RICHLAND COUNTY
BOARD OF ZONING APPEALS

Wednesday, 7 October 2026
3 p.m.
Council Chambers

Richland County
Board of Zoning Appeals
Wednesday, October 7, 2026
3:00 p.m.

Chairman – Shasai S. Hendrix
Vice-Chairman - Alexander Alderman
Anette Nelson • DeAnta Reese • La'Jessica Stringfellow
Lashawn Landy • Merrell Johnson

Agenda

I.	**CALL TO ORDER & RECOGNITION OF QUORUM**	**Chairman Shasai S. Hendrix**
II.	**PUBLIC NOTICE ANNOUNCEMENT**	**Chairman Shasai S. Hendrix**
III.	**ADDITIONS / DELETIONS TO THE AGENDA**	
IV.	**ADOPTION OF AGENDA**	**Chairman Shasai S. Hendrix**
V.	**RULES OF ORDER**	
VI.	**APPROVAL OF MINUTES: 8 July 2026**	
VII.	**PUBLIC HEARING**	**Tommy DeLage, Zoning Admin**

OPEN PUBLIC HEARING [ACTION]

1.	Case# AR26-002 Brett Dressler 140 Brody Road Chapin, SC 29036 TMS: R01413-01-06	Appeal of the Zoning Administrators decision that a non-conforming accessory structure was demolished and the nonconforming building setbacks are no longer legal nonconforming.	District 1 Jason Branham
2.	Case# ZV26-004 Maria Heath 210 Windsor Point Road Columbia, SC 29223 TMS: R17013-01-07	Request to place an accessory structure in front of the building line of a principal structure.	District 3 Tyra Little
3.	Case# SE26-002 Shirpolle Peniston-Blair 605 Langford Road Blythewood, SC 29016 TMS: R17800-01-86	Request to establish an orphanage on property zoned Rural (RT).	District 2 Derrek Pugh
4.	Case# SE26-003 Chaun Jenkins 424 Rabon Road Columbia, SC 29223 TMS: R17209-01-06	Request to establish a place of worship on property zoned Residential Two (R2).	District7 Gretchen D. Cooper

5.	Case# ZV26-005 Michelle M. Peay 214 Magnolia Bluff Drive Columbia, SC 29229 TMS: R23301-03-30	Request to encroach into the rear yard setback on property on property zoned Planned Development (PD).	District 9 Jesica Mackey

VIII. OTHER BUSINESS

IX. ADJOURNMENT

7 October 2026
Board of Zoning Appeals

Administrative Review

CASE:

26-002 Administrative Review

REQUEST:

Appeal of the Zoning Administrators decision that a non-conforming accessory structure was demolished and the nonconforming building setbacks are no longer legal nonconforming.

The Zoning Administrator has determined that the removal of the structure from the property no longer qualifies it for a grand fathered nonconforming setback enlargement under the provisions of Section 26-7.3. NONCONFORMING STRUCTURES. Specifically, subsections 26-7.3 (c) Enlargement. Subsection 26-7.3 (c) Enlargement states:

(c) Enlargement

(1) A nonconforming structure may be enlarged without bringing the nonconforming structure into conformity with this Ordinance only:

a. If the part of the structure to be expanded and the area of the lot into which the expansion is taking place are both brought into conformity with the requirements of this Ordinance; or

b. In accordance with subsection (2) below.

(2) If a structure is nonconforming only because it does not comply with setback requirements, the structure may be extended along the nonconforming setback a maximum distance of ten feet in a residential district and 30 feet in any other district, if all other aspects of the structure conform to the requirements of this Ordinance.

DISCUSSION:

Originally the accessory structure expansion was approved under a residential building permit for an addition to existing structure. Planning staff was later informed during the construction process that the structure had been demoed to the footer and was deemed to no longer be considered a structure by building code. Upon removal of the structure any non-conforming structure the new structures must comply with the most current zoning district density and dimensional standards.

GENERAL INFORMATION:

Applicant: Brett Dressler

ZONING ORDINANCE CITATION:

SEC. 26-2.5. APPLICATION-SPECIFIC PROCEDURES (r) Appeal of Administrative Decision of the Land Development Code authorizes the Board of Zoning Appeals to hear and decide appeals when it is alleged that there is error in any order, requirement, decision, or determination made by the zoning administrator or other authorized staff of the planning department in the enforcement of this chapter.

FORMAL REVIEW:

Upon receiving the application, the board of zoning appeals or planning commission (as applicable) shall conduct a public hearing on the appeal. Any party may appear in person or be represented by

an agent. After conducting the public hearing, the board of zoning appeals or planning commission (as applicable) shall adopt an order reversing or affirming, wholly or in part, or modifying the order requirements, decision, or determination in question. These boards shall have all the powers of the officer from whom the appeal is taken, and may issue or direct the issuance of a permit. These boards in the execution of the duties specified herein may subpoena witnesses and in case of contempt may certify this fact to the circuit court having jurisdiction. The decision of these boards must be in writing and permanently filed in the planning department as a public record. All findings of fact and conclusions of law must be separately stated in final decisions or orders of these boards, which must be delivered to parties of interest by certified mail.

(4) Decision Standards for Appeal of Administrative Decision

a. The Board of Zoning Appeals or the Planning Commission, as appropriate, may modify or reverse the decision being appealed only based on clear and substantial evidence in the record that the Zoning Administrator, the Planning Director, the Development Review Team, the County Engineer, or the Flood Coordinator, as applicable:

(a) Made an error in determining whether a standard was met. The record must indicate that an error in judgment occurred or facts, plans, or regulations were misread in determining whether the particular standard was or was not met; or

(b) Made the decision based on a standard not contained in this Ordinance or other appropriate County ordinances, regulations, or State law; or

(c) Made an error in applying a standard.

b. Unless the Board of Zoning Appeals or the Planning Commission, as appropriate makes one of the determinations in subparagraph a above, it shall affirm the decision being appealed.

CASE HISTORY:

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

ATTACHMENTS:

- Application
- Aerial photo
- Proposed garage layout

BOARD OF ZONING APPEALS
ADMINISTRATIVE REVIEW

Receipt #	Application #	Fee Paid $

1. Applicant hereby appeals to the Board of Zoning Appeals from the action of the Zoning Official affecting the property described in the Notice of Appeals on the grounds that:
(CHECK ONE) ☐ GRANTING **OR** ☒ DENIAL
of an application for a permit to construct accessory garage

County claims to have denied approval for Permit No. RBD25-02047 by letter dated 4/15/2026, after previously approving a 5 foot setback line.

was erroneous and contrary to provisions of the zoning ordinance in Section 26-2.4(e), 26-2.4(f) ~~26-2.5r, Art. 26-7~~
or other action or decision of the Zoning Official was erroneous as follows:

County had the attached plat, approved the 5 foot line via email, issued the permit, accepted fees, and approved the footings before reversing course. See attachment for further detail.

2. Applicant is aggrieved by the action or decision in that:

Decision blocks completion of the permitted project, nullifies prior approval, and forces redesign or relocation, which may not be feasible, despite reliance and construction under the issued permit. See attachment for further detail.

