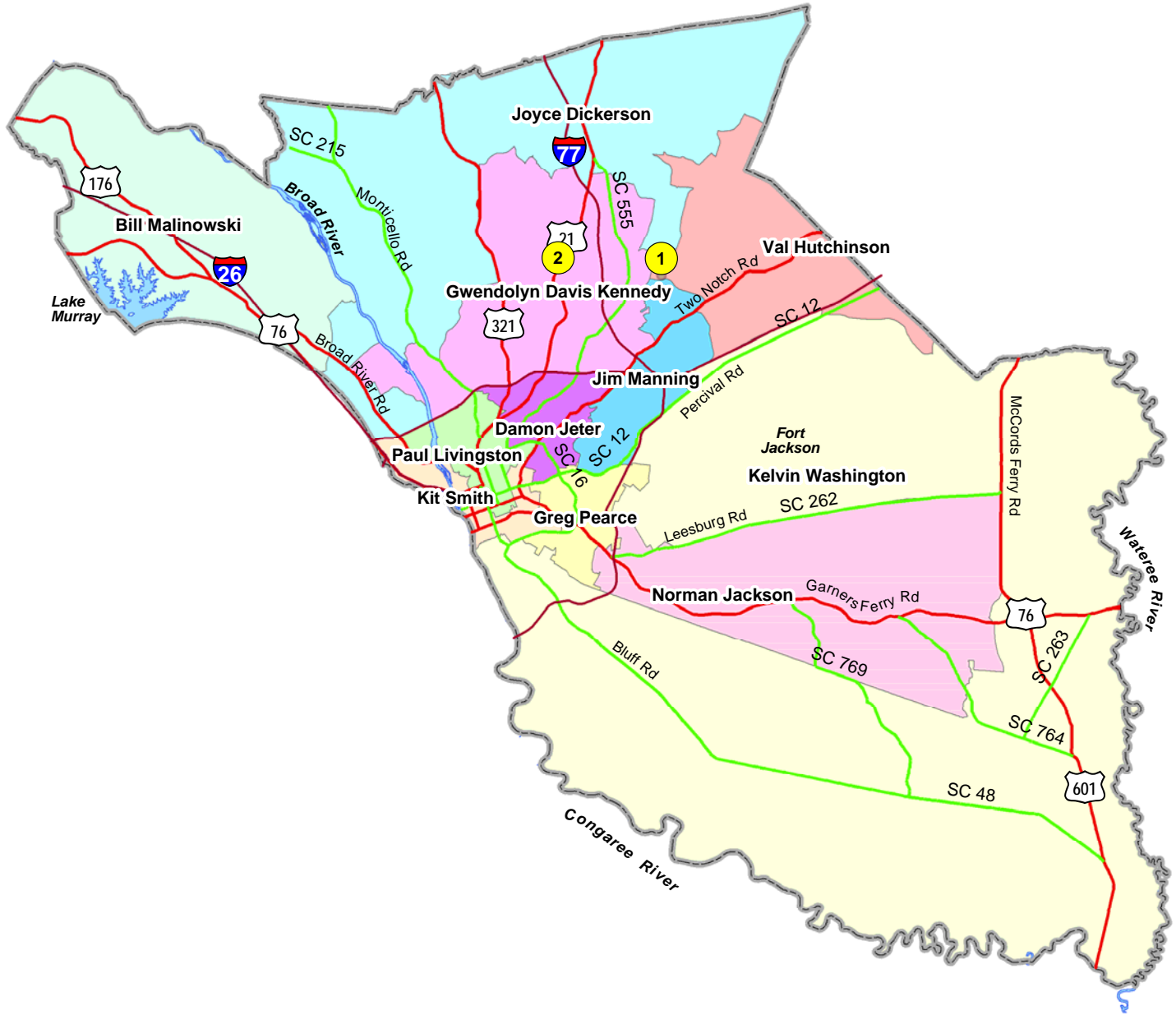


RICHLAND COUNTY
BOARD OF
ZONING APPEALS



Wednesday, 3 March 2010
1:00 p.m.
Council Chambers

RICHLAND COUNTY BOARD OF ZONING APPEALS MARCH 3, 2010



CASE NO.	APPLICANT	TMS NO.	LOCATION	DISTRICT
1. 09-27 SE	Carl Parrot	20100-02-26	908 North Brickyard Rd., Columbia	Hutchinson
2. 10-02 V	Joseph Jaco	14705-01-08	S/S Heritage Hills Dr., Columbia	Kennedy



