOUT THE PERMISSION OF AT&T NETWORK SOLUTIONS IT IS PROHIBITED.

PREPARED FOR:



PREPARED BY:  
**Mastec**  
Network Solutions  
1151 BE GARY PARKWAY, SUITE D11  
CARY, NC 27516

SITE ID:  
**091-567**

SITE NAME:  
**091-567**

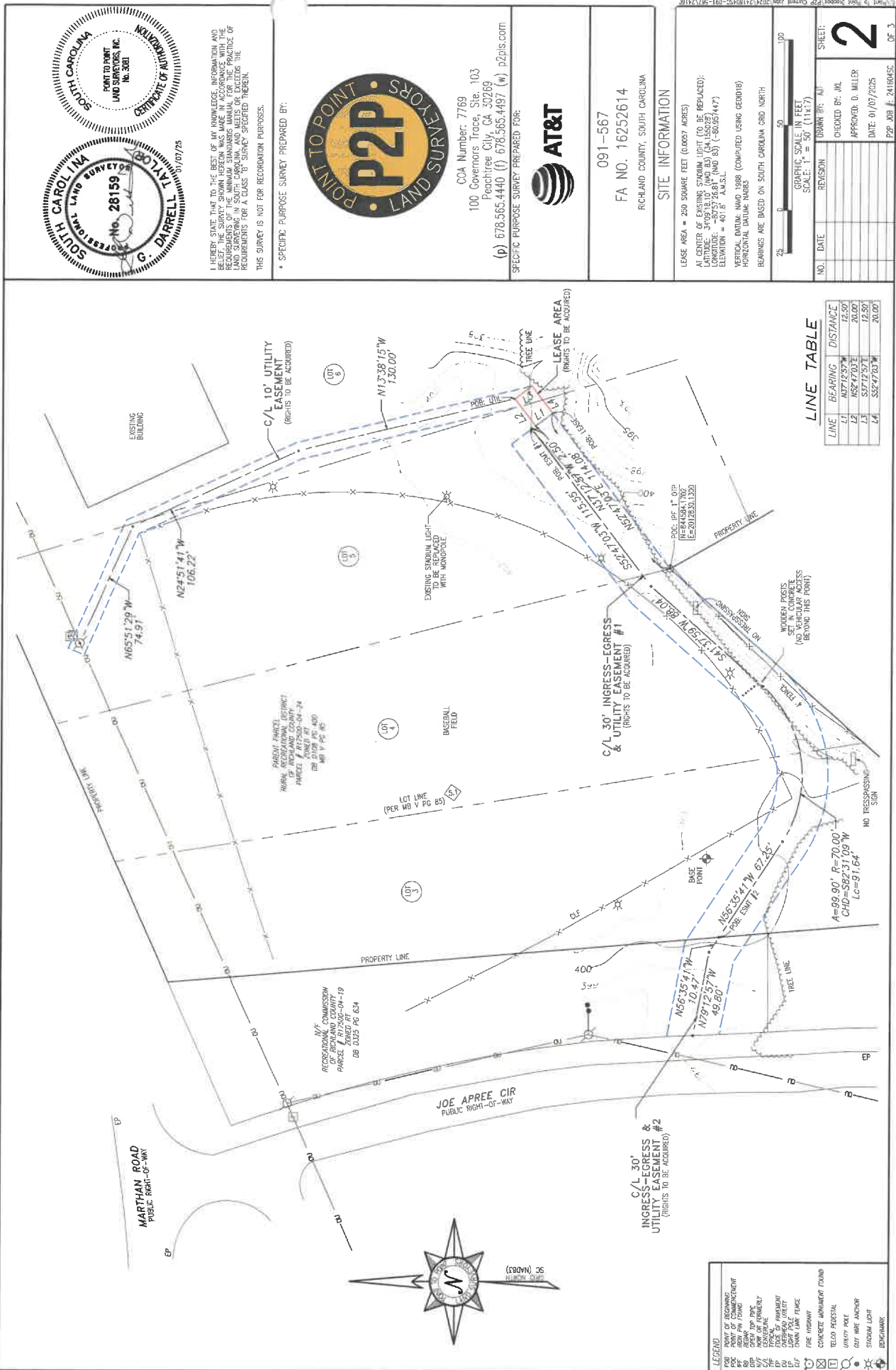
SITE ADDRESS:  
**1438 MARTIN ROAD  
BLYTHWOOD, SC 29016**

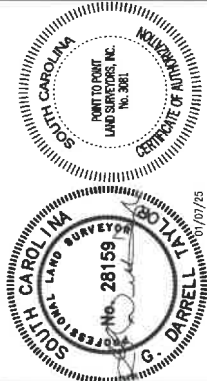
FA LOCATION:  
**16252614**

SITE NUMBER:  
**N/A**

SHEET TITLE  
**ANTENNA LAYOUT &  
TOWER ELEVATION**

SHEET NUMBER  
**C-2**





I HEREBY STATE THAT 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 SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "B" SURVEY SPECIFIED THEREIN.