3. Applicant contends that the correct interpretation of the zoning ordinance as applied to the property is:

County approved the 5-foot setback line as a variance/deviation. County was aware of required means and methods of construction to allow for fire-rated wall, so actual construction did not exceed the permit or violate the LDC. See attachment for further detail.

4. Applicant requests the following relief:

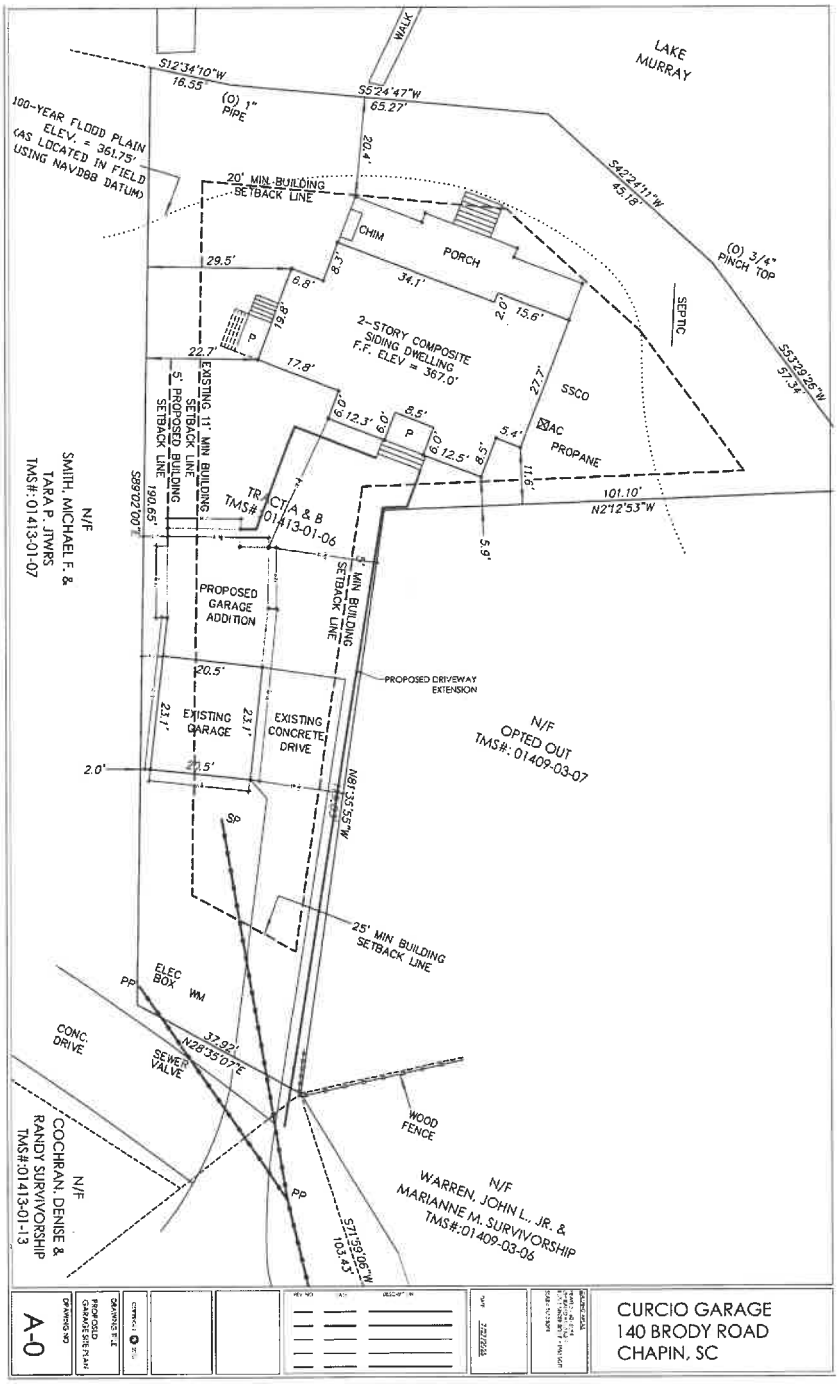
Reverse the 4/15/2026 decision, confirm Permit Bo. RBD25-02047 remains valid, confirm the site plan satisfied the County's plat request, confirm wall and foundation work complied with permit and set this matter for hearing ASAP. Please see attachment for further detail. In the altrenative ~~grant a variance to allow for construction consistent with the submitted plat.~~


Brett Dressler
140 Brody Road
Chapin, SC 29036
TMS: R01413-01-06
Site
R01409-03-05
124 BRODY RD

APPENDIX OF EXHIBITS

EXHIBIT A

Curcio Garage-SITE.pdf (site plan dated July 27, 2025; uploaded to permit file on August 26, 2025)



7 October 2026
Board of Zoning Appeals

REQUEST, DISCUSSION AND RECOMMENDATION

CASE:
ZV26-004

REQUEST:
The applicant is requesting the Board of Zoning Appeals to grant a variance to encroach into the required side and front yard setbacks in the Residential 2 (R2) district.

GENERAL INFORMATION:
Applicant: Maria Heath

TMS: R7013-01-07

Location: 210 Windsor Point Road, Columbia, SC 29223

Parcel Size: .58 acres

Existing Land Use: Currently the property is residential.

Proposed Land Use: The applicant proposes to establish an accessory structure which will encroach into the required front and side yard setbacks.

Character of Area: The area is primarily residentially developed.

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 applicant is proposing to place an accessory structure that will encroach into the required thirty (35) foot front yard setback by thirtyfive (35) feet and six (6) feet into the required side yard setback.

The minimum lot area for a parcel in the R2 district is 14,500 square feet. The lot area (25,264) square feet) for the subject site is conforming.

Staff believes that the subject parcel 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

The applicant states that there is only one access corridor from the front of the property to the backyard and lake. This corridor provides access for a boat trailer, kayaks, landscaping, dock and lake retaining wall maintenance, electrical panels, and the crawl space entrance. It also provides access to the opposite side of the house where the HVAC system, tankless water heater, pool equipment, and mini-split unit are located. This corridor must remain unobstructed to allow routine maintenance, equipment access, and movement of trailers and other large items between the front of the property and the lake. These unique physical characteristics significantly limit where a storage shed can reasonably be located without interfering with the normal use and maintenance of the property. Staff did not find any extraordinary or exceptional conditions that would prohibit the construction of a structure to the rear of the lot.

b. Conditions applicable to other properties

Staff was unable to identify other parcels in the general area of the subject site that were wholly restricted by their configurations.

c. Application of the ordinance restricting utilization of property

Applying the setback requirements for the R2 district does significantly restrict the buildable area of the site.