**Richland County
Board of Zoning Appeals
Wednesday, March 3, 2010
2020 Hampton Street
2nd Floor, Council Chambers**

Agenda

I. CALL TO ORDER & RECOGNITION OF QUORUM

**Joshua McDuffie,
Chairman**

II. RULES OF ORDER

**Amelia Linder,
Attorney**

III. APPROVAL OF MINUTES – February 2010

IV. PUBLIC HEARING

**Geonard Price,
Zoning Administrator**

OPEN PUBLIC HEARING

09-27 SE

**Rhema Word Restoration Mnst.
Carl Parrot
908 North Brickyard Rd.
Columbia, SC 29223
20100-02-26**

**Requests a special exception for a Church on property
zoned Residential, Single- Family, Low Density. (RS-LD)**

P. 1

10-02 V

**City of Columbia
Joseph Jaco
S/S Heritage Hills Dr.
Columbia, SC
14705-01-08**

**Requests a variance to encroach into the required setbacks
on property zoned Rural. (RU)**

P. 9

V. ADJOURNMENT



3 March 2010
Board of Zoning Appeals

REQUEST, ANALYSIS AND RECOMMENDATION

09-27 Special Exception

REQUEST

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

GENERAL INFORMATION

Applicant

Rhema Word Restoration Ministries (Carl Parrot)

Tax Map Number

20100-02-26

Location

908 North Brickyard Road

Parcel Size

3+acre tract

Existing Land Use

residential

Existing Status of the Property

The subject parcel is large tract with a 1,564 square foot residential structure.

Proposed Status of the Property

The applicant proposes to construct a place of worship.

Character of the Area

The surrounding area is a mixture of single-family residential, institutional and commercial structures and uses.

ZONING ORDINANCE CITATION

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

CRITERIA FOR SPECIAL EXCEPTIONS

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.

DISCUSSION

Staff visited the site.

Rhema Word Restoration Ministries proposes to construct a 70 x 132 (9,240 square feet) place of worship. The structure is proposed to have a 4,000 sanctuary, with a number of classrooms, offices, a media room, and a café.

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 proposed development will encompass a three (3) acre tract, which is located approximately a one-half (½) mile from Hardscrabble Road and 1.6+ miles from Two Notch Road. The abutting parcel, located west of the subject parcel, is a 39 acre tract which also borders the northern portion of the parcel.

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

CONDITIONS

(20) Places of worship.

- a. Use districts: Residential, Single-Family, Estate; Residential, Single-Family, Low Density; Residential, Single-Family, Medium Density; Residential, Single-Family, High Density; Manufactured Home Park.
- b. Facilities for a place of worship located on a site of three (3) acres or more shall have primary access to the facility from a collector or thoroughfare road.
- c. No parking space or drive shall be located closer than twenty (20) feet to a residence not associated with the place of worship. No parking area may be located in the front setback.
- d. The front setback shall be the same as permitted in the respective district, but shall not be less than the lesser setback of any existing homes on adjacent lots. The side and rear setbacks shall be thirty (30) feet.