\* SPECIFIC PURPOSE SURVEY PREPARED BY:



COA Number: 7769  
100 Governors Trce, Ste. 103  
Peachtree City, GA 30269  
(p) 678.565.4440 (f) 678.565.4497 (w) p2pls.com



091-567  
FA NO. 16252614  
RICHLAND COUNTY, SOUTH CAROLINA

PARENT PARCELS

OWNER: RURAL RECREATIONAL DISTRICT OF RICHLAND COUNTY

SITE ADDRESS: 1436 MARTIN RD, BLYTHEWOOD, SC 29016

PARCEL ID: R17500-04-24

ZONED: RT  
REFERENCE: DEED BOOK D108 PAGE 400; MAP BOOK V PAGE 85



NO.	DATE	REVISION	DRAWN BY:	CHECKED BY:	APPROVED:	DATE:
			JL	JKL	O. MILLER	01/07/2025

SHEET: 7

PZP JOB #: Z4160436 OF 3  
 SURVEY NOT VALID WITHOUT ALL SHEETS



## GENERAL NOTES

NOT TO SCALE

THIS SPECIFIC PURPOSE SURVEY IS FOR THE LEASED PREMISES AND EASEMENTS ONLY. THIS SPECIFIC PURPOSE SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF A/T &T AND EXCLUSIVELY FOR THE TRANSFERAL OF THE LEASED PREMISES AND THE RIGHTS OF EASEMENT SHOWN HEREON AND SHALL NOT BE USED AS AN EXHIBIT OR EVIDENCE IN THE "EXAMPLE" TRANSFER OF THE PARENT PARCEL NOR ANY PORTION OR PORTIONS THEREOF. BOUNDARY INFORMATION SHOWN HEREON HAS BEEN COMPILED FROM TAX MAPS AND DEED DESCRIPTIONS ONLY. NO BOUNDARY SURVEY OF THE PARENT PARCEL WAS PERFORMED.

THIS DRAWING DOES NOT REPRESENT A BOUNDARY SURVEY.

EQUIPMENT USED FOR ANGULAR & LINEAR MEASUREMENTS: GEOMAX ZOOM PROBOTIC AND CARLSON BRX7 BASE AND ROVER (DATE OF LAST FIELD TEST: 01/03/2025). SEE GNSS NOTES FOR GNSS EQUIPMENT.

THE 1' CONTOURS AND SPOT ELEVATIONS SHOWN ON THIS SPECIFIC PURPOSE SURVEY ARE ADJUSTED TO NAVD 88 DATUM (COMPUTED USING GEOID18) AND HAVE A VERTICAL ACCURACY OF  $\pm 0.5'$ . CONTOURS OUTSIDE THE IMMEDIATE SITE AREA ARE APPROXIMATE.

BEARINGS SHOWN ON THIS SPECIFIC PURPOSE SURVEY ARE BASED ON  
CLUTH CAROLINA GRID NORTH (NAD 83).

OVER THE FEMA FLOODPLAIN MAPS. THE SITE IS LOCATED IN AN AREA DESIGNATED AS ZONE X (AREA OF MINIMAL FLOOD HAZARD). COMMUNITY PANEL NO.: 45079C00139I. DATED: 12/21/2017.

ALL WETLAND AREAS HAVE BEEN INVESTIGATED BY THIS SPECIFIC PURPOSE SURVEY.

ALL ZONING INFORMATION SHOULD BE VERIFIED WITH THE PROPER ZONING OFFICIALS.

ANY UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM ABOVE GROUND FIELD SURVEY INFORMATION. THE SURVEYOR MAKES NO WARRANTIES THAT ANY UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT ANY UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED ANY UNDERGROUND

THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE ENVIRONMENTAL AND DEVELOPMENT REGULATIONS. THIS MAP IS ONLY INTENDED FOR THE PRIVATE USES AND PURPOSES SHOWN. THIS MAP IS NOT FOR RECOGNATION.

## GNSS NOTES

THE FOLLOWING GNSS STATISTICS UPON WHICH THIS SURVEY IS BASED HAVE BEEN PRODUCED AT THE 95% CONFIDENCE LEVEL:

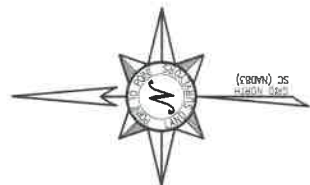
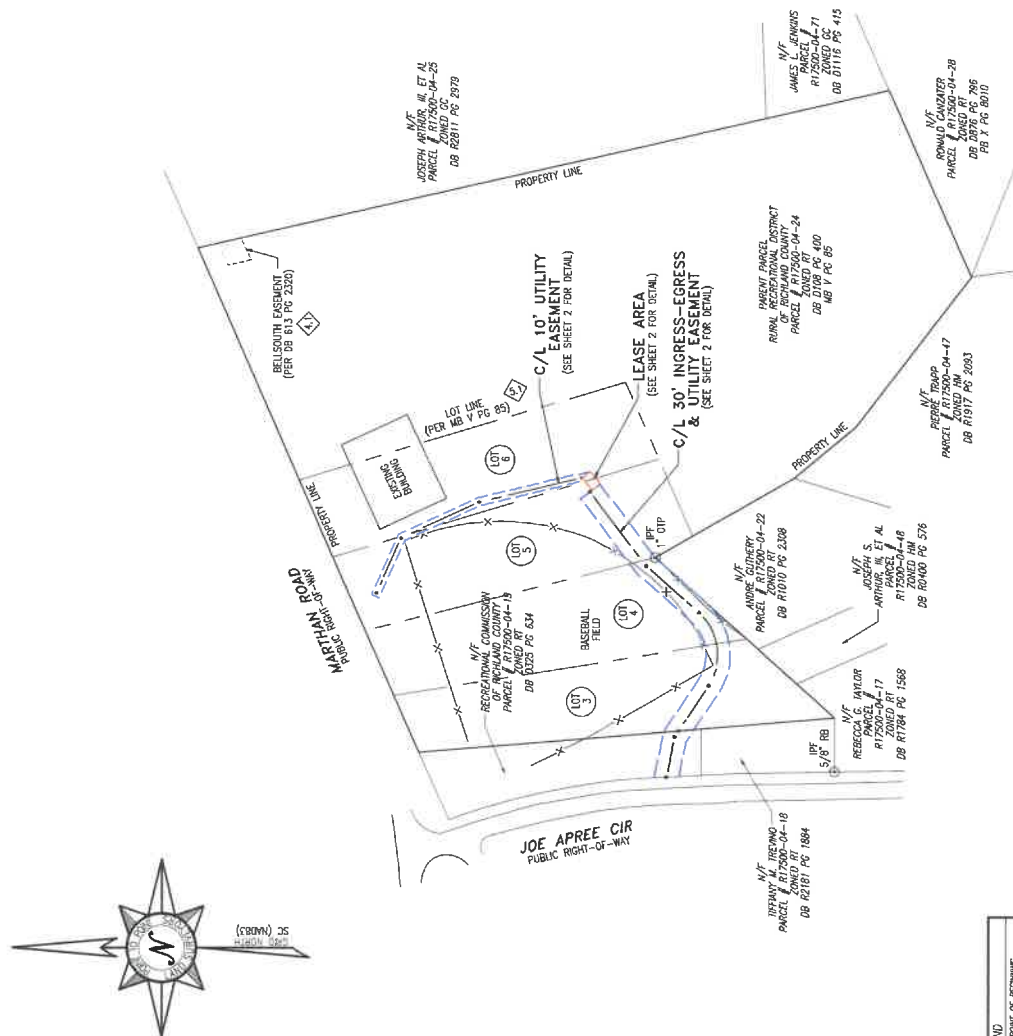
POSITIONAL ACCURACY: 0.03 FEET (HORZ) 0.23 FEET (VERT)  
TYPE OF EQUIPMENT: CARLSON BIR7 BASE AND ROVER, MULTI-FREQUENCY  
TYPE OF GNSS FIELD PROCEDURE: ONLINE POSITION USER SERVICE

DATE OF SURVEY: 01/03/2025  
DATUM / EPOCH: NAD\_83(2011)(EPOCH:2010.0000)

UNION MODEL: 18  
ELECTRIC / FIXED CONTROL USE: N/A

ENTERED ON THE BASE POINT AS SHOWN HEREON.

ENCHAMARKS USED: DF631B, DK7758, DF5880



JOE APREE CIR  
PUBLIC RIGHT-OF-WAY

TREVINO  
500-04-18  
RI  
PG 1884

2

CALL BEFORE YOU DIG



LEGEND	
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
POF	POINT OF FOUNDATION
W	WATER
OTR	OPEN TOP PIPE
OTF	OPEN TOP FENCE
N	NORTH OR FORMERLY
C/L	CENTERLINE
N/E	NORTH OF
E/P	END OF PAVEMENT
OU	OVERHEAD UTILITY
LP	LIGHT POLE
CLF	CHAIN LINK FENCE
	TREE (INDICANT)
	CONCRETE MONUMENT FOUND
	TILED PEDESTAL
	UTILITY POLE
	QTY WIRE ANCHOR
	STADIUM LIGHT
	BENCHMARK



05/12/25

RAHAPHEL MOHAMED, P.E.  
SOUTH CAROLINA NO. 24649

**SUBMITTALS**

DATE	REVISION	BY	REV.
05/12/25	CONSTRUCTION	0	RM

DRAWN BY:	CZB
CHECKED BY:	CE
APPROVED BY:	RM
PROJECT NO.	

