

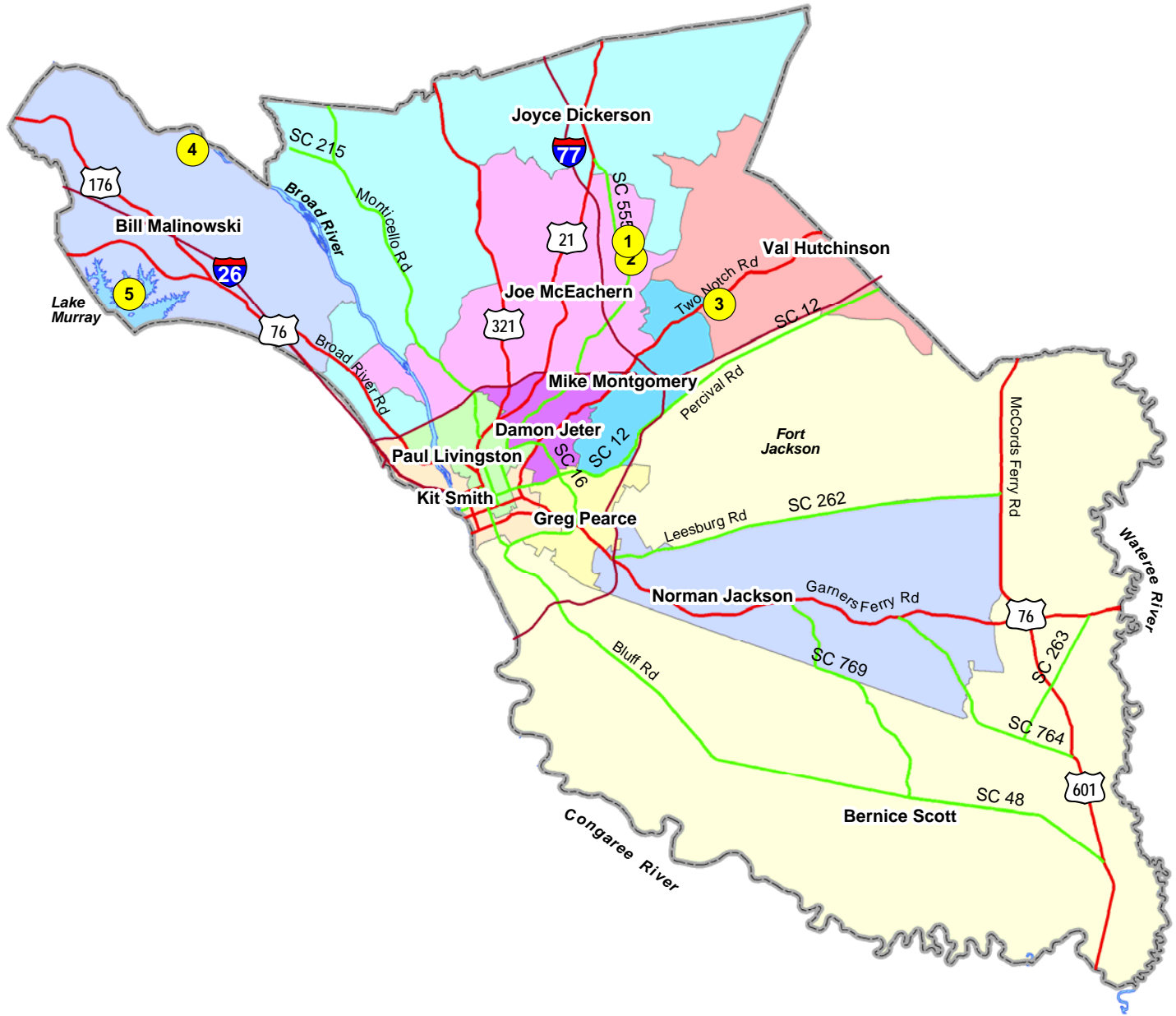
RICHLAND COUNTY  
BOARD OF  
ZONING APPEALS



Wednesday, 7 May 2008  
1:00 p.m.  
Council Chambers



# RICHLAND COUNTY BOARD OF ZONING APPEALS MAY 7, 2008



CASE NO.	APPLICANT	TMS NO.	LOCATION	DISTRICT
1. 08-34 V	Will Batsen	17400-05-45	1216 Longreen Parkway, Columbia	McEachern
2. 08-35 V	Will Batsen	17400-05-45	1216 Longreen Parkway, Columbia	McEachern
3. 08-36 V	Forum Medical & Business Center	22808-02-15	130 Wildewood Park Dr., Columbia	Hutchinson
4. 08-37 V	Dave Gilbert	03704-01-02	147 Watersong Lane, Irmo	Malinowski
5. 08-38 V	Wade Green	01316-01-11	201 Rucker Rd., Chapin	Malinowski





Richland County  
Board of Zoning Appeals  
Public Hearing  
1:00 p.m.  
Wednesday, 7 May 2008  
2020 Hampton Street  
2<sup>nd</sup> Floor, Council Chambers

Agenda

- I. CALL TO ORDER & RECOGNITION OF QUORUM Margaret Perkins,  
Chairman
- II. RULES OF ORDER Amelia Linder,  
Attorney
- III. APPROVAL OF MINUTES  
April Minutes
- IV. PUBLIC HEARING Geonard Price,  
Zoning Administrator

OPEN PUBLIC HEARING

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<p><b>08-20 SE</b> The Shoe Department 327 Killian Rd. 17400-11-03</p>	<p>Requests a sign variance on property zoned GC (General Commercial)</p>	<p>Page 3</p>
<hr/>		
<p><b>08-34 V</b> Will Batsen 1216 Longreen Pkwy. Columbia, SC 29229 17400-05-45</p>	<p>Requests a variance to encroachment into the required setbacks on property zoned M-1 (Light Industrial)</p>	<p>Page 17</p>
<hr/>		
<p><b>08-35 V</b> Will Batsen 1216 Longreen Pkwy. Columbia, SC 29229 17400-05-45</p>	<p>Requests a variance for a sidewalk waiver on property zoned M-1 (Light Industrial)</p>	<p>Page 25</p>
<hr/>		
<p><b>08-36 V</b> Forum Medical &amp; Business Center 130 Wildwood Park Dr. Columbia, SC 29229 22808-02-15</p>	<p>Requests a variance for a sidewalk waiver on property zoned GC (General Commercial)</p>	<p>Page 33</p>
<hr/>		
<p><b>08-37 V</b> Dave Gilbert 147 Watersong Lane. Irmo, SC 29063 03704-01-02</p>	<p>Requests a variance to encroach into the required setbacks on property zoned RU (Rural)</p>	<p>Page 39</p>

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08-38 V  
Wade Green  
201 Rucker Rd.  
Chapin, SC 29036  
01316-01-11

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

Page 49

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**V. OTHER BUSINESS**

Reconsideration – Case 07-54 SE (Bernard Doctor) ..... Page 55

**VI. ADJOURNMENT**



7 May 2008  
Board of Zoning Appeals

## REQUEST, ANALYSIS AND RECOMMENDATION

08-20 Variance

### REQUEST

The applicant is requesting the Board of Zoning Appeals to grant a variance to exceed the allowable square footage for a wall sign in a GC (General Commercial) district.

### GENERAL INFORMATION

**Applicant**

The Shoe Dept.