OTHER RELEVANT SECTIONS

N/A

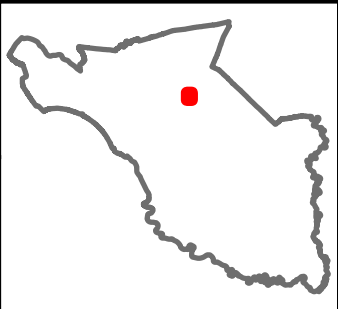
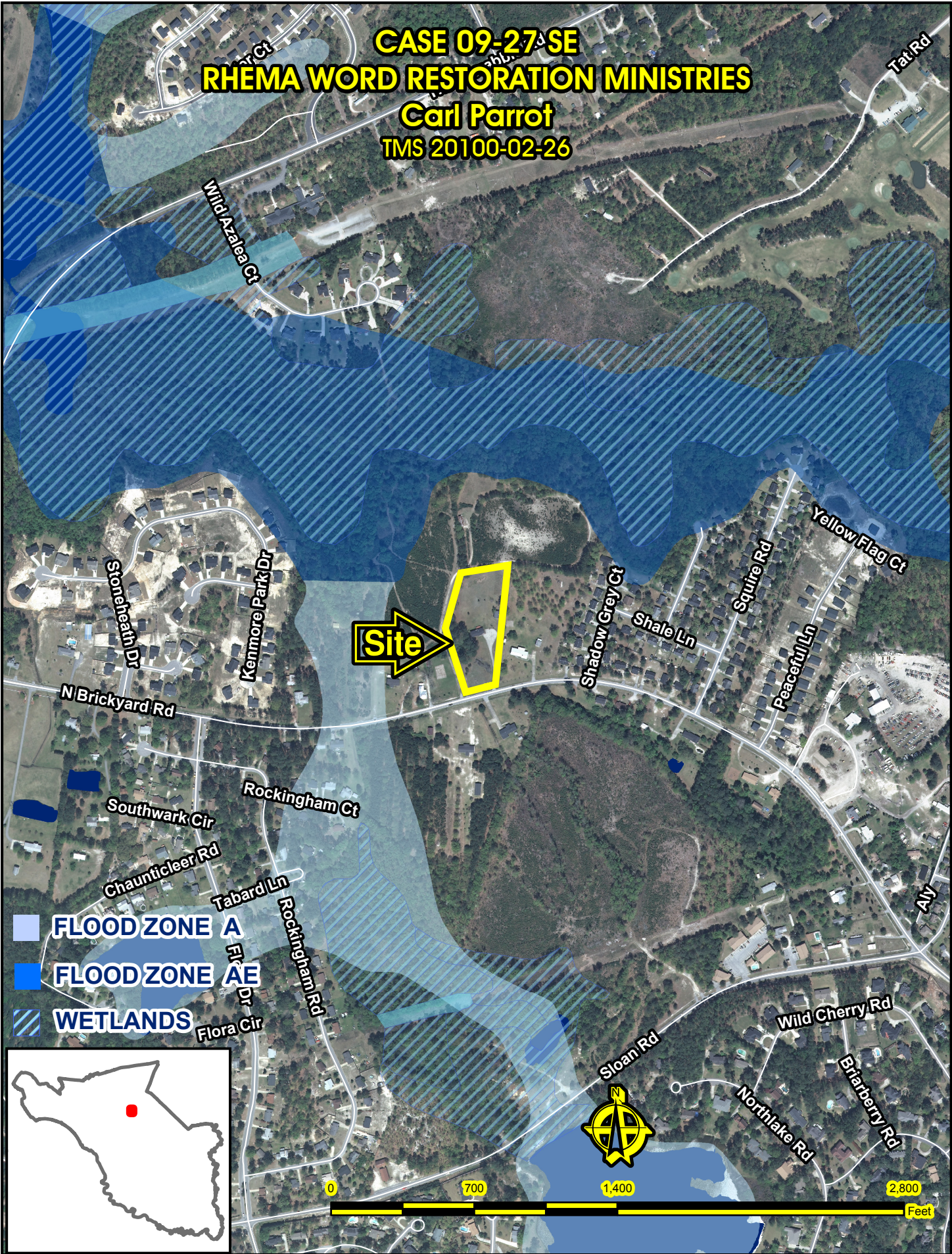
ATTACHMENTS

- Proposed church layout
- Aerial
- Application

CASE HISTORY

No record of previous special exception or variance request.