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:

- Application
- Aerial
- House Layout
- Pics

BOARD OF ZONING APPEALS
VARIANCE APPEALS

Application # ZV26-004

1. Location 210 Windsor Point Rd Columbia, SC 29223
   TMS Page R17012 **Block** 01 **Lot** 07 **Zoning District** R2
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 26-3.3 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: _____
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: _____
   b) Describe how the conditions listed above were created: _____
   c) These conditions do not generally apply to other property in the vicinity as shown by: _____
   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: _____
   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: _____
5. The following documents are submitted in support of this application [a site plan must be submitted]:
   a) Answers to questions 3-4e
   b) 3 site plans
   c) picture board

   (Attach additional pages if necessary)

Main Heath **Applicant's Signature**	210 Windsor Pt Rd **Address**	803-528-8063 **Telephone Number**
Maria Heath **Printed (typed) Name**	Columbia, SC 29223 **City, State, Zip Code**	_____ **Alternate Number**

Variance Application Responses

3. Applicant requests a variance to allow use of the property in a manner shown on the attached site plan, described as follows:

Applicant requests a variance to allow an existing 10-foot by 16-foot storage shed to remain in its current location on the property.

4a. There are extraordinary and exceptional conditions pertaining to the particular piece of property as follows:

There is only one access corridor from the front of the property to the backyard and lake. This corridor provides access for a boat trailer, kayaks, landscaping, dock and lake retaining wall maintenance, electrical panels, and the crawl space entrance. It also provides access to the opposite side of the house where the HVAC system, tankless water heater, pool equipment, and mini-split unit are located. This corridor must remain unobstructed to allow routine maintenance, equipment access, and movement of trailers and other large items between the front of the property and the lake. These unique physical characteristics significantly limit where a storage shed can reasonably be located without interfering with the normal use and maintenance of the property.

4b. Describe how the conditions listed above were created:

The conditions were created by the natural configuration of the lakefront lot and the placement of existing improvements, including the home, pool, dock, mature trees, landscaping, and mechanical equipment. These permanent features cannot reasonably be relocated and significantly influence how the property can be used.

4c. These conditions do not generally apply to other property in the vicinity as shown by:

Although other nearby lakefront properties may share some individual characteristics, this property's particular combination of its lot configuration, existing home and pool placement, mature trees, mechanical equipment, dock access, and single access corridor is not generally shared by surrounding properties. Together, these conditions create practical limitations that are unique to this property.

4d. 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:

Strict application of the setback requirements would require relocating the shed to the rear of the property within the property's only access corridor to the backyard and lake. Doing so would interfere with access to the backyard, lake, dock, boat trailer, kayaks, landscaping and equipment maintenance, and the only route to the opposite side of the house where essential mechanical

equipment is located. This would unreasonably restrict the normal use, enjoyment, and maintenance of the property.

4e. 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:

The shed has remained in its current location without creating traffic, visibility, drainage, or safety concerns. It does not interfere with neighboring properties or public infrastructure, and it is consistent with the residential character of the neighborhood. No neighboring property owner loses the use or enjoyment of their property if this variance is granted. Granting the variance would simply allow the existing shed to remain in place without adversely affecting adjacent properties or the public welfare.


Maria Heath
210 Windsor Point Road
Columbia, SC 29223
TMS: R17013-01-07
Site

House Layout and Access Points

pool equipment

11

mini-split unit

Back of House

20

25

20

Porch WD
550

22

22

25

HVAC unit

12

43

GLA1
2713

60

Crawl space door

5

tankless water heater

Only practical access to lake and backyard

electrical boxes to house and solar panels

26

2

Porch SRC

3

3

Gar FA
520

20

20

Front of House

15

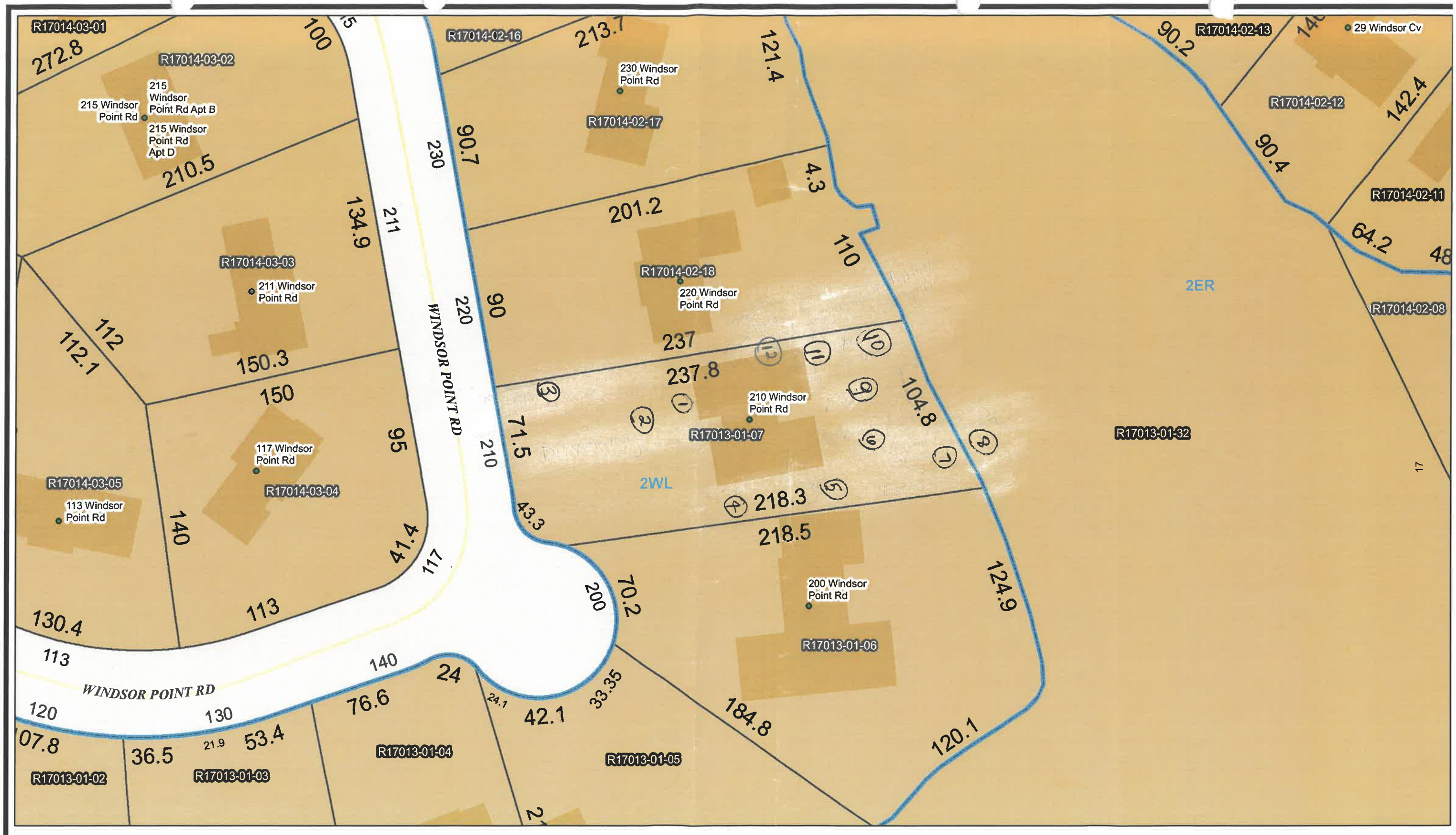
26

Gate entrance to backyard

4

26

brick wall



TAX YEAR 2025

THIS MAP IS FOR GENERAL REFERENCE ONLY. RICHLAND COUNTY HEREBY DISCLAIMS ANY AND ALL WARRANTIES, EXPRESS OR IMPLIED, AS TO ITS ACCURACY, COMPLETENESS OR FITNESS FOR ANY PARTICULAR PURPOSE.