**Tax Map Number**

17400-11-03

**Location**

327 Killian Road

**Parcel Size**

5.05 acre tract

**Existing Land Use**

Retail

**Existing Status of the Property**

The subject property is a newly developed retail shopping strip.

**Proposed Status of the Property**

The applicant proposes to exceed the allowed square footage for a wall sign by 245.98 square feet (shown – 312.98, allowed 67).

**Character of the Area**

The surrounding area is dedicated to commercial uses.

### 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 proposes to exceed the allowable square footage for a wall sign in order to increase advertising visibility.

The applicant states that the increase in allowed signage is necessary in order to provide visibility. The granting of the variance will allow for larger signage to be located on three sides of the building. Staff's view of the request is that the visibility is designed more for consumers entering/exiting from Wal-mart. There is a pylon sign located along Killian Road which will advertise for The Shoe Dept., as well as the other tenants.

While staff feels that the granting of the variance will not negatively impact the adjacent properties or the character of the surrounding area, staff believes that the subject parcel does not meet all of the criteria necessary for the granting of a variance.

**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**

**ATTACHMENTS**

- Proposed signage plans
- Application attachments

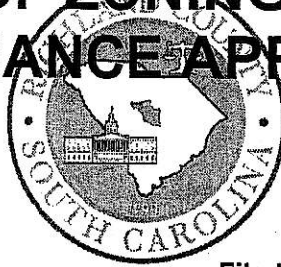
**CASE HISTORY**



**CASE 08-20 V**  
**THE SHOE DEPT.**  
**TMS 17400-11-03**



**RICHLAND COUNTY  
BOARD OF ZONING APPEALS  
VARIANCE APPEALS**



Rcpt# \_\_\_\_\_

Application# \_\_\_\_\_

Paid \$ \_\_\_\_\_ Filed \_\_\_\_\_

1. Location 327 Killian Road Suite A1 Blythewood S.C 29016

2. Page \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_ Zoning District \_\_\_\_\_

3. 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 \_\_\_\_\_ of the Richland County Zoning Ordinance.

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

5. 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 visibility of the sign is severely hindered by buildings and trees.

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: \_\_\_\_\_

This store is on the corner and has the highest % of negative visibility

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: \_\_\_\_\_

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

a) Plot Plan 1

b) Plot Plan 2

c) Visibility Chart

(Attach additional pages if necessary)

Proposed signage for Rear of Store Proposed signage for Front of Store  
Proposed signage for Side of Store

08-20 ✓



359093

1722 Toal Street Charlotte NC 28206 Phone: 704.344.1715 Fax: 704.344.1010

[www.cngsigns.com](http://www.cngsigns.com)

### Variance Proposal

Attached are several plot plans to explain our hardship and proposal for newer signage. Currently the largest sign allowed at this location is 1 set of 34-inch channel letters. We are proposing several different options. Hopefully we can come to a decision to make The City of Blythewood and our customer, the Shoe Dept., both happy.

In the attached Drawing marked Plot Plan 1, it is a drawing to scale that shows that our signage's visibility is blocked by another building. And the lack of this visibility is at a stop light. A stoplight is one of the places that you want your sign to be most visible. Your prospective customer is not bothered with driving and has time to think about where they would like to shop. It's where we want our sign most visible.

Also, with the letter size being only 34-inch channel letters, the distance to the highway is also an issue. According to the U.S.S.C. (attached is the visibility chart), the maximum impact of a 32 inch letter is 360 feet. And the maximum viewing distance is 1500 feet. This is illustrated in the second plot plan marked Plot Plan 2. This shows that there will be no visibility from the interstate of our storefront signage.

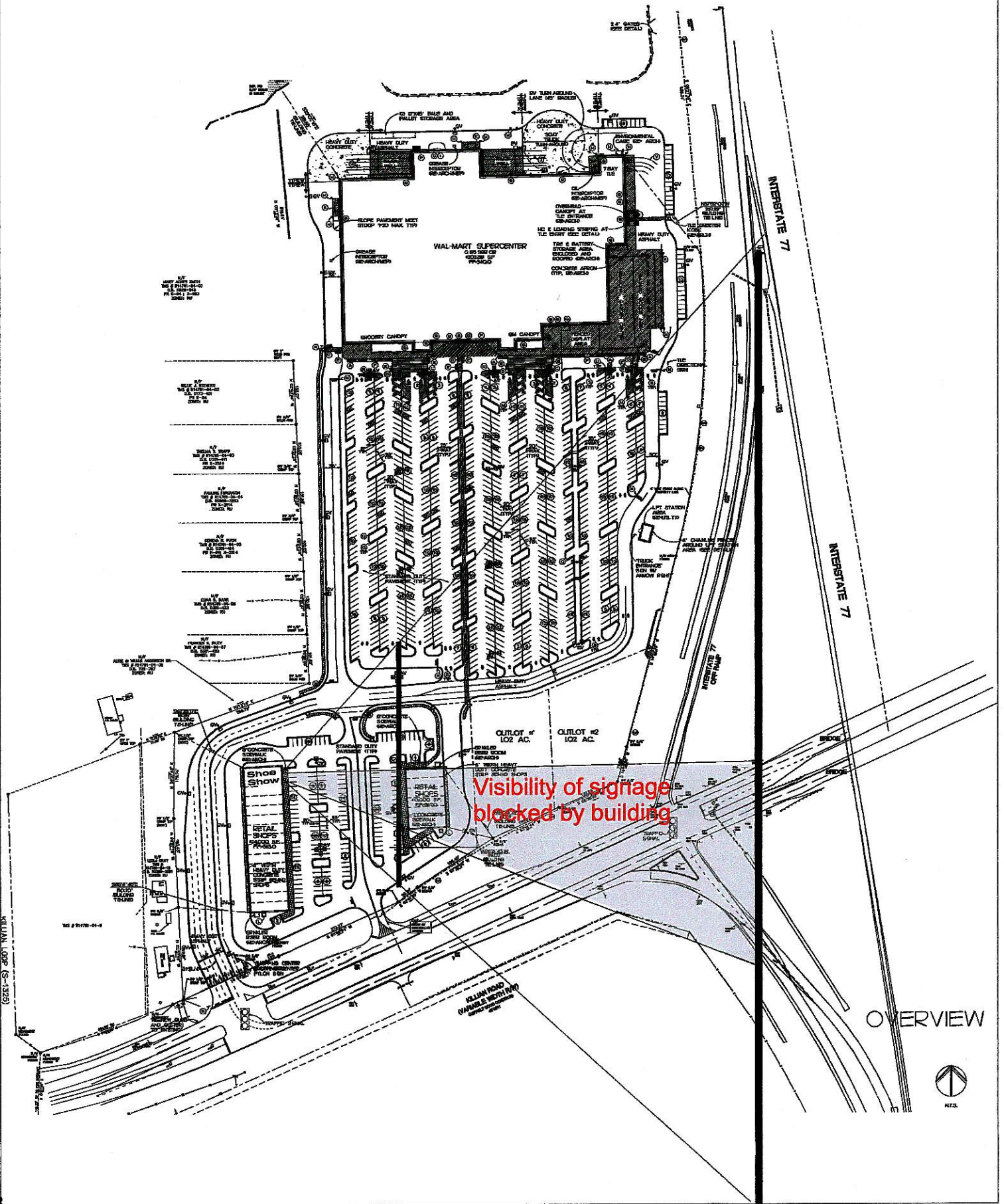
What we are proposing is (1) a bigger set of letters for the storefront. (2) an additional set of letters on the side and on the rear of the building. This will allow our customer's store to be seen from (3) sides which will of coarse boost their sales. If you look at the plot plan one of the main entrances to this shopping center is in the rear of the building. We would like a sign there so that customers entering from that direction will know that our customer is there. If we don't have a sign on the back of the building people coming into this shopping center will not see our sign until they are leaving. The sign on the side is proposed so that prospective customers in the Wal-Mart parking lot will be able to see our store as well.

