

# RICHLAND COUNTY BOARD OF ZONING APPEALS

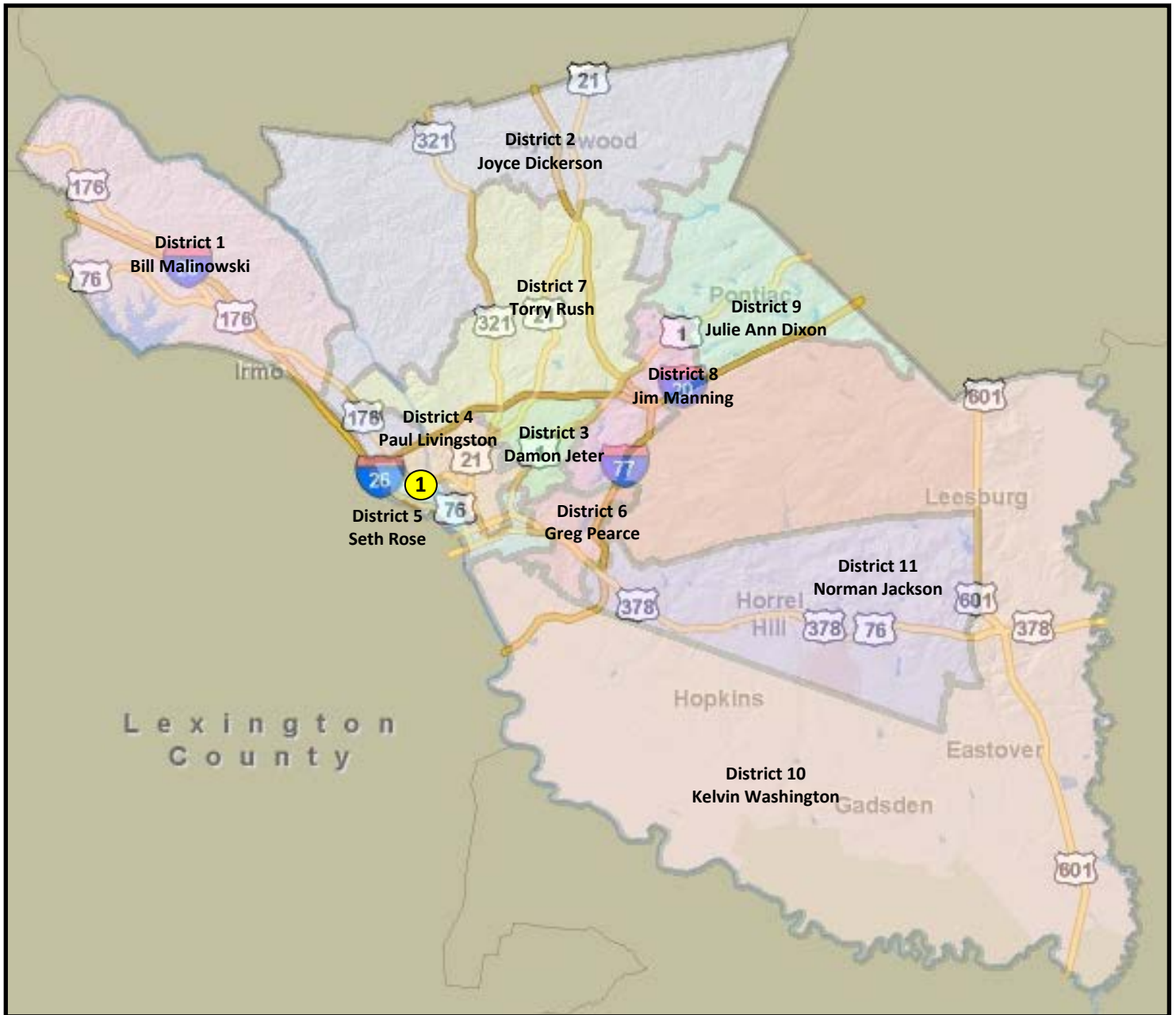


Wednesday, 1 October 2014  
3:00 p.m.  
Council Chambers



# RICHLAND COUNTY BOARD OF ZONING APPEALS

## October 1, 2014



CASE NO.	APPLICANT	TMS NO.	LOCATION	DISTRICT
1. 14-05 SE	Harry Miley	07305-05-05; 07305-05-07; and 07306-04-02	171 Starlight Dr. Columbia, SC 29210	Rose