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PREPARED FOR:



PREPARED BY:

**Mastec**  
Network Solutions  
1151 SE CARY PARKWAY, SUITE 101  
CARY, NC 27518

SITE ID:  
**091-567**

SITE NAME:  
**091-567**

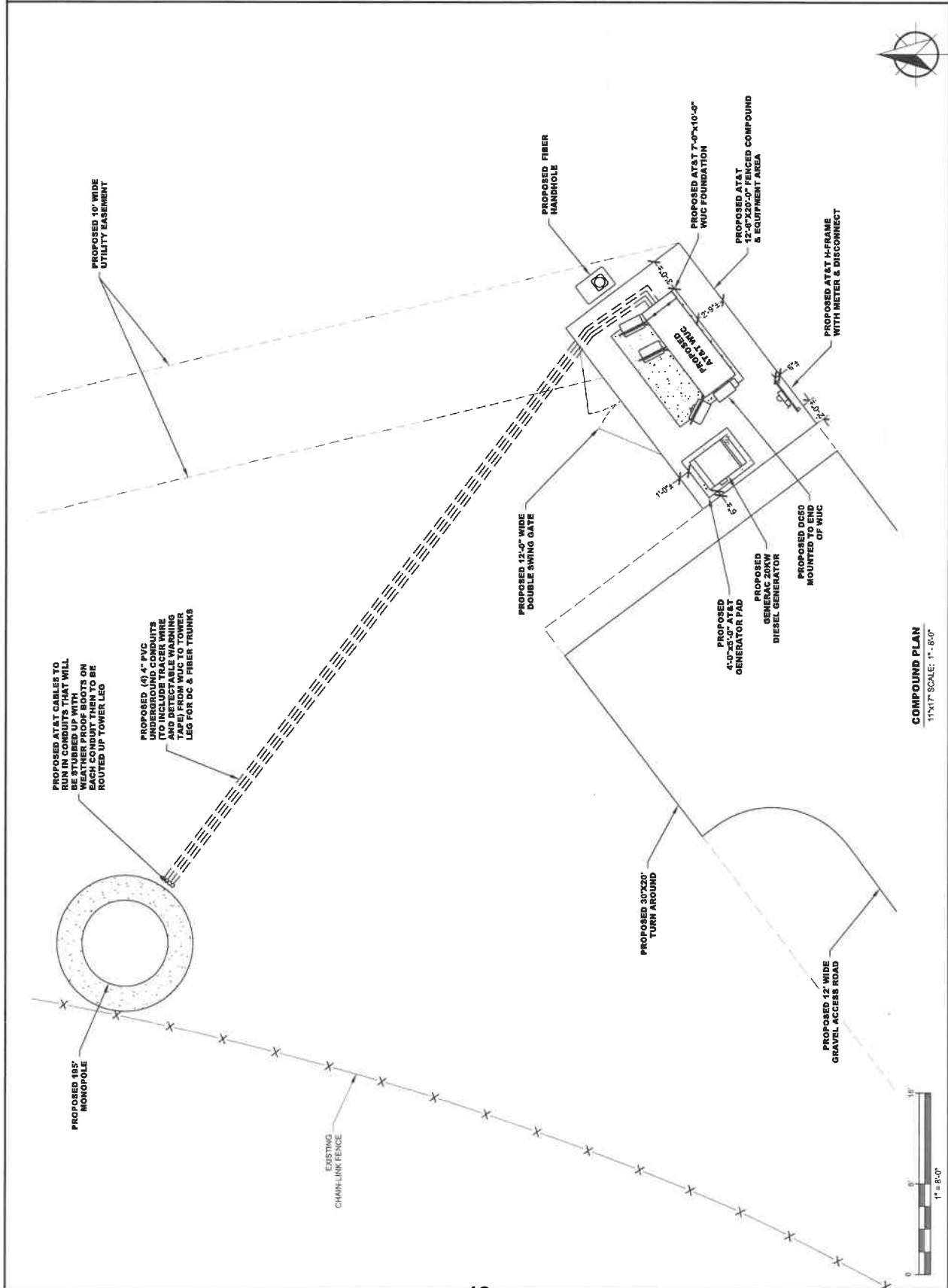
SITE ADDRESS:  
**1435 MARTHAN ROAD  
BLYTHWOOD, SC 29016**

FA LOCATION:  
**16252614**

SITE NUMBER:  
**N/A**

SHEET TITLE  
**COMPOUND PLAN**

SHEET NUMBER  
**C-1.1**





## **Explanation of the Reconsideration Process – Board of Zoning Appeals**

The reconsideration process allows for the Board of Zoning Appeals (BZA) to revisit a previous decision before the approval of the meeting minutes in which that decision was recorded. This process can be initiated in one of two ways:

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### **1. Board-Initiated Reconsideration (Section 3.7)**

- **Eligibility:** Any Board member who voted in favor of the original action may make a motion to reconsider.
  - **Timing:** Must occur prior to approval of the minutes for that meeting.
  - **Approval:** A majority vote of the Board is required to proceed with reconsideration.
  - **Next Steps:** If approved, the item will be placed on the next available agenda, and the applicant will be notified.
  - **Public Notice:** No new advertisement or public notice is required, as the case remains open until officially closed by the Board under Section 3.8.
- 

### **2. Public-Initiated Request for Reconsideration (Section 3.7a)**

- **Who May Request:** Any person with a substantial interest in the Board's decision.
- **How to Request:** Submit a written request to the Zoning Administrator before approval of the minutes.
- **Requirements:** The request must clearly state why the Board's decision is in error, based on one or more of the following:
  - Mistake of law or fact
  - Inadvertence or excusable neglect
  - Newly discovered evidence
  - Fraud, misrepresentation, or misconduct
  - Clerical or other material errors
- **Evaluation:**
  - The Board will review the written submission only.
  - Testimony may be allowed only with the Board's permission.
  - The Board may also request testimony from witnesses if clarification is needed.
- **Outcome:**
  - Unfounded or repetitive requests are denied.
  - If the Board votes to reconsider, the case will be added to the next agenda for further action.