In conclusion we would like an ordinance for this location so that our customer, the Shoe Dept. has better visibility. The more people that see our customer's store the more revenue it will generate for our customer. The more revenue for our customer the better it is for the community of Blythewood.

Respectfully Submitted,

Ed Pace

# Plot Plan 1 visibility blocked

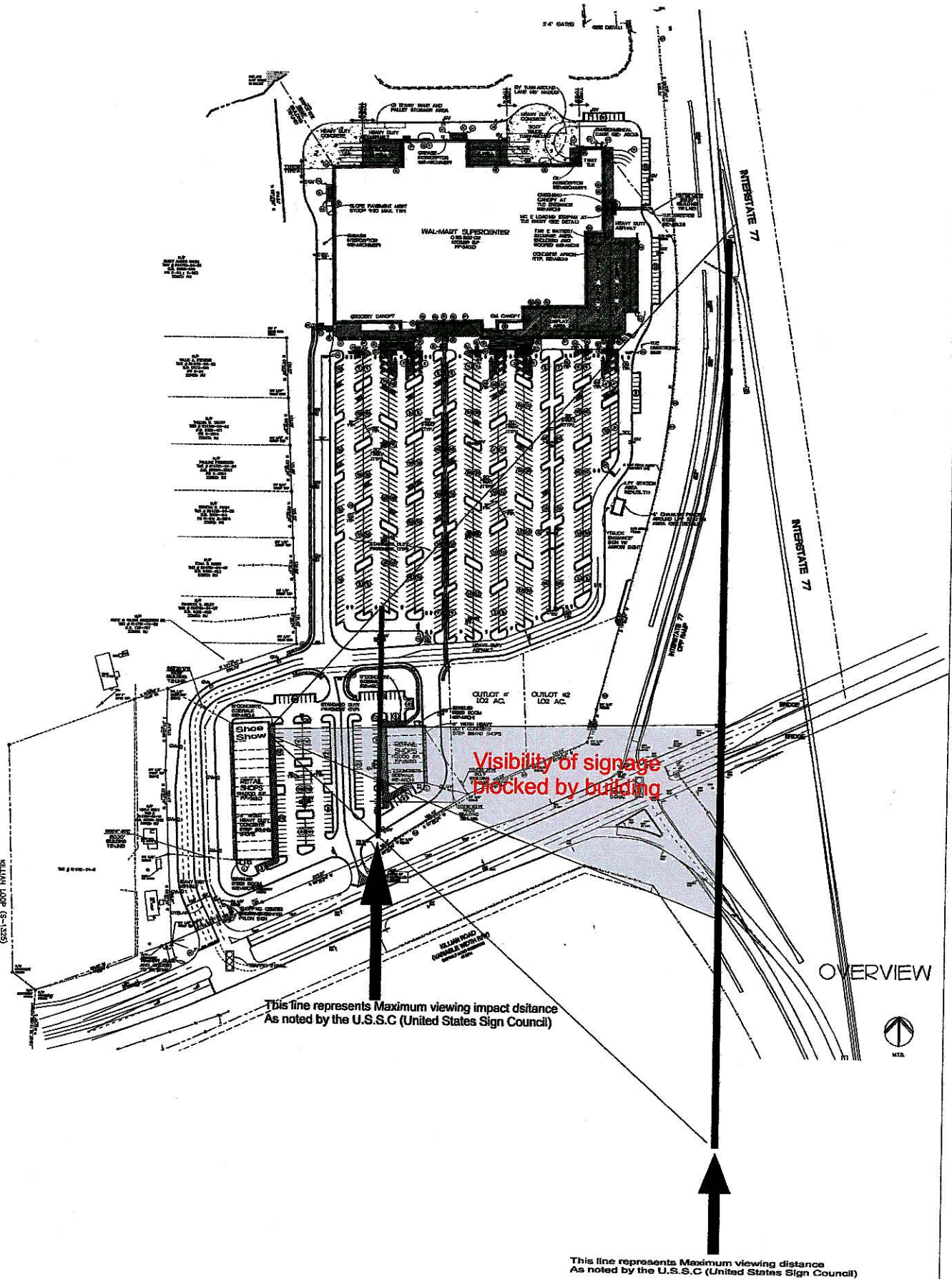


Visibility of signage  
blocked by building

OVERVIEW



# Plot Plan 2 visibility distance



## BUSINESS ASPECT

- ▶ How to choose a sign Company
- ▶ Sign User's Check List
- ▶ Successful Grand Opening
- ▶ Advertising Cost Comparison Chart
- ▶ Sales Increase by Using Promotional Signs
- ▶ Banner Tips
- ▶ Magnetic Signs
- ▶ Maintenance Tips
- ▶ Trade Show
- ▶ Advertising Gifts

## DESIGN ASPECT

- ▶ Letter Visibility Chart
- ▶ Colour Combinations
- ▶ Type Styles
- ▶ Colour Chart for Types
- ▶ The Psychology of Colours

## LETTER VISIBILITY CHART

LETTER HEIGHT	DISTANCE FOR MAX. IMPACT	READABLE DISTANCE
3 in.	30 ft.	100 ft.
4 in.	40 ft.	150 ft.
6 in.	60 ft.	200 ft.
8 in.	80 ft.	350 ft.
9 in.	90 ft.	400 ft.
10 in.	100 ft.	450 ft.
12 in.	120 ft.	525 ft.
15 in.	150 ft.	630 ft.
18 in.	180 ft.	750 ft.
24 in.	240 ft.	1,000 ft.
30 in.	300 ft.	1,250 ft.
36 in.	360 ft.	1,500 ft.
42 in.	420 ft.	1,750 ft.
48 in.	480 ft.	2,000 ft.
54 in.	540 ft.	2,250 ft.
60 in.	600 ft.	2,500 ft.