CASE 09-27 SE
RHEMA WORD RESTORATION MINISTRIES
Carl Parrot
TMS 20100-02-26





BOARD OF ZONING APPEALS

SPECIAL EXCEPTION



1. Location: 908 North Brickyard Rd. Columbia SC 29223

TMS Page: 20100-02-26 Block: _____ Lot: 3.5 acres Zoning District: RS-LD

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

A Church Building

3. Describe the proposal in detail: We desire to build a building that is 9240sf that has a room of 4000sf plus and offices and class rooms that are 4000sf plus. The rest of the space will be for hallways. Outlines of building + property are included.

4. Area attributed to the proposal (square feet): 9240sf

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: 80

7. Total number of employees on shift of greatest employment: 0, but we have about 100 members. (with children)

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 shouldn't bring a traffic issue. We presently rent property that has about 60 parking spaces and we are sharing the complex with two other churches and we are all accommodated space wise with parking.

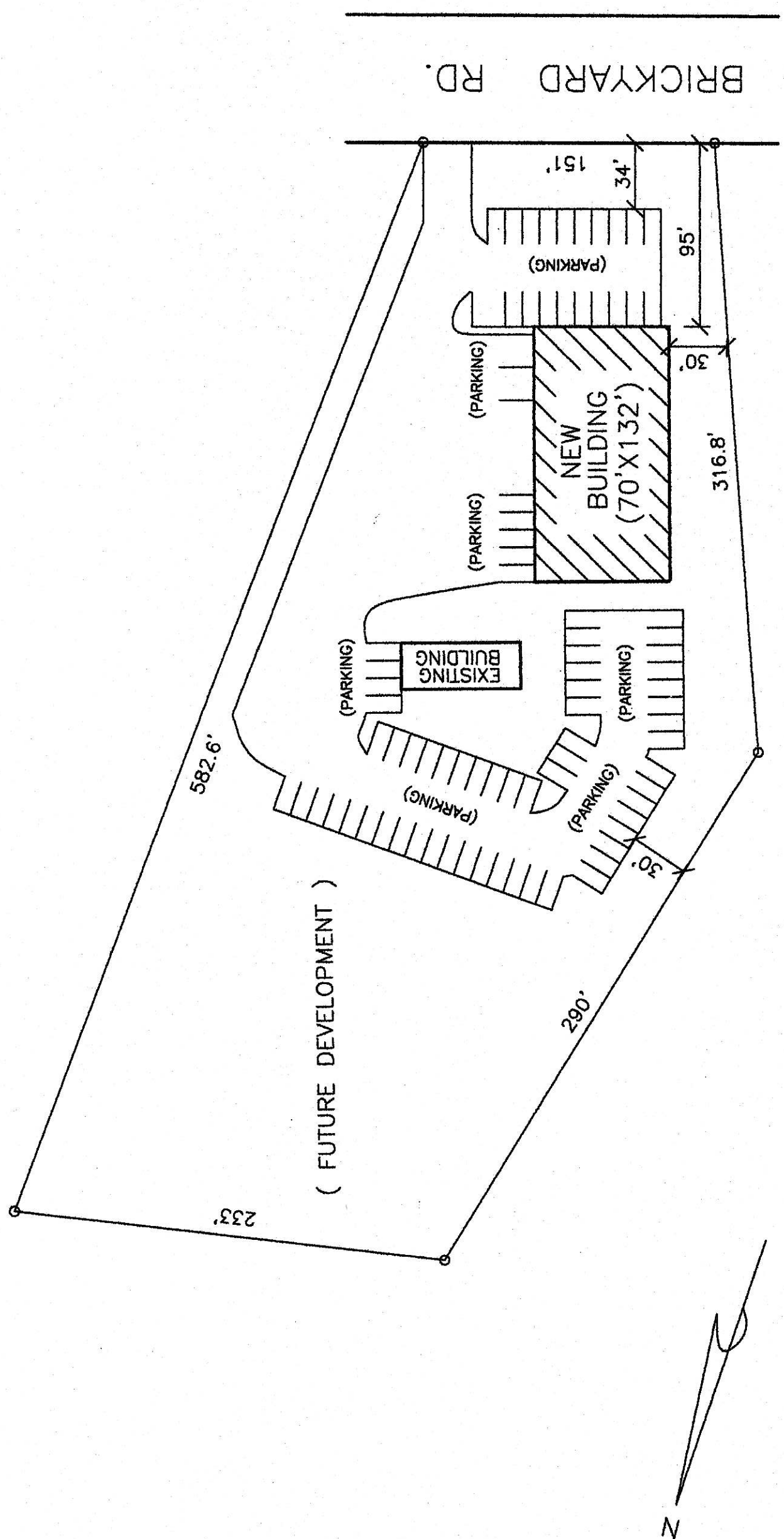
b. Vehicle and pedestrian safety: This should not be an issue either due to the fact we are not in a sub-division but have 3.5 acres of land, and on big services we have people directing cars.