**BEFORE THE RICHLAND COUNTY BOARD OF ZONING APPEALS**

Henrietta Duncan,

Applicant/Petitioner,

v.

Richland County Board of Zoning Appeals,

Respondent.

**REQUEST FOR RECONSIDERATION**

Pursuant to Rule 3.7 of the Rules of Procedure for the Richland County Board of Zoning Appeals (BoZA), Applicant/Petitioner Henrietta Duncan hereby requests that the BoZA reverse its decision from October 2, 2024, and grant Duncan's Request for a variance to exceed the maximum square footage for an accessory structure.

This matter arose from Duncan's Request for variance to exceed the maximum square footage for an accessory structure on property, located at 1228 Greenville Circle, Columbia, South Carolina 29210, TMS: 07307-01-06. At issue in this case is whether the BoZA erred in its decision to deny Duncan's Request for variance.

The Richland County Land Development Code sets the following decision standards for consideration of a request for variance.

**Section 26-2.5(p)(3) Decision Standards for Variance**

- a. The Board of Zoning Appeals shall approve a variance application only on finding the applicant demonstrates all of the following:
  1. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
  2. These conditions do not generally apply to other property in the vicinity;
  3. These conditions are not the result of the applicant's own actions;
  4. Because of these conditions, the application of the standards in this Ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
  5. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the granting of the variance will not harm the character of the district.

Duncan sought a variance from the maximum lot coverage area of a proposed accessory building. The Richland County Land Development Code sets the maximum lot coverage as follows:

Section 26.43(b)(4) Maximum Floor Area and Lot Coverage

- a. Except as otherwise provided by subsections b and c below, the total gross floor area of all accessory structures on any lot in a Residential district shall not exceed 50 percent of the gross floor area of the principal building on the lot or 1,200 square feet, whichever is greater. Accessory structures shall not cover more than 30 percent of the rear yard.

In this case, Duncan sought a variance to construct an accessory structure 900 square feet in size. The property already has an existing accessory structure 910 square feet in size. Together, the total square footage of accessory structure requested would equal 1810 square feet.

The evidence before the BoZA supports a finding that the unusually large size of the parcel is an extraordinary condition unique to this parcel. It was a mistake of law and fact for the BoZA to deny the requested variance.

Rather than continue the matter for rehearing when at least one other BoZA was present, the Chair determined that the tie vote was the equivalent of a denial. The BoZA's tied vote and chair's refusal to hold the matter over for further hearing before more members of the BoZA was arbitrary and unreasonable and an abuse of discretion, which are together an error of law.

A copy of the application and the transcript from the previous hearing are attached as Exhibits 1 and 2.

Duncan requests that the BoZA reconsider her request and upon reconsideration grant the requested variance.

*Signature on following page*

Respectfully submitted,



---

Kathleen M. McDaniel (Bar No. 74826)  
BURNETTE SHUTT & McDANIEL, PA  
912 Lady Street, 2<sup>nd</sup> Floor (29201)  
Post Office Box 1929  
Columbia, South Carolina 29202  
T: 803.904.7913  
F: 803.904.7910  
[KMcdaniel@BurnetteShutt.Law](mailto:KMcdaniel@BurnetteShutt.Law)

**ATTORNEY FOR APPLICANT/  
PETITIONER HENRIETTA DUNCAN**

May 30, 2025  
Columbia, South Carolina



# **RICHLAND COUNTY BOARD OF ZONING APPEALS**



**Wednesday, 2 October 2024  
3 p.m.  
Council Chambers**



**Richland County  
Board of Zoning Appeals  
Wednesday, October 2, 2024  
3:00 p.m.**

**Chairman - Robert T. Reese**

**Co-Chairman - Shasai S. Hendrix**

**David Fulmer • Annette Nelson • DeAnta Reese**

**Alexander Alderman • Mandy Lautzenheiser**

**Agenda**

**I. CALL TO ORDER & RECOGNITION OF QUORUM**

**Chairman Robert T. Reese**

**II. PUBLIC NOTICE ANNOUNCEMENT**

**Chairman Robert T. Reese**

**III. ADDITIONS / DELETIONS TO THE AGENDA**

**IV. ADOPTION OF AGENDA**

**V. RULES OF ORDER**

**Chairman Robert T. Reese**

**VI. APPROVAL OF MINUTES: 1 May 2024**

**VII. PUBLIC HEARING**

**Geonard Price, Zoning Administrator**

**OPEN PUBLIC HEARING [ACTION]**

**1. Case# ZV24-007  
Henrietta Duncan  
1228 Greenville Circle  
Columbia, SC 29210  
TMS: 07307-01-06**

**Request a variance to exceed the  
maximum square footage for an  
accessory structure on property  
zoned Residential Three (R3).**

**District 4  
The Honorable  
Paul Livingston**

**VIII. OTHER BUSINESS**

**IX. ADJOURNMENT**



## REQUEST, DISCUSSION AND RECOMMENDATION

### **CASE:**

ZV24-007

### **REQUEST:**

The applicant is requesting the Board of Zoning Appeals to grant a variance to exceed the maximum square footage for an accessory structure in the Residential Three (R3) district.