The Distances Vary With Different Colour Combinations.

total square footage 158.32

475 inches

48 inches

**SHOE DEPT.**



75 inches

200 inches

1142

**SHOE DEPT.**

104.16 square ft





276 inches

32 inches

*The* **SHOE DEPT.**

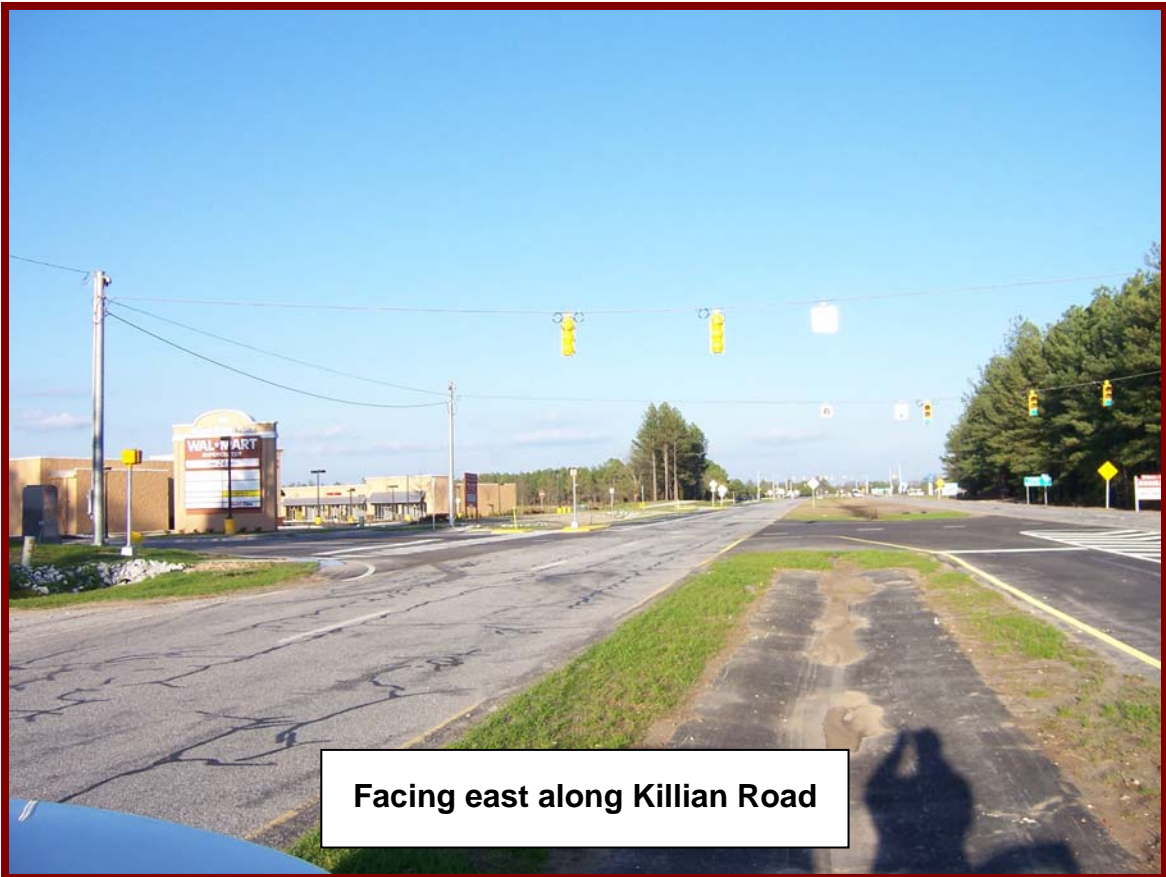
61.33 total square ft

**08-20 V**  
**327 Killian Road**





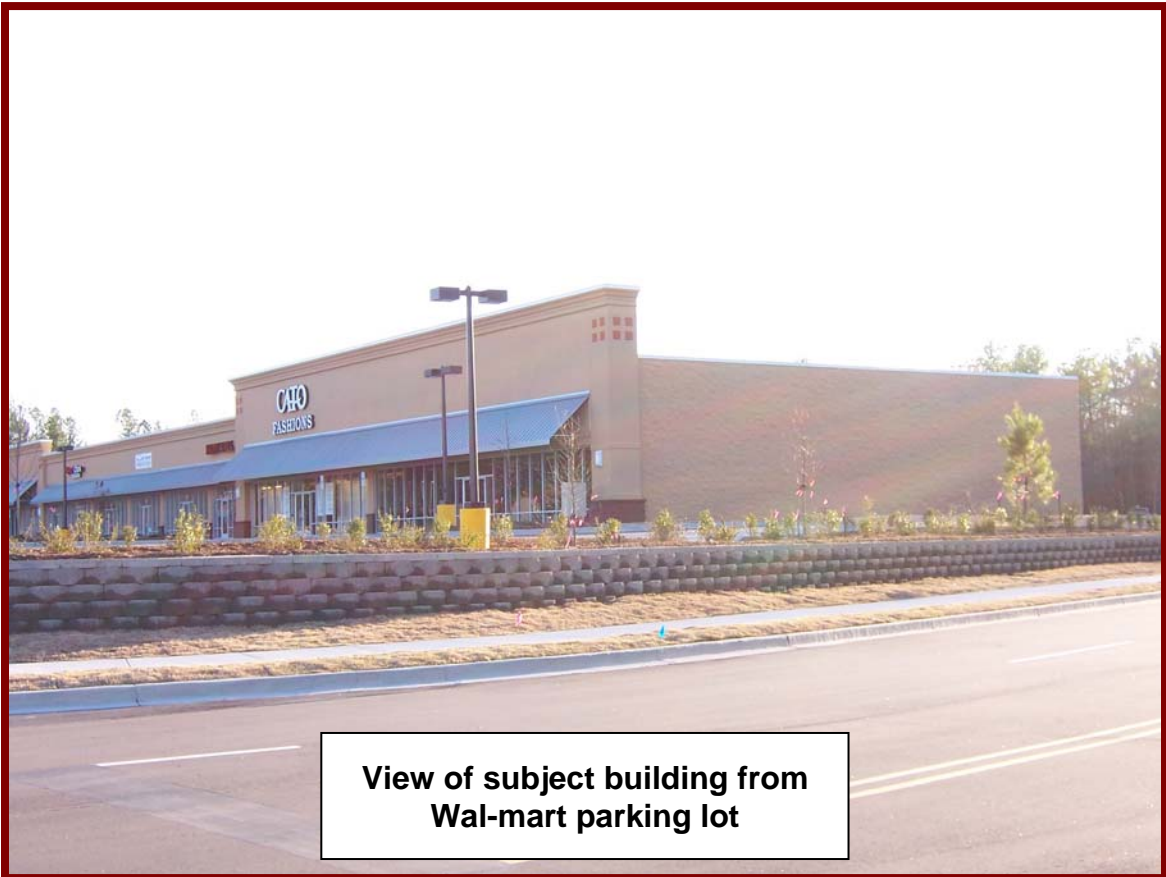
**Facing west along Killian Road**



**Facing east along Killian Road**



**Pylon sign located along Killian Road**



**View of subject building from Wal-mart parking lot**



7 May 2008  
Board of Zoning Appeals

## REQUEST, ANALYSIS AND RECOMMENDATION

08-34 Variance

### REQUEST

The applicant is requesting the Board of Appeals to grant a variance to encroach into the required front yard setbacks on property zoned M-1 (Light Industrial).

### GENERAL INFORMATION

**Applicant**

Will Batsen

**Tax Map Number**

17400-05-45

**Location**

1216 Longreen Pkwy.

**Parcel Size**

1.68± acre tract

**Existing Land Use**

proposed commercial

**Existing Status of the Property**

The subject property is vacant.

**Proposed Status of the Property**

The applicant is proposing to construct a commercial structure (Rite Aid).

**Character of the Area**

This area is developing and will consist of commercial and residential uses.

### 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 encroach into the 25-foot required front yard setback by 15 feet. This encroachment will allow the off-street parking (parking lot) to be located closer towards the front property line. Under the Land Development Code, no parking lots are permitted within any required setbacks (sec. 26-98 (c) (7)) on property zone M-1. The former code allowed the off-street parking a minimum setback of ten (10) feet from the front and secondary property lines.