c. Potential impact of noise, lights, fumes or obstruction of airflow on adjoining property: We wouldn't provide a problem for any of these other than may be noise. This is due to if we have an outside fellowship. No more than a family cookout.

d. Adverse impact of the proposed use on the aesthetic character of the environs, to include possible need for screening from view: The building should cause the community to have added beauty when it is erected and property is developed.

e. Orientation and spacing of improvements or buildings: Based off of Richland County requirements, we prepared ourselves to meet them. The diagram should show idea, with requirements met.

15-1



BRICKYARD RD.

151'

34'

95'

30'

316.8'

NEW BUILDING
(70'X132')

(PARKING)

(PARKING)

EXISTING BUILDING

(PARKING)

(PARKING)

(PARKING)

(PARKING)

30'

(FUTURE DEVELOPMENT)

582.6'

233'

290'

N

9'X18' 80 PARKING SPACES
17'X18' 3 PARKING SPACES

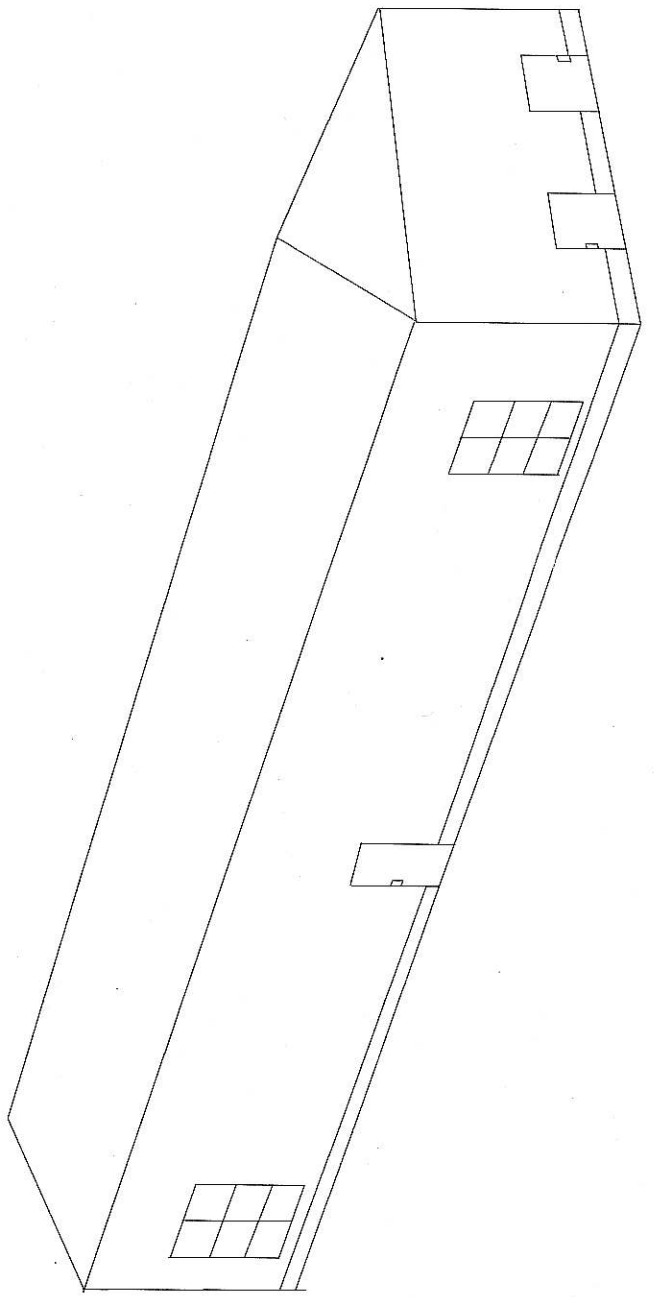
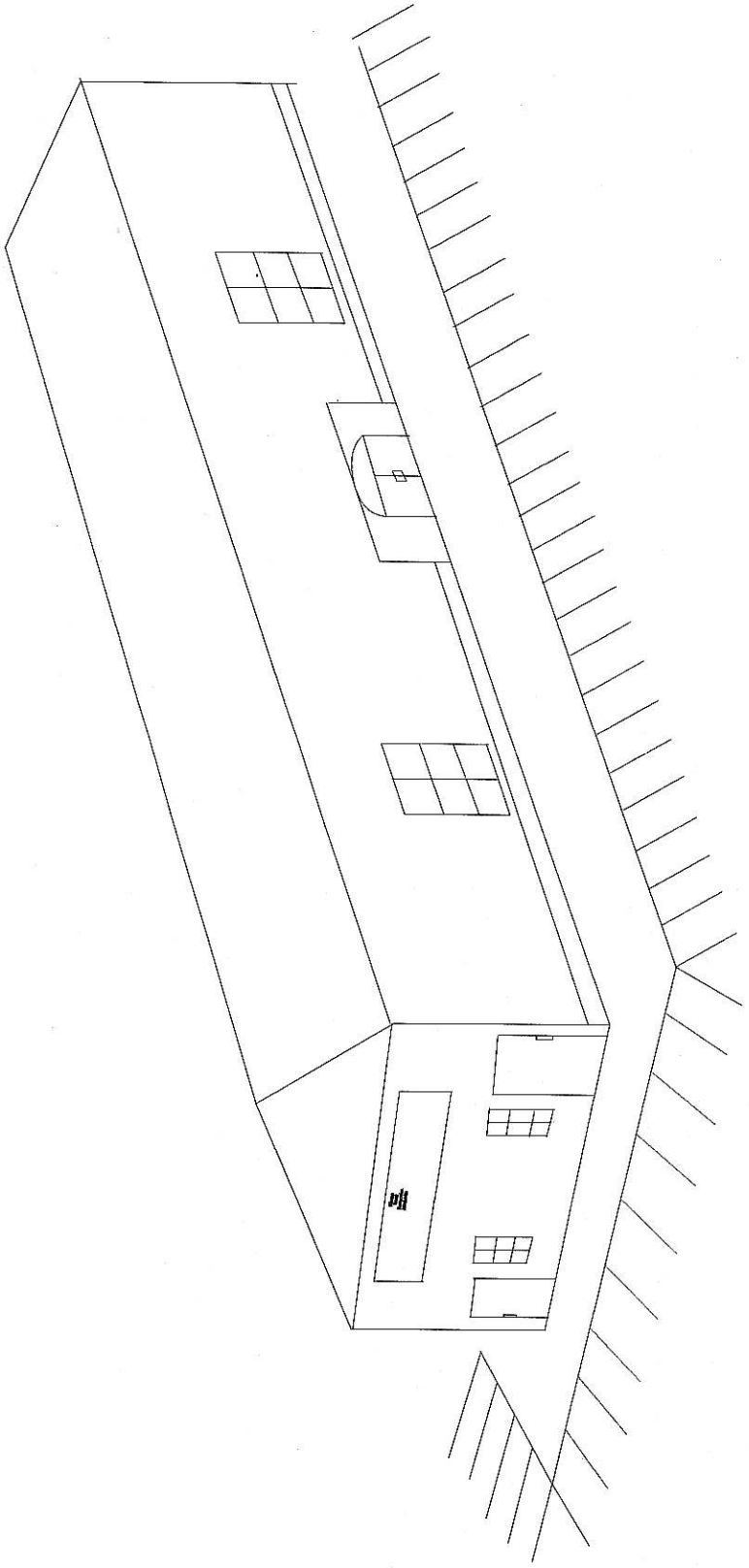
TMS 20100-02-26

3.05 ACRE

SITE PLAN

SCALE 1/64" = 1'-0"

1-10-1





3 March 2010
Board of Zoning Appeals

REQUEST, ANALYSIS
AND
RECOMMENDATION

10-02 Variance

REQUEST

The applicant is requesting the Board of Appeals to grant a variance to encroach into the required setbacks on property zoned RU (Rural District).