RICHLAND COUNTY ASSESSOR'S OFFICE

Tax Districts

Subdivision Boundary

1 inch = 53 feet

N





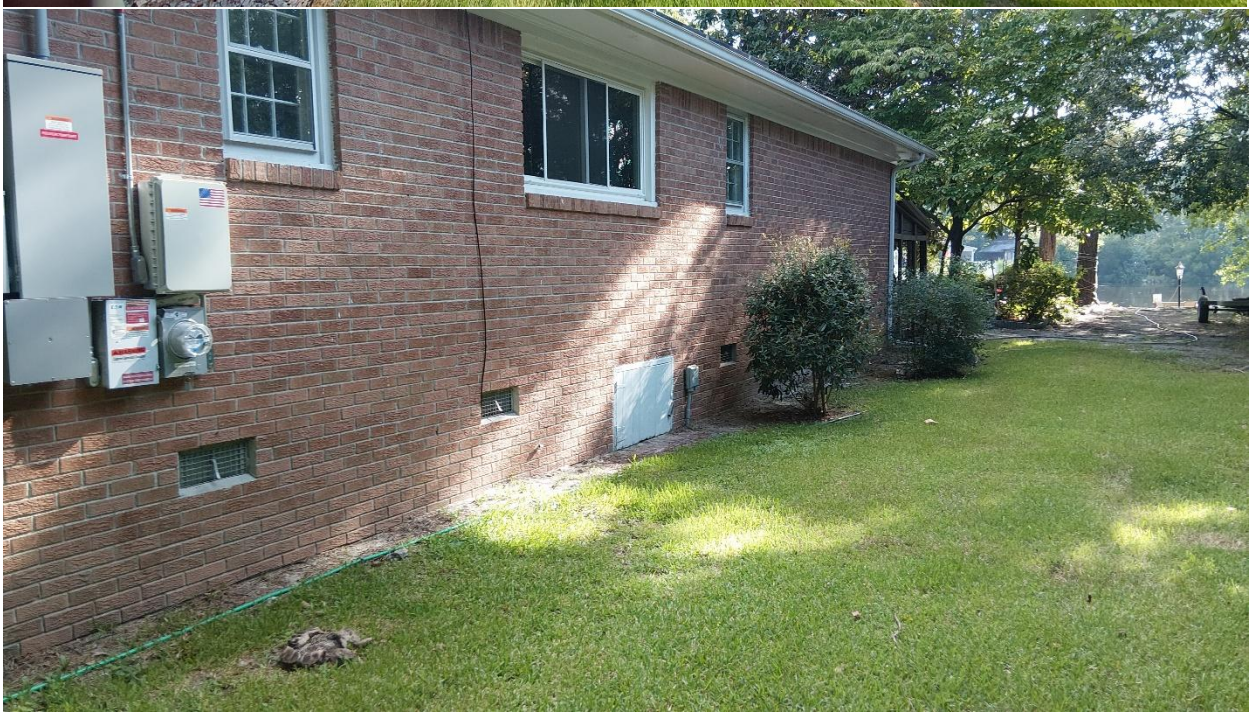












REQUEST, DISCUSSION AND RECOMMENDATION

CASE:
SE26-006

REQUEST:
The applicant is requesting the Board of Zoning Appeals to grant a special exception to permit the establishment of a children's residential care home on property zoned Residential Transition (RT) district.

GENERAL INFORMATION:
Applicant: Shirpolle Peniston-Blair

TMS: R17800-01-86

Location: 605 Langford Road, Blythewood, SC 29016

Parcel Size: 2.05 - acre tract

Existing Land Use: The parcel is currently occupied by a single-family structure.

Proposed Land Use: The applicant proposes to use the property and existing structure to establish a children's residential care home.

Character of Area: The general area consists of parcels dedicated to residential uses.

ZONING ORDINANCE CITATION:
Table 26-4.2 (b) of the Land Development Code authorizes the Board of Zoning Appeals to authorize children's residential care home subject to the provisions of section 26-4.2 (d) (2) b.1

CRITERIA FOR SPECIAL EXCEPTION:

(1) 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 as found in section 26-4.2 (d) (2) b.1:

1. Children's Residential Care Home

In the HM, RT, R1, R5, and R6 districts, the following standards apply:

(a) The minimum lot size shall be one acre.

(b) The front yard setback shall be the same as permitted in the applicable zoning district. Side and rear yard setbacks shall be 25 feet.

(c) Parking spaces and drives shall be located a minimum of 20 feet from side and rear property lines.

(d) Parking in the front yard is prohibited.

DISCUSSION:

Staff visited the site.

The applicant proposes to temporarily house girls twelve (12) through twenty one (21). Records indicate that the existing residential structure totals 1739 square feet (heated).

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.

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 use is voided;

3. 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:

Section 26-9.3 Definitions:

Children's Residential Care Home

A staffed residence with a population fewer than twenty children who are in care apart from their parents, relatives, or guardians on a full-time basis.

CASE HISTORY:

N/A

ATTACHMENTS:

- Application
- Aerial photo

Authentisign ID: [redacted]

BOARD OF ZONING APPEALS
SPECIAL EXCEPTION

1. Location: 605 Langford Road 29016

   TMS Page: R17800-01-86 Block: _____ Lot: 2 Zoning District: RT 20P

2. The Board of Zoning Appeals is requested to consider the granting of a special exception permitting: Residential Care Institution / Home

3. Describe the proposal in detail: Residential Care Institution Home for girls ages 12-21 years of age.

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

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 LIVING SPACE square footage 1832

   b. Use STORAGE UNIT square footage 600

   c. Use _____ square footage _____

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

7. Total number of employees on shift of greatest employment: Three shifts 2 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: Low traffic impact. A few rural houses or homes on large lots. Two lane road that does not need expensive upgrades.

   b. Vehicle and pedestrian safety: Low traffic impact. No changes needed. Clear stopping and passing sight distance.

   c. Potential impact of noise, lights, fumes or obstruction of airflow on adjoining property: Natural Sounds, little or no potential fumes or odors, and natural air flow.

   d. Adverse impact of the proposed use on the aesthetic character of the environs, to include possible need for screening from view: Invitational landscape design with trees as a natural fence along with fencing.

   e. Orientation and spacing of improvements or buildings: Northeast. Proper layout and spacing, capturing good sunlight to maintain natural air flow.