Under the former code, the M-1 district allowed for various light industrial uses, along with general commercial uses. During the adoption of the Land Development Code, the M-1 district was carried over from the former code. *(This was a compromise that was intended to prevent what was perceived as the creation of an abundance of nonconforming uses. The alternative would have been to examine the existing type of land uses and zone them accordingly.)* However, while many of the allowed uses of the former M-1 district were carried over, the development standards (sec. 26-98 (c)) were amended. This included the parking standards.

It is the opinion of staff that the prohibition of parking lots in the required setback was intended for industrial uses, as found in the LI (Light Industrial) district. Staff finds that the proposed use by the applicant is commercial in nature, as are the other nonresidential uses found in this area.

The Land Development Code requires that a street protective yard (sec. 26-176 (e)) be located along all existing or proposed road rights-of-way. The standards of this section create a buffer, which prevents parking lots from being located along the front property line. At the least, a ten (10) foot deep buffer is created. This does call into question of what happens to the remaining 15-foot area of setback in regards to development.

The M-1 zoning district will be re-evaluated by the Richland County Planning Commission during the year 2010.

SCE&G has an easement that runs along the eastern side of the parcel. This easement restricts the available area buildings and parking lots can be located. This easement basically eliminates any parking alternatives.

**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

### 26-98 (c) (7)

- (7) *Parking/loading standards:* Parking and loading facilities shall be provided as required by Section 26-173 and Section 26-174 of this chapter. No parking lots shall be permitted within any required setback.

### 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




- Site Plan

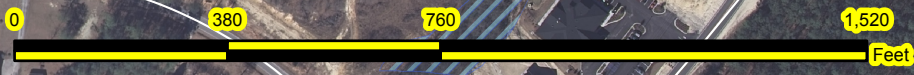
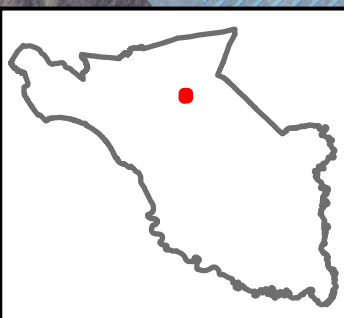
## CASE HISTORY

No record of previous special exception or variance request.

**CASE 08-34 V**  
**WILL BATSEN**  
**TMS 17400-05-45**

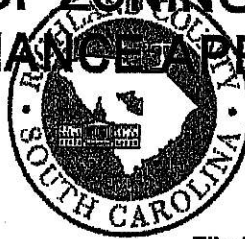


-  FLOOD ZONE A
-  FLOOD ZONE AE
-  WETLANDS





**RICHLAND COUNTY  
BOARD OF ZONING APPEALS  
VARIANCE APPEALS**



Rcpt# \_\_\_\_\_

Application# \_\_\_\_\_

Paid \$ \_\_\_\_\_ Filed \_\_\_\_\_

1. Location 1216 Longgreen Parkway, Columbia, SC 29229
2. Page 357 Block 111 Lot \_\_\_\_\_ Zoning District M-1
3. 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 \_\_\_\_\_ of the Richland County Zoning Ordinance.
4. Applicant requests a variance to allow use of the property in a manner shown on the attached site plan, described as follows: \_\_\_\_\_  
See Addendum (A)
5. 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: \_\_\_\_\_  
See Addendum (A)
  - b) Describe how the conditions listed above were created: \_\_\_\_\_  
See Addendum (A)
  - c) These conditions do not generally apply to other property in the vicinity as shown by: \_\_\_\_\_  
See Addendum (A)
  - 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: See Addendum (A)
  - 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: \_\_\_\_\_  
Se Addendum (A)
6. The following documents are submitted in support of this application [a site plan must be submitted]:
  - a) Site Plan
  - b) Utility Plan
  - c) Landscaping Plan

(Attach additional pages if necessary)

## Addendum (A)

- 4) Applicant respectfully requests that the building front parking setbacks for M-1 zoning be waived and that the attached site plan be permitted.
  
- 5) A) Extraordinary conditions apply to this property. They are as follows: The building Architectural fronts on Clemson Road not Longgreen Parkway. This property is in a South Carolina Department of Transportation restricted access area of Clemson Road, and therefore must gain access from Longgreen Parkway. The physical mailing address of the property will be Clemson Road. Also, no feasible use could be built on this site under the current setback requirements because SCE&G has an aerial easement on the opposite property line that does not allow a building to be built under this easement.  
  
B) These conditions were brought on to this property because SCDOT restricted access to this site, and SCE&G constructed a transmission line on the interior property line.  
  
C) The other properties in the vicinity are not affected by this setback requirement because they do not gain access from the side road.  
  
D) This setback requirement would unreasonably restrict this parcel because it would deem the property almost unusable.  
  
E) The authorization of this variance will not be of substantial detriment to the adjacent property because it will be in unison with the setbacks that they are following.

**PAULSON MITCHELL**  
INCORPORATED

LAND PLANNERS  
ENGINEERS  
TRANSPORTATION  
ARCHITECTS  
SURVEYORS  
VOICE 770.650.7685  
FAX 770.650.7684  
85-A MILL STREET  
ROSWELL, GEORGIA 30075



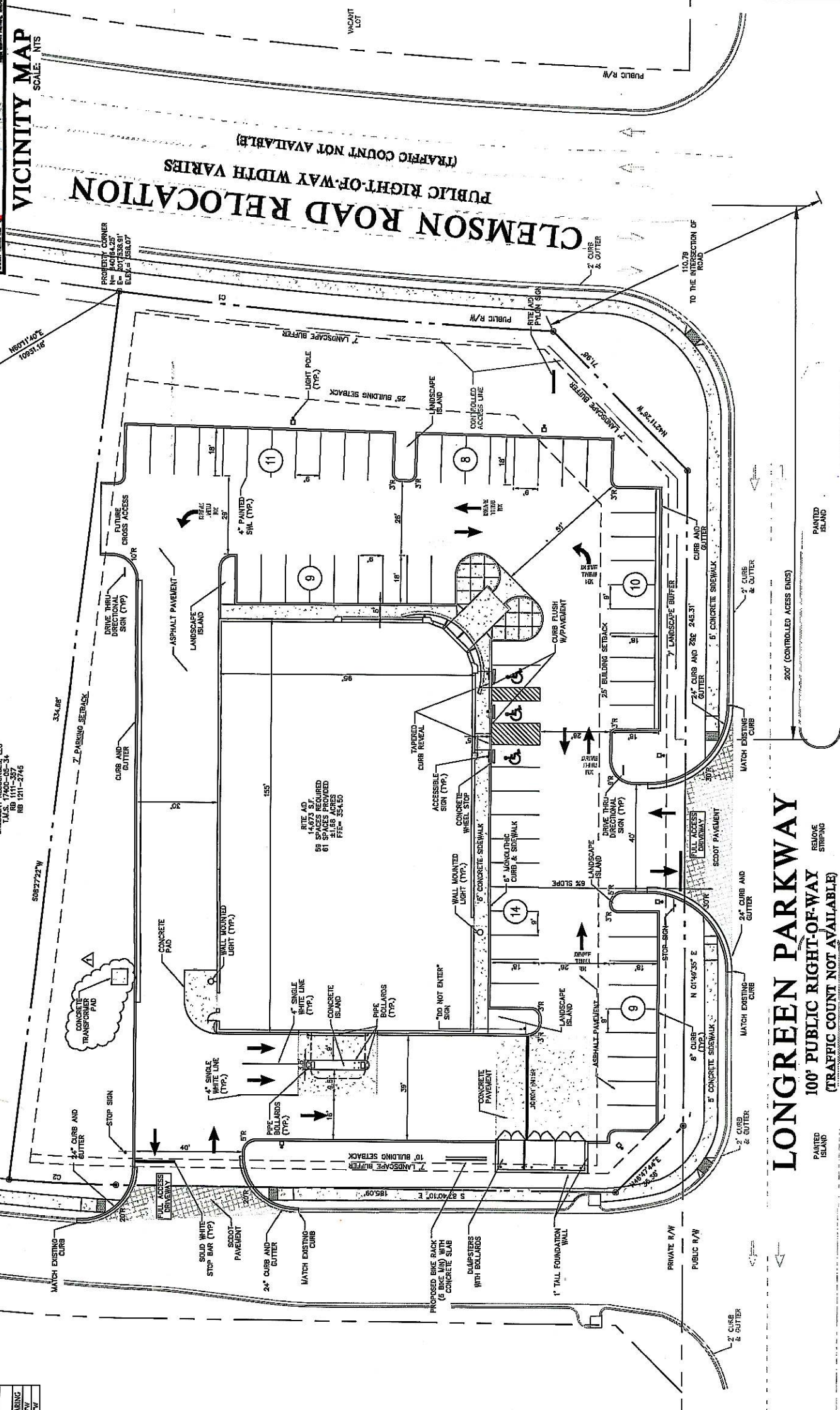
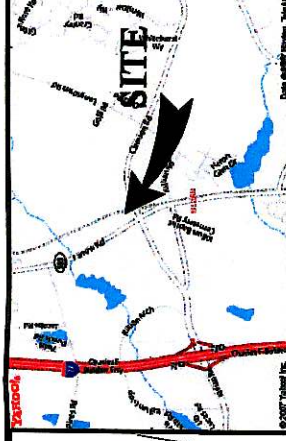
PROJECT  
**RITE AID**  
STORE #5888-01 NT  
CLEMSON ROAD &  
LONGREEN PARKWAY  
RICHLAND CO,  
COLUMBIA, SC