**Richland County  
Board of Zoning Appeals  
Wednesday, October 1, 2014  
2020 Hampton Street  
2<sup>nd</sup> Floor, Council Chambers  
3:00 p.m.**

## **Agenda**

- I. CALL TO ORDER & RECOGNITION OF QUORUM**      **Joshua McDuffie, Chairman**
- II. PUBLIC NOTICE ANNOUNCEMENT**
- III. RULES OF ORDER**      **Amelia Linder, Attorney**
- IV. APPROVAL OF MINUTES – April 2014**
- V. PUBLIC HEARING**      **Geonard Price,  
Deputy Planning Dir./ Zoning Adm.**

### **OPEN PUBLIC HEARING**

14-05 SE  
Harry Miley  
171 Starlight Dr.  
Columbia, SC 29210  
TMS# 07305-05-05

Requests a special exception to convert a nonconforming use to another nonconforming use (athletic facility) on property zoned Residential Low Density (RS-LD)

**VI. OTHER BUSINESS**

**VII. ADJOURNMENT**





1 October 2014  
Board of Zoning Appeals

## REQUEST, DISCUSSION AND RECOMMENDATION

### **CASE:**

14-05 Special Exception

### **REQUEST:**

The applicant is requesting the Board of Zoning Appeals to grant a special exception to convert a nonconforming use to another nonconforming use in a RS-LD (Residential, Single-Family, Low Density) district.

### **GENERAL INFORMATION:**

*Applicant:* Harry Miley

*TMS:* 07305-05-05, 07, and 07306-04-02

*Location:* 171 Starlight Drive, Columbia, SC 29210

*Parcel Size:* 3.69 acres

*Existing Land Use:* The parcel has vacant structures which were formerly used for athletics and classrooms.

*Proposed Land Use:* The applicant proposes to establish a squash school with classrooms.

*Character of Area:* The area is comprised primarily of residentially developed lots. There are is an unidentified right-of-way south of the subject site.

### **ZONING ORDINANCE CITATION:**

Section 26-256 (a) (2) of the Land Development Code authorizes the Board of Zoning Appeals to allow a nonconforming use of a structure to be converted to another nonconforming use if the board of zoning appeals finds that the new use is more in character with the uses permitted in the zoning district in which the property is located and grants a special exception.

### **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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### **DISCUSSION:**

Staff visited the site.

The site formerly served as the Sloan's School, a private school which offered curriculum, K-12. Records indicate the school was founded in 1968 and closed circa 2010.

The applicant proposes to establish a squash athletic facility in the existing gymnasium. In addition, the classrooms will be used for tutoring and other educational activities. According to county records, the gymnasium is approximately 12,100 square feet and the remainder of the school (comprised of classrooms and offices) is approximately 3,000 square feet.

While schools are permitted in the RS-LD zoning district by special requirement, subject to the standards of 26-151 (c) (64) of the LDC, the use as a school was deemed nonconforming due to it not being in compliance with the requirement of providing primary access from a collector or thoroughfare road (26-151 (c) (64) (d)). As previously stated, the site has been vacant for approximately four (4) years. Staff has noted through signs and ads that the property has been actively and continuously marketed for a school during this period. Staff also observed that the structures have been damaged due to vandalism.

A special exception can be granted "...if the board of zoning appeals finds that the new use is more in character with the uses permitted in the zoning district in which the property is located..." Table 26-V-2 of the LDC lists the following allowed (permitted, with special requirements, or by special exception) uses in the RS-LD district:

- Accessory Dwellings SR
- Common Area Recreation and Service Facilities P
- Single-Family, Detached P
- Single-Family, Zero Lot Line, Parallel SR
- Fraternity and Sorority Houses
- Group Homes (9 or Less) SR
- Accessory Uses and Structures (Customary) – See Also Sec. 26-185 P
- Home Occupations SR
- Swimming Pools SR
- Yard Sales SR
- Athletic Fields SE
- Country Clubs with Golf Courses SE
- Dance Studios and Schools
- Public or Private Parks SR
- Public Recreation Facilities SR
- Swim and Tennis Clubs SE
- Swimming Pools SR
- Ambulance Services, Emergency P
- Bus Shelters/Bus Benches SR
- Day Care, Adult, Home Occupation (5 or Fewer) SR
- Day Care, Child, Family Day Care, Home Occupation (5 or Fewer) SR
- Fire Stations P
- Libraries SR
- Places of Worship SE
- Police Stations, Neighborhood P
- Schools, Including Public and Private, Having a Curriculum Similar to Those Given in Public Schools) SR
- Antennas SR
- Utility Lines and Related Appurtenances P
- Utility Service Facilities (No Outside Storage)
- Utility Substations SR



It is the opinion of staff that the proposed use of a squash facility is in character with the uses allowed in the district, specifically, athletic fields, public recreation facilities and swim and tennis clubs. This opinion is based on the similarity of the activities of being either athletically focused and/or designed for indoor recreation.

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 gym and classrooms are separated from the nearest residential structures east of the subject site by at least 300 feet and by an unidentified, 250± right-of-way to the west.

Staff recommends **approval**.

If an approval is granted, it is recommended the BOZA review the proposed hours and days of operation to determine if conditions should be established to provide additional safeguards for the surrounding residents.

**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:**

- Application
- Aerial

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14-05 SE  
171 STARLIGHT DRIVE  
TMS: 07305-05-05, 07, AND 07306-04-02





14-05 SE  
171 STARLIGHT DRIVE  
TMS: 07305-05-05, 07, AND 07306-04-02





14-05 SE  
171 STARLIGHT DRIVE  
TMS: 07305-05-05, 07, AND 07306-04-02



VIEW OF GYM AND  
CLASSROOMS



EXISTING  
CLASSROOMS



**14-05 SE  
171 STARLIGHT DRIVE  
TMS: 07305-05-05, 07, AND 07306-04-02**



**VIEW OF GYM AND CLASSROOMS  
FROM STARLIGHT DRIVE**



**VIEW OF GYM**



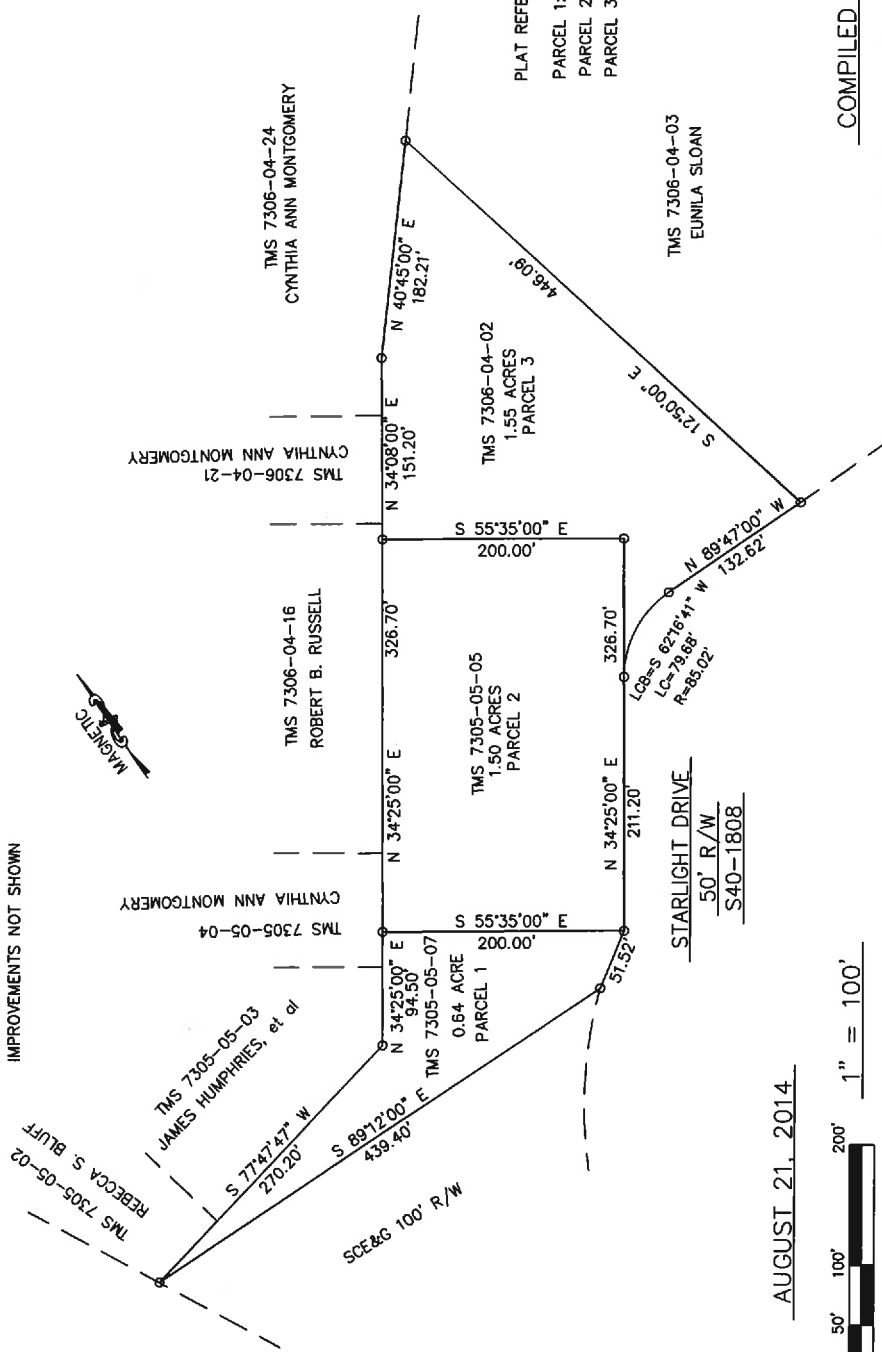
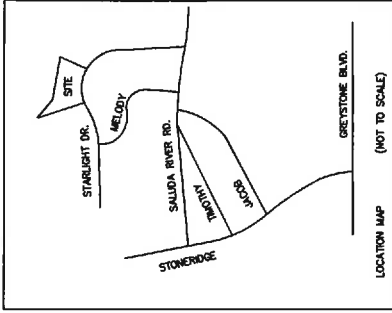
# BOARD OF ZONING APPEALS SPECIAL EXCEPTION