Shirpolle Peniston-Blair
605 Langford Road
Blythewood, SC 29016
TMS: R17800-01-86
605 LANGFORD RD
Blythewood SC 29016
Site

REQUEST, DISCUSSION AND RECOMMENDATION

CASE:
SE26-003

REQUEST:
The applicant is requesting the Board of Zoning Appeals to grant a special exception to permit the establishment of a place of worship and multi-purpose/fellowship hall in a Manufactured Home (MH) district.

GENERAL INFORMATION:

Applicant: Chaun Jenkins

TMS: R23301-03-30

Location: 424 Rabon Road, Columbia, SC 29223

Parcel Size: 13.27 acres

Existing Land Use: The parcel is currently undeveloped

Proposed Land Use: The applicant proposes to establish a 50,000 square foot place of worship.

Character of Area: The area is comprised primarily with residentially developed parcels, institutional uses and undeveloped parcels.

ZONING ORDINANCE CITATION:
Table 26-4.2 (b) of the Land Development Code authorizes the Board of Zoning Appeals to authorize a Place of Worship subject to the provisions of section 26-4.2 (d) (3) 7.

CRITERIA FOR SPECIAL EXCEPTION:

(1) 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 (as found in section 26-4.2 (d) (3) 7):

7. Place of Worship

In Residential districts and in the RC District, a place of worship shall comply with the following standards.

(a) Primary access to a place of worship located on a site of three acres or more shall be from a collector or thoroughfare road.

(b) Parking spaces and drives shall be located a minimum of 20 feet from any lot containing a residential use not associated with the place of worship.

(c) Parking in the front yard setback is prohibited.

(d) The front yard setback shall be that required in the zoning district in which the place of worship is located, but shall not be less than the lesser setback of any existing residential buildings on adjacent lots. The side and rear yard setbacks shall be 30 feet.

(e) In the CC-1 District, a place of worship shall comply with the following standards:

(1) Facilities for a place of worship located on a site of 3 acres or more shall have primary access to the facility from a collector of thoroughfare road.

(2) No parking space or drive shall be located within 20 feet of a residence not associated with the place of worship. No parking area may be located in the front yard setback.

(3) The front yard 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 yard setbacks shall be 30 feet.

DISCUSSION:

Staff visited the site.

The applicant proposes to construct a 50,000 square foot Place of Worship.

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.

Staff recommends **approval** for this request.

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

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 use is voided;

3. 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)

(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

BOARD OF ZONING APPEALS
SPECIAL EXCEPTION

1. Location: 424 Raloon Rd, Columbia SC 29223

   TMS Page: 17209 Block: 01 Lot: 06 Zoning District: R3

2. The Board of Zoning Appeals is requested to consider the granting of a special exception permitting:
   To Build a church, a place of worship on the 12.93 acres.

3. Describe the proposal in detail: To Build a 50,000 sqft church for a place of worship on parcel that would service the Community.

4. Area attributed to the proposal (square feet): 50,000 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 _____ square footage _____

   b. Use _____ square footage _____

   c. Use _____ square footage _____

6. Total number of parking spaces on the subject property: 300

7. Total number of employees on shift of greatest employment: N/A

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.

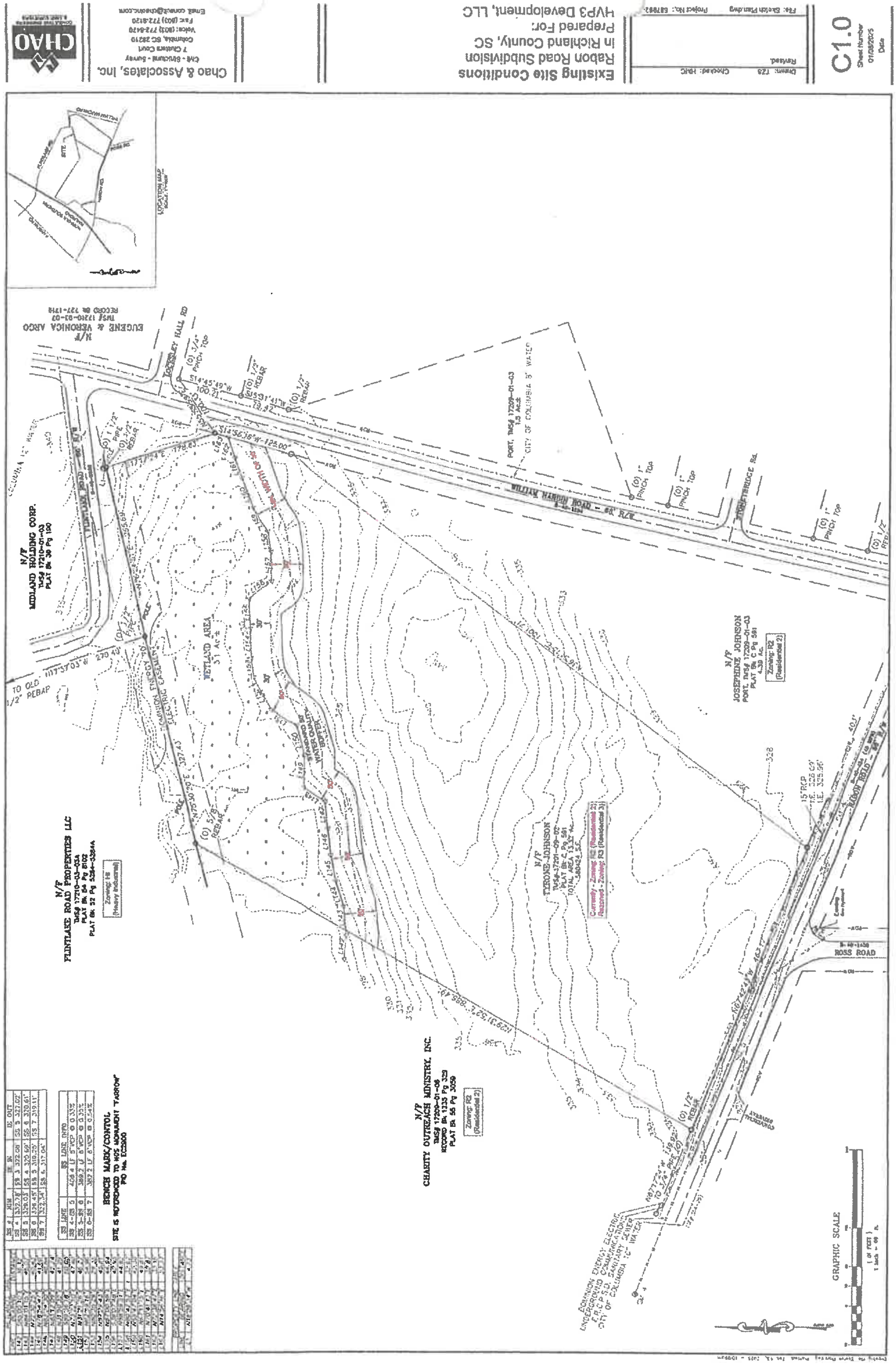
   a. Traffic impact: This should not have a traffic impact because church hours are not the same as business or work hours. Also the property has 12.93 acres which is more than enough land to accommodate vehicle for parking, keep it safe.

   b. Vehicle and pedestrian safety: By this Land offering 12.93 Acres with more than enough room to make sure no trucks or cars will block views or make it hard for people to walk or drive safely.