FOR  
**RITE AID**  
2477 VALLEYDALE ROAD  
SUITE A-3  
BIRMINGHAM, AL  
(205) 403-6587

NO.	DATE	DESCRIPTION
1	02.18.08	REV. OWNER

DWG. NAME : 2007348C  
DRAWN BY : JKS  
DATE : 09.28.07  
SCALE : 1"=20'

**SITE PLAN**  
**C.I**



**PARKING INFORMATION**

NO.	DESCRIPTION	REQUIREMENTS	PROPOSED
1	MINIMUM PARKING SPACES	81	81
2	MINIMUM PARKING SPACES PER 1,000 S.F. OF BUILDING AREA	1.5	1.5
3	MINIMUM PARKING SPACES PER 1,000 S.F. OF BUILDING AREA	1.5	1.5
4	MINIMUM PARKING SPACES PER 1,000 S.F. OF BUILDING AREA	1.5	1.5

\*NOTE: SITE LIGHTING SHALL COMPLY WITH SECTION 26-177 OF THE RICHLAND COUNTY CODE

**ADDITIONAL INFORMATION**

NO.	DESCRIPTION	REQUIREMENTS	PROPOSED
1	MINIMUM LOT AREA	N/A	N/A
2	MINIMUM FRONT SETBACK	25 FEET	25 FEET
3	MINIMUM SIDE SETBACK	15 FEET	15 FEET
4	MINIMUM REAR SETBACK	15 FEET	15 FEET
5	MINIMUM BUILDING HEIGHT	12 FEET	12 FEET
6	MINIMUM PARKING SPACE	120 SQ. FEET	120 SQ. FEET

**CURVE TABLE**

CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
1	16.58	213.24	47.95	16.48	N85°12'00" W
2	39.89	597.70	73.97	39.46	N85°12'00" W

**PAVING LEGEND**

- SC DOT R/W PAVING
- 1-1/2" ASPHALT CONCRETE SURFACE
- 1-1/2" ASPHALT CONCRETE SINDER
- 6" GRADED AGGREGATE BASE
- CONCRETE PAVING
- STANDARD DUTY PAVING

**LEGEND**

- EXISTING R/W
- PROPOSED R/W
- EXISTING P/L
- PROPOSED P/L
- EXISTING SANITARY SEWER
- PROPOSED SANITARY SEWER (LABELLED)
- EXISTING WATER
- PROPOSED WATER
- EXISTING STORM DRAIN
- PROPOSED STORM DRAIN
- EXISTING CURB/VAULT
- PROPOSED CURB/VAULT
- UTILITY EASEMENT
- SILT FENCE
- TEMPORARY DRAINAGE DITCH
- PERMANENT DRAINAGE DITCH
- STREAM/CREEK
- TREES
- TELEPHONE
- EXISTING CATCH BASIN
- PROPOSED CATCH BASIN
- PROPOSED DRAIN INLET
- PROPOSED JUNCTION BOX
- EXISTING S.S. MANHOLE
- PROPOSED S.S. MANHOLE
- EXISTING FIRE HYDRANT
- PROPOSED FIRE HYDRANT
- EXISTING UTILITY POLE
- PROPOSED UTILITY POLE
- EXISTING WATER METER
- PROPOSED WATER METER