GENERAL INFORMATION

Applicant

City of Columbia (Joseph Jaco)

Tax Map Number

14705-01-08

Location

S/S Heritage Hill Drive

Parcel Size

.063± acre tract

Existing Land Use

Water facility

Existing Status of the Property

The subject property has an existing water facility.

Proposed Status of the Property

The applicant is proposing to house a pressure reducing station within a 200 square foot building.

Character of the Area

The area is comprised residential subdivisions and large, undeveloped tracts.

ZONING ORDINANCE CITATION

Section 26-33 (a) (2) of the Land Development Code empowers the Board of Zoning Appeals to authorize upon appeal in specific cases such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this chapter would result in an unnecessary hardship. Such appeals shall be made in accordance with the procedures and standards set forth in Sec. 26-57 of this chapter.

CRITERIA FOR VARIANCE

Standard of review. The board of zoning appeals shall not grant a variance unless and until it makes the following findings:

- a. That there are extraordinary and exceptional conditions pertaining to the particular piece of property; and
- b. That these conditions do not generally apply to other property in the vicinity; and
- c. That because of these conditions, the application of this chapter to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and

- d. That 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.

DISCUSSION

Staff visited the site.

The applicant is requesting a variance to construct a pressure reducing station within a 200± square foot building, which will encroach into the required front and side yard setbacks. In the RU district, a 40 foot front yard setback and a 20 foot side yard setback is required.

The applicant states that the parcel was created with the purpose of establishing a public utility. The parcel is nonconforming according to the rural district requirements for lot area (33,000 square feet) and width (120 feet). The proposed structure will encroach into the required front yard setback by twenty-three (23) feet, the southern side yard by ten (10) feet and the northern side yard by four and one-half (4½) feet. The purpose of the encroachment is to create an area for the location of a generator and propane tanks. The applicant proposes to construct the building with architectural considerations that will match the area.

Staff believes that the subject parcel meets the criteria required for the granting of a variance and should be approved.

According to the standard of review, a variance shall not be granted until the following findings are made:

a. Extraordinary and exceptional conditions

The parcel is a lot of record. A variance would be required to establish any proposed use on the property.

b. How were conditions created

Property was approved by the register of deeds for recordation.

c. Conditions applicable to other properties

Staff is unable to determine if these conditions apply to other parcels.

d. Application of the ordinance restricting utilization of property

Failure to obtain a variance would prohibit the use of this parcel.

e. Substantial detriment of granting variance

The granting of the variance will not be a detriment to the adjacent parcels.

CONDITIONS

26-57(f) (3)

Conditions. In granting a variance, the board of zoning appeals may attach to it such conditions regarding the location, character, or other features of the proposed building, structure or use as the board of zoning appeals may consider advisable to protect established property values in the surrounding area, or to promote the public health, safety, or general welfare. The board of zoning appeals may also prescribe a time limit within which the action for which the variance was sought shall be begun or completed, or both.

OTHER RELEVANT SECTIONS

26-57 (f) (1) Formal review.

(1) Action by the board of zoning appeals. Upon receipt of the application for a variance request from the planning department, the board of zoning appeals shall hold a public meeting on the proposed variance request. Any party may appear in person or be represented by an authorized agent. In considering the application, the board of zoning appeals shall review the application materials, the staff comments and recommendations, the general purpose and standards set forth in this chapter, and all testimony and evidence received at the public hearing. After conducting the public hearing, the board of zoning appeals may:

- a. Approve the request;
- b. Continue the matter for additional consideration; or
- c. Deny the request.