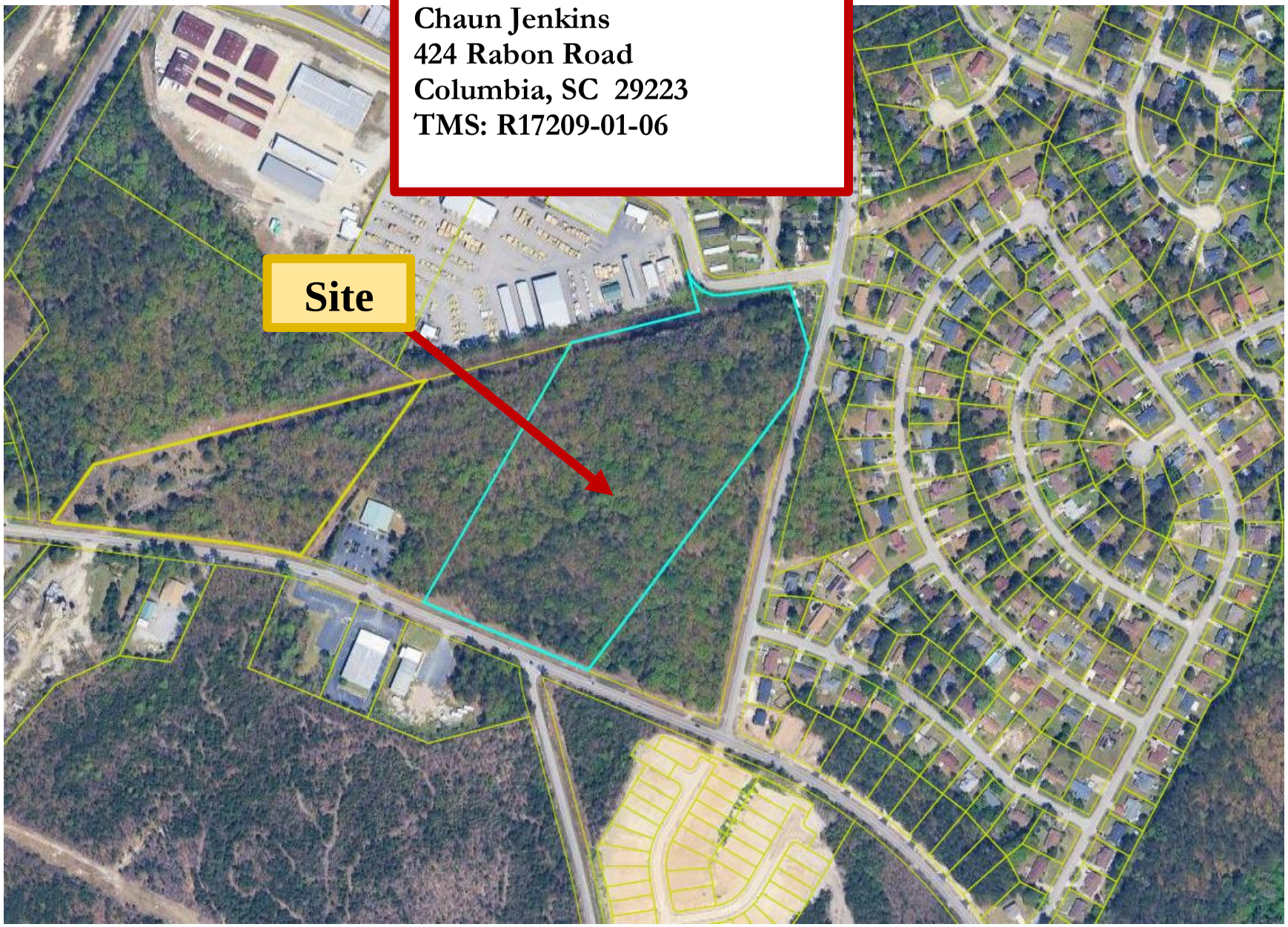
   c. Potential impact of noise, lights, fumes or obstruction of airflow on adjoining property: No, The 12.93 Acres offering more than enough room and nothing around it. And with set backs will cause this problems.

   d. Adverse impact of the proposed use on the aesthetic character of the environs, to include possible need for screening from view: The proposed use will not bring adverse impact, In fact this would bring Value to the area and Community.

   e. Orientation and spacing of improvements or buildings: The 12.93 acres offer more than enough room to meet the set back codes, orientation and spacing of improvements or buildings.


Existing Site Conditions
Rabon Road Subdivision
In Richland County, SC
Prepared For:
HVP3 Development, LLC
Chao & Associates, Inc.
C1.0
LOCATION MAP
N/F EUGENE & VERONICA ARCO
N/F MIDLAND HOLDING CORP.
N/F FLINTLAKE ROAD PROPERTIES LLC
Zoning: HI (Heavy Industrial)
N/F CHARITY OUTREACH MINISTRY, INC.
Zoning: R2 (Residential 2)
N/F TYRONE JOHNSON
N/F JOSEPHINE JOHNSON
Zoning: R2 (Residential 2)
WETLAND AREA
WILLIAM HARDIN ROAD
ROSS ROAD
FLINTLAKE ROAD
BENCH MARK/CONTROL
GRAPHIC SCALE


PLAN
NBOMI
50,000 SQ FT
WAREHOUSE CHURCH
MAIN ENTRY


Chaun Jenkins
424 Rabon Road
Columbia, SC 29223
TMS: R17209-01-06
Site

7 October 2026
Board of Zoning Appeals

REQUEST, DISCUSSION AND RECOMMENDATION

CASE:
ZV26-005

REQUEST:
The applicant is requesting the Board of Zoning Appeals to grant a variance to encroach into the required rear yard setback in the Planned Development (PD) district.

GENERAL INFORMATION:
Applicant: Michelle M. Peay

TMS: R23301-03-30

Location: 214 Magnolia Bluff Drive, Columbia, SC 29229

Parcel Size: .21 acres

Existing Land Use: Currently the property is residential.

Proposed Land Use: The applicant proposes to establish an attached deck that will encroach into the required rear yard setback.

Character of Area: The area is primarily residentially developed.

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 applicant is proposing to construct an attached deck that will encroach into the required twenty (20) foot rear yard setback by ten (10) feet.

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

a. Extraordinary and exceptional conditions
The applicant states that to build the deck in the current setbacks would result in an unusually shape and added cost to deviate from the approved HOA plans. Staff did not find any extraordinary or exceptional conditions that would prohibit a conforming deck expansion.

b. Conditions applicable to other properties
Staff was unable to identify other parcels in the general area of the subject site that were similarly restricted by their lot configurations.

c. Application of the ordinance restricting utilization of property
Applying the setback requirements for the PDD district does significantly restrict the buildable area of the site.