**SITE PLAN**  
SCALE: 1"=20'

24 HR EMERGENCY CONTACT  
MR. LANCE APPELBERG  
(803) 416-6850

**BEFORE YOU DIG...**  
Palmetto Utility Protection Services, Inc.  
Call 48 Hours Before You Dig!  
1-800-922-0983

**PAULSON MITCHELL**  
INCORPORATED

65-A NAIL STREET  
SAFETY 200  
ROSELLE, GEORGIA 30085  
770.539.3868  
YORK  
770.539.3868  
FAX 770.539.3868

**VICINITY MAP**

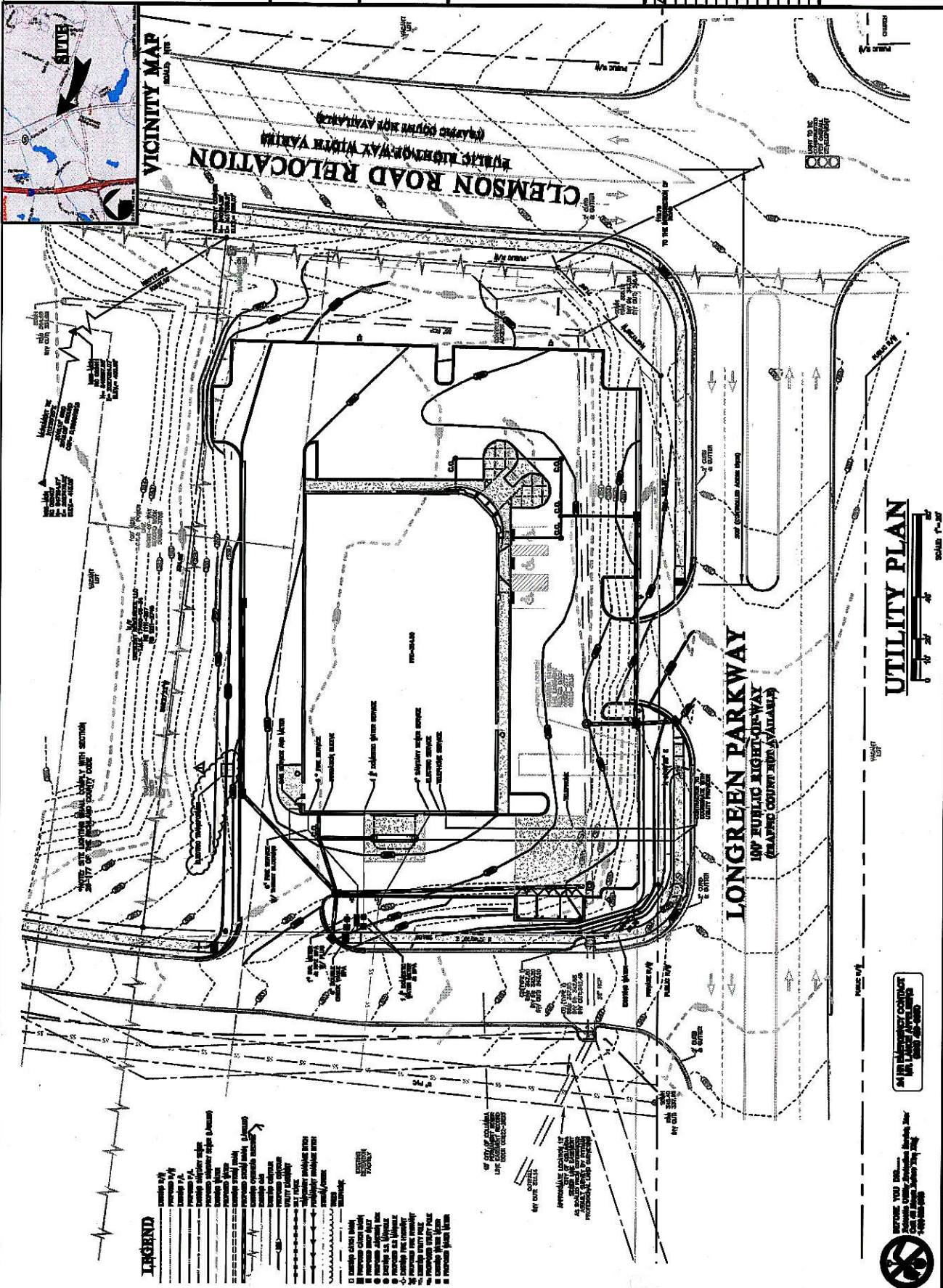


**PROJECT**  
**RITE AID**

STONE MOUNTAIN  
LONGGREEN PARKWAY  
RICHLAND CO.  
COLUMBIA, SC

**RITE AID**  
2877 VALLEYDALE ROAD  
SUITE 100  
BRIARCLIFF, AL  
(205) 403-2837

**UTILITY PLAN**  
**C-3**



**UTILITY PLAN**



**LEGEND**

- 12" WATER MAIN
- 18" WATER MAIN
- 30" WATER MAIN
- 36" WATER MAIN
- 48" WATER MAIN
- 60" WATER MAIN
- 72" WATER MAIN
- 84" WATER MAIN
- 96" WATER MAIN
- 108" WATER MAIN
- 120" WATER MAIN
- 132" WATER MAIN
- 144" WATER MAIN
- 156" WATER MAIN
- 168" WATER MAIN
- 180" WATER MAIN
- 192" WATER MAIN
- 204" WATER MAIN
- 216" WATER MAIN
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- 240" WATER MAIN
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- 264" WATER MAIN
- 276" WATER MAIN
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- 744" WATER MAIN
- 756" WATER MAIN
- 768" WATER MAIN
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- 792" WATER MAIN
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- 1896" WATER MAIN
- 1908" WATER MAIN
- 1920" WATER MAIN
- 1932" WATER MAIN
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- 1956" WATER MAIN
- 1968" WATER MAIN
- 1980" WATER MAIN
- 1992" WATER MAIN
- 2004" WATER MAIN
- 2016" WATER MAIN
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- 3000" WATER MAIN



7 May 2008  
Board of Zoning Appeals

## REQUEST, ANALYSIS AND RECOMMENDATION

08-35 Variance

### REQUEST

The applicant is requesting the Board of Appeals to grant a waiver to the sidewalk requirements on property zoned M-1 (Light Industrial).

### GENERAL INFORMATION

**Applicant**

Will Batsen

**Tax Map Number**

17400-05-45

**Location**

1216 Longreen Pkwy.

**Parcel Size**

1.68± acre tract

**Existing Land Use**

proposed commercial

**Existing Status of the Property**

The subject property is vacant.

**Proposed Status of the Property**

The applicant is proposing to construct a commercial structure (Rite Aid).

**Character of the Area**

This area is developing and will consist of commercial and residential uses.

### 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 waiver from the requirements of section 26-179 (a) (2) (a).

According to this section, new developments are required to provide sidewalks along all sides of abutting roads. The applicant is requesting to have this requirement waved because the SCDOT will not allow the applicant to construct sidewalks along Clemson Road.

Staff has observed that there are currently no sidewalks in the area to which the required sidewalks for this development would connect. However, there are a number of parcels, including a number of abutting parcels, that will be required to provide sidewalks if developed.

Staff recommends that the request be granted for a sidewalk waiver along Clemson Road, but the waiver request for Longreen Parkway and Longtown Crossing be denied.

**CONDITIONS**

N/A

**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**

**26-179 (a) (2) (a)**

*(2) Commercial, office, industrial, and PDD districts.*

- a. *Sidewalks.* All new development within any commercial, office, industrial, or PDD district is required to provide sidewalks along all sides of abutting roads, except along controlled access facilities. Sidewalks shall have a minimum width of five (5) specifications of the public works department.

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.

<b>ATTACHMENTS</b>
--------------------

- Site Plan

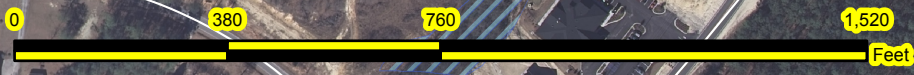
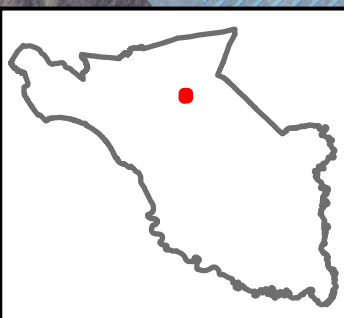
<b>CASE HISTORY</b>
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No record of previous special exception or variance request.