### **GENERAL INFORMATION:**

*Applicant:* Henrietta Duncan

*TMS:* R07307-01-06

*Location:* 1228 Greenville Circle, Columbia, SC 29210

*Parcel Size:* 1.34 acres

*Existing Land Use:* Currently the property is residentially developed.

*Proposed Land Use:* The applicant proposes to construct a 1,200-square-foot accessory structure, which, when combined with the existing accessory structure, would exceed the allowable total square footage for accessory structures.

*Character of Area:* The area is comprised of residentially developed parcels.

### **ZONING ORDINANCE CITATION:**

The Board of Zoning Appeals shall have the following powers and duties under this Ordinance:

- a. To hear and decide appeals from a decision of the Zoning Administrator on any of the following:
  1. Permitted Use with Special Requirements (Sec. 26-2.5(f)(1));
  2. Tree Removal Permits (Sec. 26-2.5(h));
  3. Sign Permits (Sec. 26-2.5(i));
  4. Temporary Use Permits (Sec. 26-2.5(l));
  5. Certificates of Zoning Compliance (Sec. 26-2.5(m)); and
  6. Interpretations (Sec. 26-2.5(q)).
- b. To review and decide applications for the following:
  1. Special Exception Permits (Sec. 26-2.5(d)); and
  2. Variances (Sec. 26-2.5(o)).
- c. To hear and decide appeals from any other order, requirement, decision, or determination made by the Zoning Administrator or other authorized staff of the Community Planning and Development Department.

### **CRITERIA FOR VARIANCE:**

#### **Decision Standards for Variance**

- a. **The Board of Zoning Appeals shall approve a variance application only on finding the applicant demonstrates all of the following:**
  1. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
  2. These conditions do not generally apply to other property in the vicinity;
  3. These conditions are not the result of the applicant's own actions;

4. Because of these conditions, the application of the standards in this Ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
  5. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the granting of the variance will not harm the character of the district.
- b. The fact that property could be utilized more profitably if a variance were granted shall not be considered grounds for approval of a variance application.
  - c. The Board of Zoning Appeals shall not approve a variance application if the approval would have the effect of:
    1. Allowing the establishment of a use not otherwise permitted in a zoning district;
    2. Extending physically a nonconforming use of land;
    3. Changing the zoning district boundaries shown on the official zoning map;
    4. Decreasing the allowed minimum lot size or the minimum lot width, or in any other manner creating a nonconforming lot; or
    5. Permitting an increase in density allowing more units on a lot than permitted under this Ordinance.

## DISCUSSION:

The subject property currently contains a 2,566-square-foot residential structure and a 910-square-foot (26 x 35) accessory structure. The applicant is proposing to construct an additional 1,200-square-foot accessory structure, which would bring the total accessory structure square footage to 2,110 square feet.

According to section 26-4.3 (b) (4) of the LDC, "...the total gross floor area of all accessory structures on any lot in a Residential district shall not exceed 50 percent of the gross floor area of the principal building on the lot or 1,200 square feet, whichever is greater."

Staff believes that the subject request meets does not meet all of the criteria required for the granting of a variance. Staff recommends that the request be **disapproved**. According to the standard of review, a variance shall not be granted until the following findings are made:

**a. Extraordinary and exceptional conditions**

Staff was unable to identify extraordinary and/or exceptional conditions to the subject prop.

**b. Conditions applicable to other properties**

N/A.

**c. Application of the ordinance restricting utilization of property**

Applying the square footage provisions for accessory structures would not restrict the utilization of the property.

**d. Substantial detriment of granting variance**

There would be no substantial detriment to the surrounding properties if the variance is granted.

## BOARD OF ZONING APPEALS REVIEW AND ACTION:

The Board of Zoning Appeals shall make a decision on the application in accordance with Sec. 26-2.5(d)(4), Special Exception Decision Standards. The Board's decision shall be one of the following:

1. Approve the application as submitted;
2. Approve the application subject to conditions of approval the Board determines are necessary for the proposed use to comply with Sec. 26-2.5(d)(4), Special Exception Decision Standards; or
3. Deny the application.