1. Location: 171 Starlight  
 TMS Page: 07305 Block: 05 Lot: 05 Zoning District: RSLD
  
2. The Board of Zoning Appeals is requested to consider the granting of a special exception permitting:  
SQUASH SCHOOL (same use as stonem school)
3. Describe the proposal in detail: To fix up + maintain current facility. Run the facility as a SQUASH (Athletic) facility school.
4. Area attributed to the proposal (square feet): Property is 3.74 acres (162,914.90 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 _____	square footage _____
b. Use _____	square footage _____
c. Use _____	square footage _____
6. Total number of parking spaces on the subject property: \_\_\_\_\_
7. Total number of employees on shift of greatest employment 1-5 people
8. Address the following *Standards of Review* (Sec. 26-56 (1) (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 Less than previous use
  - b. Vehicle and pedestrian safety Same as the past
  - c. Potential impact of noise, lights, fumes or obstruction of airflow on adjoining property: None
  - d. Adverse impact of the proposed use on the aesthetic character of the environs, to include possible need for screening from view: None, if any, current facility will be cleaned up.
  - e. Orientation and spacing of improvements or buildings: Same or possible some improvements torn down to clean up site

THIS PLAT OR MAP WAS DRAWN FROM EXISTING PLATS OF RECORD AND NO SURVEYING WAS PERFORMED FOR ITS PREPARATION.  
 NOT SUITABLE FOR RECORDATION  
 IMPROVEMENTS NOT SHOWN



PLAT REFERENCES:

- PARCEL 1: PARCEL "B", PLAT BOOK 20, PAGE 340
- PARCEL 2: PARCEL "A", PLAT BOOK 20, PAGE 340
- PARCEL 3: PARCEL "A", PLAT BOOK 52, PAGE 1916

TMS 7306-04-03  
 EUNILA SLOAN

AUGUST 21, 2014



COMPILED PLAT PREPARED FOR

THE COLUMBIA SQUASH CLUB, LLC

BAXTER LAND SURVEYING CO., INC.