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:

- Application
- Aerial
- Plat

BOARD OF ZONING APPEALS
VARIANCE APPEALS

Application # 2V26-005

1. Location 214 Magnolia Bluff Dr Columbia SC. 292

   TMS Page _____ **Block** _____ **Lot** _____ **Zoning District** _____

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- 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: Construction of covered deck along the rear of home 15ft deep

4. The application of the ordinance will result in unnecessary hardship, and the standards for a variance set by Sec. 26-2.5 P(4)a. of the Richland County Land Development Code are met by the following facts.

   a) There are extraordinary and exceptional conditions pertaining to the particular piece of property as following: To build planned project within the current setbacks would create a unusually shape build addion to cost and taking away from the approved HOA plans and decreasing size impractical

   b) Describe how the conditions listed above were created: They appear to be created by the placement (location) of home on property and the setbacks them self 20ft in the middle of cul-de sac ajacent to full access street

   c) These conditions do not generally apply to other property in the vicinity as shown by: Subdivision/ tax map. The other properties are to the outer parts of the cul de sac and have much deeper lots and w/o effect of the 20ft SB.

   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: Not allow for basic improvements / addition. Extreme cost to build In unusual. or conforming shape to SB.

   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: Because ajacent propertie have deeper lots and would be affected and because the property buts up to a bank inside the SB and adjacent to a street no interferencie to utilities and or access of safety

5. The following documents are submitted in support of this application [a site plan must be submitted]:
   a) site plan plat
   b) site plan plat showing build and 10 and 15 ft set backs
   c) HOA approval

(Attach additional pages if necessary)

Michelle M Peay	7359 Highview Dr	803 468 1716
Applicant's Signature	**Address**	**Telephone Number**
MICHELLE M PEAY	Columbia SC. 29223	
Printed (typed) Name	**City, State, Zip Code**	**Alternate Number**

BOARD OF ZONING APPEALS
NOTICE OF APPEALS

Receipt #	Appeal # 2V26-005	Fee Paid $

The form must be completed on a hearing on appeal from action of a zoning official, application for a variance, or application for special exception. Entries must be typed or printed legibly in dark ink. If the application is on behalf of the property owner(s), all owners must sign. If the applicant is not an owner, the owner(s) must sign the Designation of Agent.

A copy of an accurate, legible site plan showing property dimensions and locations of all structures and improvements must be attached to an application for variance or special exception.

The Applicant hereby appeals (as stated on attached form):

☐ **Administrative Review** ☑ **Variance** ☐ **Special Exception**

Applicant(s): Michelle M Peay

Address: 7359 Highview Dr, Columbia, SC 29223 **Telephone:** 803 468-1716

E-mail: Msajacks28@yahoo.com

Property Owner(s) [if other than Applicant(s)]:

Address: 214 Magnolia Bluff Dr, Columbia SC. 29229 **Telephone:** 803 404 3201

E-mail: sylvesterchis@gmail.com

Address of Property for Board Consideration: 214 Magnolia Bluff Dr

Zoning District: PD **TMS:**

DESIGNATION OF AGENT

[Complete only if property owner is not applicant]

I (we) hereby appoint the applicant(s) as my (our) agent to represent me (us) in this application.

Michelle M Peay (Ajacks Corest)

Name (Print or Type)

Michelle M Peay — 8/31/26

Signature of Applicant(s) **Date**

I (we) certify that the information in this application and the attached forms are correct.

Sylvester S Chisolm — Christal Chisolm

Name (Print or Type)