**CASE HISTORY:**

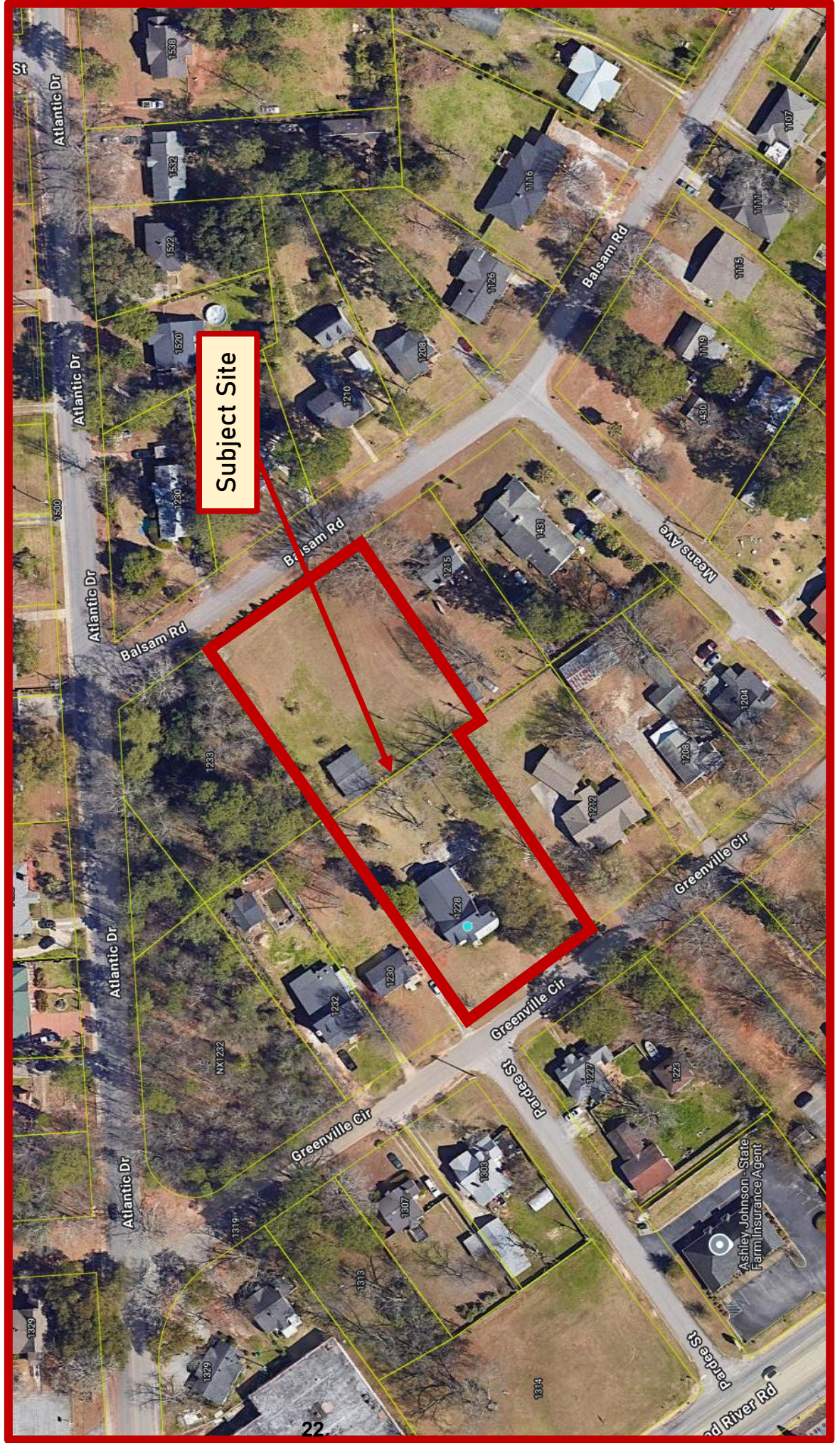
No record(s) of previous special exception or variance request.

**ATTACHMENTS:**

- Plat
- Application
- Support and summarization document



Case# ZV24-007  
Henrietta Duncan  
1228 Greenville Circle  
Columbia, SC 29210  
TMS: 07307-01-06









# BOARD OF ZONING APPEALS

## VARIANCE APPEALS



Application # 224-007

1. Location 1228 Greenville Circle  
TMS Page R07307 Block 01 Lot 06 Zoning District R3
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 26.4.3 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: Allow accessory building for storage that exceeds that provided for in code.
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: Property exceeds "normal" residential lot size. This residential lot approximates 1.3 acres. Existing accessory building built pre-1950 and is in good condition
  - b) Describe how the conditions listed above were created: Existing structure on property (built pre-1950) prevent additional accessory building to be built under current code -
  - c) These conditions do not generally apply to other property in the vicinity as shown by: Subdivision created in 1945. This lot is comprised of four lots from original subdivision. Most surrounding lots are .3 acre.
  - 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: limits available storage extraordinary lot size calls for extraordinary storage
  - 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: Extraordinary lot size allows for extraordinary storage that will not be a detriment to adjoining properties or to the public good. Character of neighborhood will be maintained.
5. The following documents are submitted in support of this application [a site plan must be submitted]:
  - a) Plat with structure drawn in
  - b) Drawing of proposed Bldg
  - c) Picture - Front view
  - d) Picture - Rear View
  - e) Narrative of Application Request