2204 Devine Street Columbia, SC 29205 (803)-252-8564

BAXLAND@AOL.COM

RICHLAND COUNTY, NEAR COLUMBIA, SC



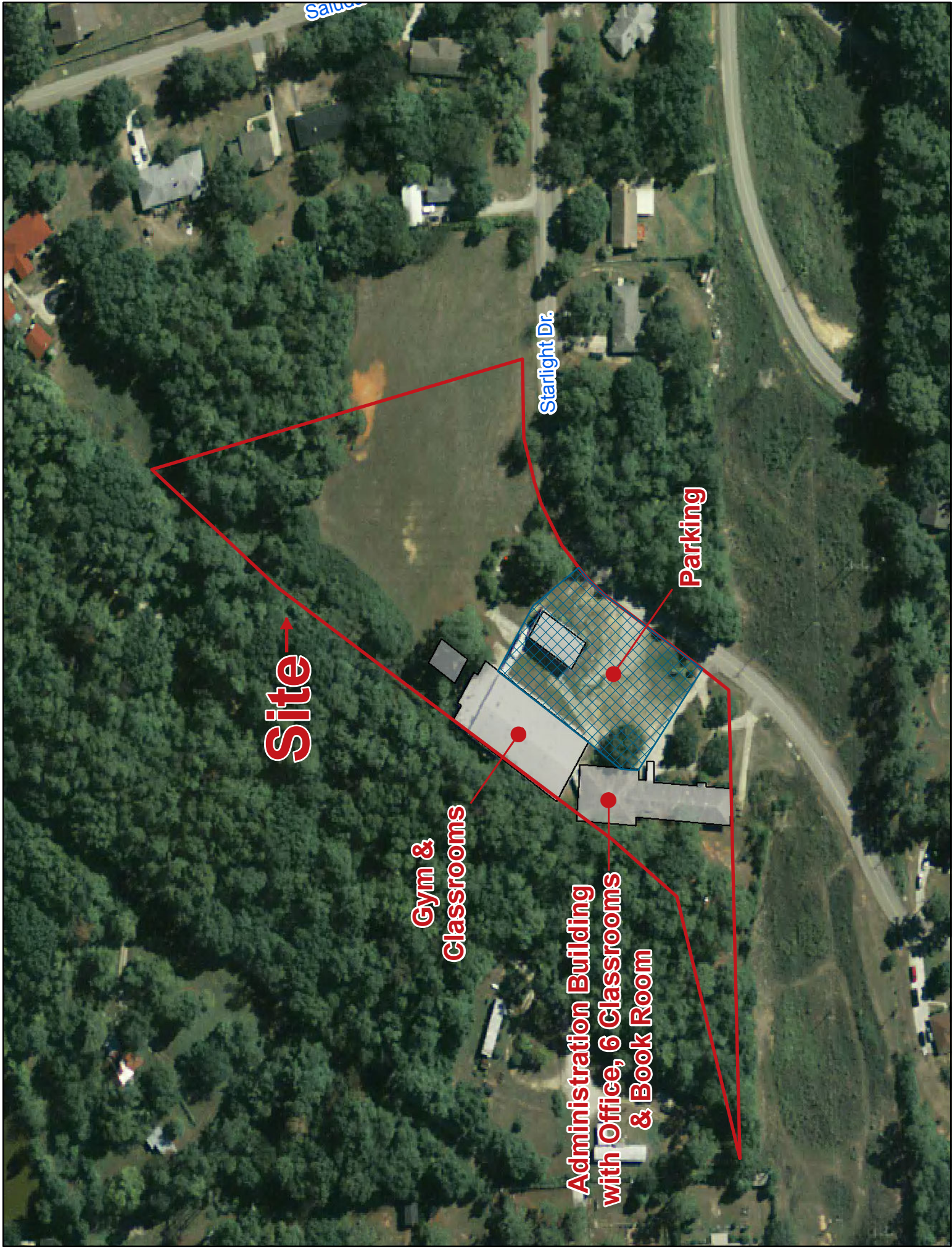
**Site**

**Gym &  
Classrooms**

**Administration Building  
with Office, 6 Classrooms  
& Book Room**

**Parking**

**Starlight Dr.**









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Columbia, SC 29204

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