Any approval or denial of the request must be by a concurring vote of a majority of those members of the board of zoning appeals both present and voting. The decision of the board of zoning appeals shall be accompanied by written findings that the variance meets or does not meet each of the standards set forth in subparagraph (2) below. The decision and the written findings shall be permanently filed in the planning department as a public record. The written decision of the board of zoning appeals must be delivered to the applicant.

ATTACHMENTS

- Plat
- Application

CASE HISTORY

No record of previous special exception or variance request.

CASE 10-02 V
CITY OF COLUMBIA
Joseph Jaco
TMS 14705-01-08

Woodhaven Rd

Heritage Hills Dr

Heritage Hills Ct

Sandwedge Ct

Site

Wilson Blvd

Killian Rd

-  FLOOD ZONE A
-  FLOOD ZONE AE
-  WETLANDS



PROPOSED ELECTRICAL PANEL
(SEE SHT. E-01)

CITY OF COLUMBIA
TMS # R14705-01-08

REDUCING STATION
(SEE SHTS. M-01 & M-02)

582

N/F
WENDELL & CARLA HENRYHAND
TMS # R14705-01-06

EXISTING 15'
PERMANENT EASEMENT

2% SLOPE AWAY FROM BUILDING AT
5' MINIMUM BEYOND BUILDING
(TYPICAL ALL SIDES)

10' MINIMUM
(SEE SHTS. M-01 & M-02)

EXISTING 12" DIP WM, CHECK VALVE
AND MANHOLE TO BE REMOVED
SALVAGED MATERIALS SHALL BE
RETURNED TO THE CITY

INSTALL 2 - 45° BENDS AS
SHOWN TO REDIRECT 12"
DIP WM TO PROPOSED
LOCATION OF STATION INLET

PROPOSED ASPHALT
PARKING AREA

REMOVE EXISTING
PIPING AND CONNECT
NEW 12" DIP WM
BEHIND EXISTING VALVES

EXISTING VALVES
(APPROX. LOCATION)
REMOVE AND REPLACE
EX. BOXES AND MATCH
PROPOSED FINISHED GRADE

20 LF 18" RCP
(MATCH INVERT TO EXISTING
DITCH BOTTOM EACH END)

65.23±
15.5'

15.5'

111.21±

13'
17'

12" MAG METER AND VAULT
(SEE DETAIL; SHT M-03)

88.54±

BOLLARD, TYP.
(SEE DETAIL; SHT M-03)

6' CHAIN LINK FENCE w/
16' GATE DBL. SWING GATE

PROPOSED 14' ASPHALT
PRV STATION ACCESS

EX. 18" WM

PP

50' RW

381

383

WILSON BLVD. (US ROUTE 21)



BOARD OF ZONING APPEALS

VARIANCE APPEALS



Application #

1. Location Heritage Hills Subdivision Minor PT Lot 94 (along Wilson Blvd. - US 21)
 TMS Page R14705 Block 01 Lot 08 Zoning District RU

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 26-85.c.4 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: The construction of new Pressure Reducing Valve (PRV) housing.
Set back

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: The property is used by the City of Columbia for essential water distribution equipment. The variance will enable the City to install equipment to substantially improve the water supply to northeast Richland County.

b) Describe how the conditions listed above were created: The property was obtained by the City of Columbia from Heritage Hills Development in 2001 for the sole purpose of supplying water to the community.

c) These conditions do not generally apply to other property in the vicinity as shown by: The adjacent properties are residential. This property is for non-occupied space to house essential water supply equipment.


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: The proposed improvements to better supply water to northeast Richland County would not be built.

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: There currently exist water facilities on the property. The improvements will include architectural considerations to match the area. The variance will help supply water to the community.

5. The following documents are submitted in support of this application [a site plan must be submitted]:

- a) Site Plan
- b) Photos of surrounding area
- c) _____

(Attach additional pages if necessary)


 Applicant's Signature
Joseph D. Jaco
 Printed (typed) Name

P.O. Box 147
 Address
Columbia, SC 29217
 City, State, Zip Code

803-545-3400
 Telephone Number

 Alternate Number



Richland County Government
2020 Hampton Street
Columbia, SC 29204

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