(Attach additional pages if necessary)

Henrietta Duncan  
Applicant's Signature

1228 Greenville Circle  
Address

803-798-0236 home  
Telephone Number

Henrietta Duncan  
Printed (typed) Name

Columbia SC 29210  
City, State, Zip Code

803-730-5191 cell  
Alternate Number



Property Owner: Henrietta Duncan  
Property address: 1228 Greenville Circle, Columbia, SC 29210  
Telephone: 803.798.0236 (hm) or 803.730.5191 (cell)  
TMS: R07307-04-06 and R07311-01-06 (recently combined)  
Combination recorded Deed Book 2934 Page 3963  
Zoning: R3 Tax District: 1UR

This document is to support and summarize my application for zoning variance.

The above referenced TMS numbers were recently combined, 1228 Greenville Circle is my personal residence. The second lot, I refer to as "the garden" or "rear yard". This property is in an older neighborhood, established in 1945. I purchased both lots (though not at the same time) from the family that originally purchased the lots when the subdivision was established. The original family retained four lots from the subdivider and kept all the property together. The result is that I now own approximately 1.3 acres, while other lots in the neighborhood have approximately .3 (three tenths) acre. My intention is to keep the entire property (1.3 acres) I own intact.

I am applying for a zoning variance to be able to build a metal building to be used as storage/garage space. The building will be used for storage of cars, a boat, lawn equipment and other "workshop" type materials and equipment I recently inherited from my mother.

There is an existing accessory building that exists on my property - I refer to this building as "the barn". "The barn" is a wooden structure (26' x 35') probably built before 1950, which was built and originally used as a horse stable. It has two dirt floor horse stable rooms, two additional dirt floor open areas and two rooms with concrete floors that can be used for storage. The center room, previously used for feed storage has concrete block walls, the remaining area is made of wood. My best guess is that "the barn" was built in the mid 1940's. When I purchased the garden, I put a new roof on "the barn" and maintained it for storage, but it does not have adequate storage for even a riding lawn mower, much less a car or boat. I think the nostalgia of "the barn" adds charm to the property and represents the history of our neighborhood (Huffman Heights). It is a sturdy, well-built wooden structure.

My plan is to build additional storage to house lawn equipment, "extra" vehicles, a boat and other "workshop" type equipment that has been stored at my mother's home (1210 Balsam Road). My mother passed away August of 2022 and I would like to sell that home, and therefore need to have somewhere to store the property that is now in her Two car garage/workshop.

There is not adequate space to build an attached garage onto my house. Because of the way the house sits on the lot and the existence of established trees and overhead power lines, there is not adequate room to build the equivalent of a two-car garage close to the house.

There is adequate space in the portion of the property that I refer to as "the garden" for the equivalent of a two-car garage that I want to build. My plan is to construct a metal building (30' x 30') building with a 10' lean to on the side, which would result in a 30' x 40' footprint (concrete pad). When I started my quest for a building permit, I learned there is a restriction on the volume of space that can be used for accessory buildings. The two structures would exceed the 1200 sq ft allowance but would take up less than 7% (seven percent) of the "rear yard" of my property. My existing personal residence takes up 7.3% of the "front yard" portion of my property.

My request for a zoning variance would allow me to build an additional accessory building while retaining "the barn". The placement of a garage type building on "the garden" or "rear yard" portion of my property would not interfere with the esthetics of the neighborhood and would in fact improve esthetics by giving me space to store lawn equipment, extra cars and a boat in an enclosed structure rather than have those things stored outside, under tarps.

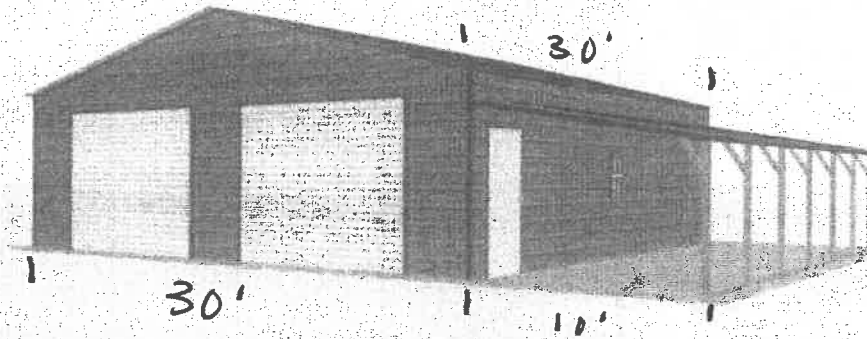
I thank you in advance for your consideration.

Respectfully submitted,

*Henrietta Duncan*

Henrietta Duncan  
1228 Greenville Circle  
Columbia, SC 29210

Tele: 803.798.0236  
cell 803.730.5191



VIEW IMAGE 1

Proposed Building





Richland County Government  
2020 Hampton Street  
Columbia, SC 29204

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

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