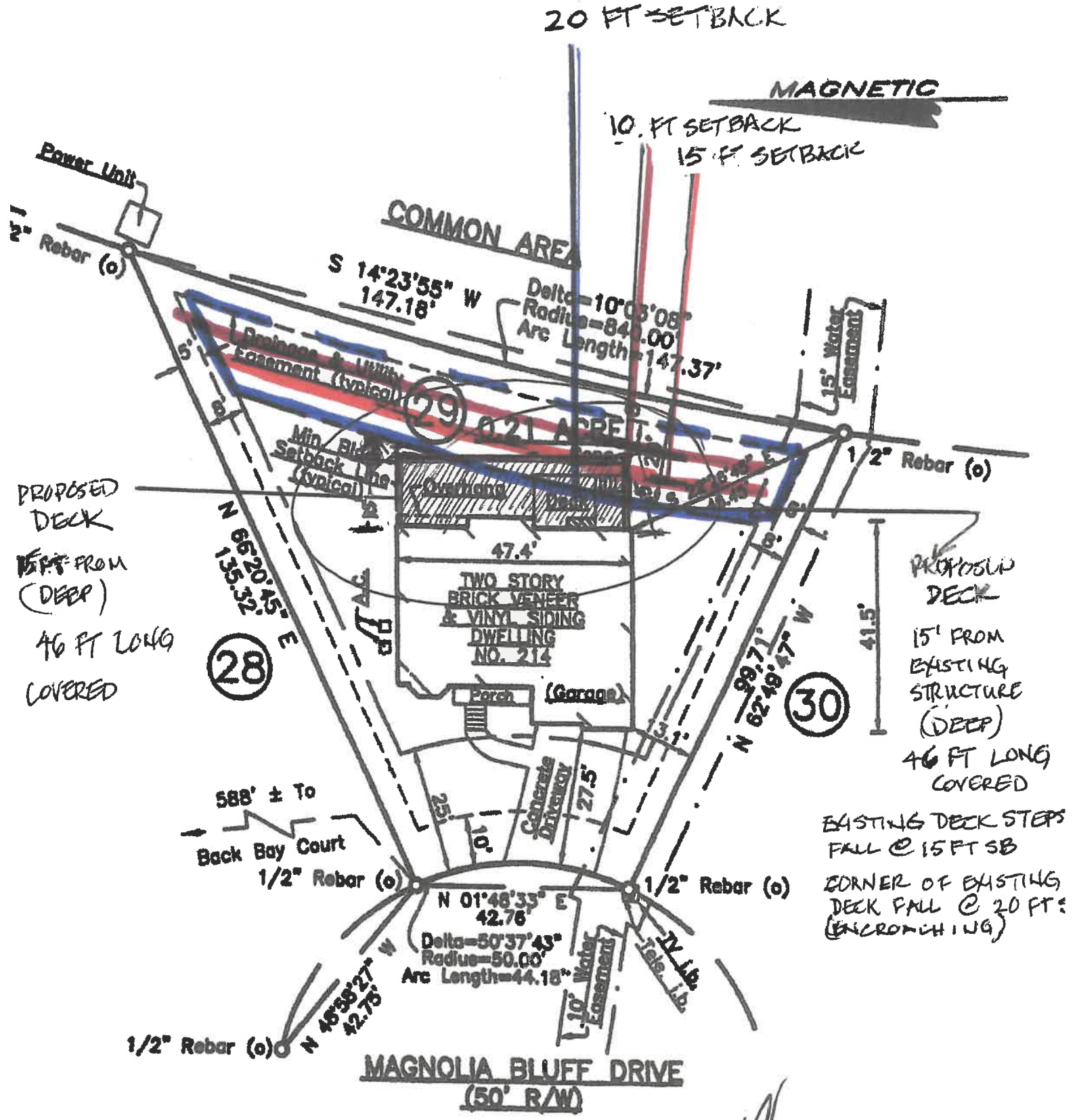
Sylvester S Chisolm — Christal Chisolm

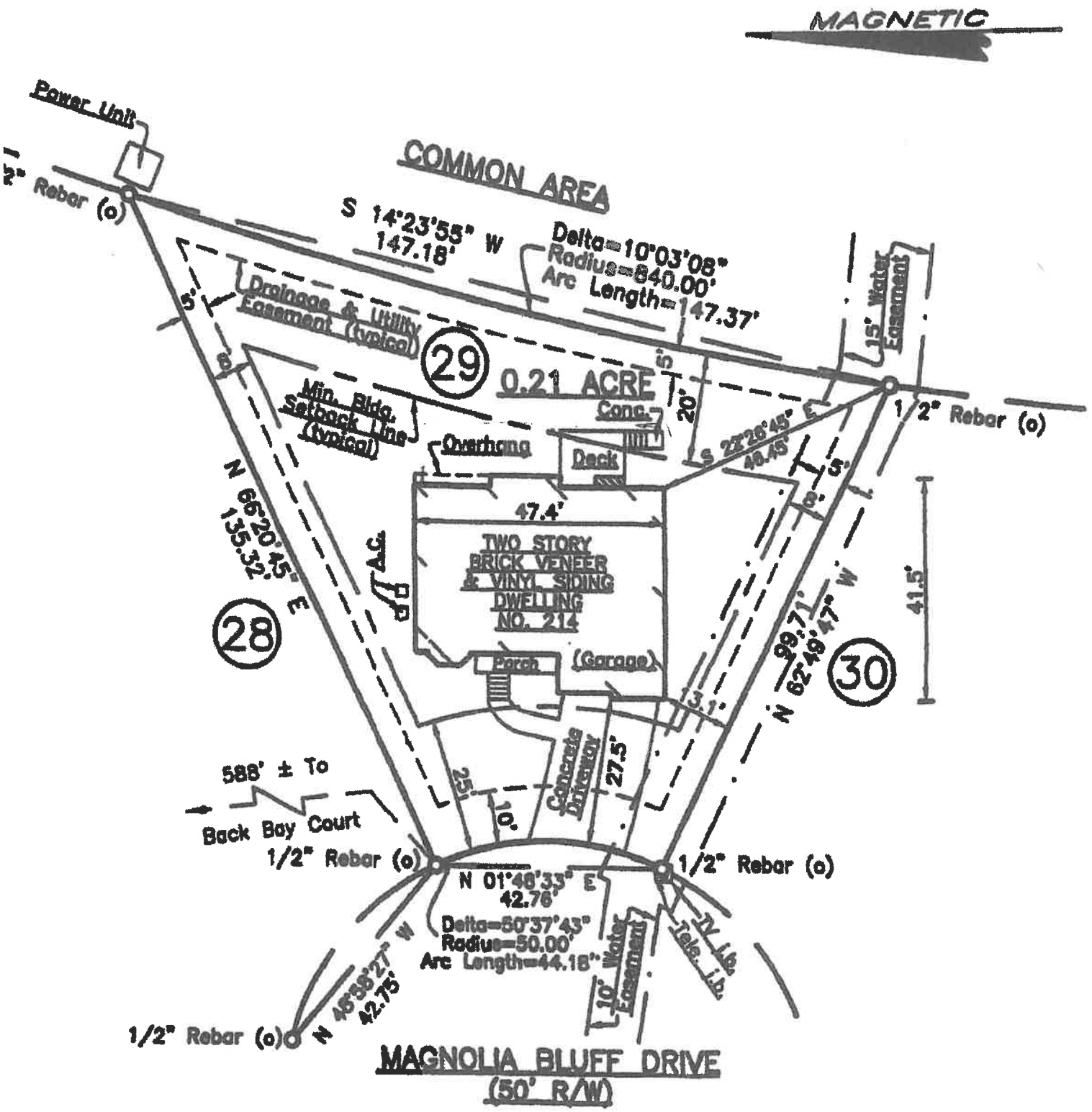
Signature of Owner(s)

Any previous requests for same variance/special exception

☐ **Yes** ☑ **No** **If "yes", Case No.** NA **Date** NA

If you are in need of information or general correspondence, the staff of the Richland County Planning Department may be contacted at: BOZA@RICHLANDONLINE.COM.


20 FT SETBACK
MAGNETIC
10. FT SETBACK
15 FT SETBACK
Power Unit
COMMON AREA
1/2" Rebar (o)
S 14°23'55" W
147.18'
Delta=10°03'08"
Radius=840.00'
Arc Length=147.37'
15' Water Easement
Drainage & Utility Easement (typical)
5'
8'
29
0.21 ACRE±
Min. Bldg. Setback Line (typical)
1/2" Rebar (o)
PROPOSED DECK
15' FROM (DEEP)
46 FT LONG
COVERED
N 65°20'45" E
135.32'
47.4'
TWO STORY BRICK VENEER & VINYL SIDING DWELLING NO. 214
Porch
(Garage)
28
30
N 62°49'47" W
99.71'
41.5'
PROPOSED DECK
15' FROM EXISTING STRUCTURE (DEEP)
46 FT LONG
COVERED
EXISTING DECK STEPS FALL @ 15 FT SB
CORNER OF EXISTING DECK FALL @ 20 FT SB (ENCROACHING)
588' ± To
Back Bay Court
1/2" Rebar (o)
Concrete Driveway
27.5'
25'
10'
N 01°48'33" E
42.76'
Delta=50°37'43"
Radius=50.00'
Arc Length=44.18'
10' Water Easement
Tele. i.b.
N 46°58'27" W
42.75'
1/2" Rebar (o)
MAGNOLIA BLUFF DRIVE
(50' R/W)
SOUTH CAROLINA
COX AND DINKINS, INC.


MAGNETIC
Power Unit
COMMON AREA
S 14°23'55" W
147.18'
Delta=10°03'08"
Radius=840.00'
Arc Length=147.37'
Drainage & Utility Easement (typical)
15' Water Easement
29
0.21 ACRE
Min. Bldg. Setback Line (typical)
Conc.
Overhang
Deck
1/2" Rebar (o)
S 22°26'45" E
48.45'
N 66°20'45" E
135.32'
47.4'
TWO STORY BRICK VENEER & VINYL SIDING DWELLING NO. 214
A/C
28
Porch
(Garage)
30
N 62°49'47" W
99.71'
41.5'
588' ± To
Back Bay Court
1/2" Rebar (o)
Concrete Driveway
27.5'
25'
10'
N 01°48'33" E
42.76'
Delta=50°37'43"
Radius=50.00'
Arc Length=44.18'
10' Water Easement
TV
Tele. i.b.
N 48°38'27" W
42.75'
MAGNOLIA BLUFF DRIVE
(50' R/W)
SOUTH CAROLINA
COX AND DINKINS, INC.


Michelle M. Peay
214 Magnolia Bluff Drive
Columbia, SC 29229
TMS: R23301-03-30
Site