**CASE 08-35 V**  
**WILL BATSEN**  
**TMS 17400-05-45**

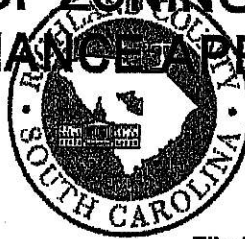


- FLOOD ZONE A
- FLOOD ZONE AE
- WETLANDS





**RICHLAND COUNTY  
BOARD OF ZONING APPEALS  
VARIANCE APPEALS**



Rcpt# \_\_\_\_\_

Application# \_\_\_\_\_

Paid \$ \_\_\_\_\_ Filed \_\_\_\_\_

1. Location 1216 Longgreen Parkway, Columbia, SC 29229
2. Page 357 Block 111 Lot \_\_\_\_\_ Zoning District M-1
3. 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 \_\_\_\_\_ of the Richland County Zoning Ordinance.
4. Applicant requests a variance to allow use of the property in a manner shown on the attached site plan, described as follows: \_\_\_\_\_  
See Addendum (A)
5. 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: \_\_\_\_\_  
See Addendum (A)
  - b) Describe how the conditions listed above were created: \_\_\_\_\_  
See Addendum (A)
  - c) These conditions do not generally apply to other property in the vicinity as shown by: \_\_\_\_\_  
See Addendum (A)
  - 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: See Addendum (A)
  - 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: \_\_\_\_\_  
Se Addendum (A)
6. The following documents are submitted in support of this application [a site plan must be submitted]:
  - a) Site Plan
  - b) Utility Plan
  - c) Landscaping Plan

(Attach additional pages if necessary)

## Addendum (A)

- 4) Applicant respectfully requests that the building front parking setbacks for M-1 zoning be waived and that the attached site plan be permitted.
  
- 5) A) Extraordinary conditions apply to this property. They are as follows: The building Architectural fronts on Clemson Road not Longgreen Parkway. This property is in a South Carolina Department of Transportation restricted access area of Clemson Road, and therefore must gain access from Longgreen Parkway. The physical mailing address of the property will be Clemson Road. Also, no feasible use could be built on this site under the current setback requirements because SCE&G has an aerial easement on the opposite property line that does not allow a building to be built under this easement.  
  
B) These conditions were brought on to this property because SCDOT restricted access to this site, and SCE&G constructed a transmission line on the interior property line.  
  
C) The other properties in the vicinity are not affected by this setback requirement because they do not gain access from the side road.  
  
D) This setback requirement would unreasonably restrict this parcel because it would deem the property almost unusable.  
  
E) The authorization of this variance will not be of substantial detriment to the adjacent property because it will be in unison with the setbacks that they are following.







7 May 2008  
Board of Zoning Appeals

## REQUEST, ANALYSIS AND RECOMMENDATION

08-36 Variance

### REQUEST

The applicant is requesting the Board of Appeals to grant a waiver to the sidewalk requirements on property zoned PDD (Planned Development District).

### GENERAL INFORMATION

**Applicant**

Forum Medical & Business Center

**Tax Map Number**

22808-02-15

**Location**

100 Wildwood Park Drive

**Parcel Size**

.38± acre tract

**Existing Land Use**

Commercial

**Existing Status of the Property**

The subject parcel is located within a multi-use commercial development.

**Proposed Status of the Property**

The applicant is proposing to establish an office use development which is required to provide sidewalks for compliance with the site plan review.

**Character of the Area**

This area is primarily comprised of office and institutional uses. An undeveloped PDD parcel is located south of the subject parcel.

### 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 waiver from the requirements of section 26-179 (a) (2) (a).

According to this section, new developments are required to provide sidewalks along all sides of abutting roads. The applicant is requesting to have this requirement waved because the other parcels were developed without sidewalks and the placement of sidewalks on this parcel wouldn't provide any connectivity within the development.

## CONDITIONS

N/A

### **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

### **26-179 (a) (2) (a)**

*(2) Commercial, office, industrial, and PDD districts.*

- a. *Sidewalks.* All new development within any commercial, office, industrial, or PDD district is required to provide sidewalks along all sides of abutting roads, except along controlled access facilities. Sidewalks shall have a minimum width of five (5) specifications of the public works department.

*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

- Site Plan
- Pictures

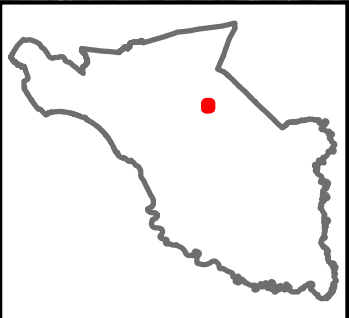
## CASE HISTORY

No record of previous special exception or variance request.

**CASE 08-36 V**

**FORUM MEDICAL & BUSINESS CENTER**

**TMS 22808-02-15**





**RICHLAND COUNTY  
BOARD OF ZONING APPEALS  
VARIANCE APPEALS**



Rcpt# 08-36 ✓

Application# \_\_\_\_\_

Paid \$ \_\_\_\_\_

Filed \_\_\_\_\_

1. Location 130 Wildwood Park Dr.
  
2. Page 22808 Block 02 Lot 15 Zoning District CG
3. 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 \_\_\_\_\_ of the Richland County Zoning Ordinance.
4. Applicant requests a variance to allow use of the property in a manner shown on the attached site plan, described as follows: Not install sidewalk on the road frontage
  
5. 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: No Existing sidewalk in development
  
  - b) Describe how the conditions listed above were created: No sidewalk policy when other lots were built on.
  
  - c) These conditions do not generally apply to other property in the vicinity as shown by: No existing sidewalk
  
  - 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: Disconnected sidewalks
  
  - 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: No Existing sidewalk in development
  
6. The following documents are submitted in support of this application [a site plan must be submitted]:
  - a) Site Plan
  - b) \_\_\_\_\_
  - c) \_\_\_\_\_

(Attach additional pages if necessary)





7 May 2008  
Board of Zoning Appeals

REQUEST, ANALYSIS  
AND  
RECOMMENDATION

**08-37 Variance**

**REQUEST**

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

**GENERAL INFORMATION**

**Applicant**

Dave Gilbert

**Tax Map Number**

03704-01-02

**Location**

147 Watersong Lane

**Parcel Size**

4.35± acre tract

**Existing Land Use**

Undeveloped

**Existing Status of the Property**

The subject property is currently undeveloped.

**Proposed Status of the Property**

The applicant proposes to encroach into the required side yard setbacks by 15 feet on each side.

**Character of the Area**

The surrounding area is comprised of residential structures located on large parcels (Watersong Subdivision).

**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 encroach into the required rear yard setback by 50 feet.

The need for the request is necessitated by the applicants desire to construct a residential structure on a specific section of the subject parcel.

The proposed zero lot line side of the request is abutted by a flood zone. For the reason that development within the flood zone can be complicated, it is unlikely that this parcel will be developed.

**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**

N/A

**ATTACHMENTS**

- Copy of plat
- Pictures
- Letter of support (abutting property owner)

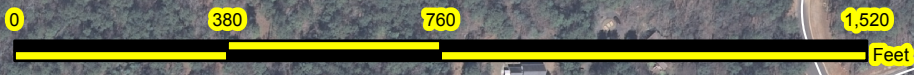
**CASE HISTORY**

No record of previous special exception or variance request.

**CASE 08-37 V**  
**DAVE GILBERT**  
**TMS 03704-01-02**

**Site**

-  FLOOD ZONE A
-  FLOOD ZONE AE
-  WETLANDS



**RICHLAND COUNTY  
BOARD OF ZONING APPEALS  
VARIANCE APPEALS**



Rcpt# 359419

Application# \_\_\_\_\_

Paid \$ 100<sup>00</sup>

Filed 3-31-08

1. Location 147 Watersong Lane Lot 5  
2. Page 03704 Block 01 Lot 02 Zoning District RU

3. 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 \_\_\_\_\_ of the Richland County Zoning Ordinance.

4. Applicant requests a variance to allow use of the property in a manner shown on the attached site plan, described as follows: copy of plat we have

With rough sketch of where house will go.  
our builder will make a better determination  
after we go through this

5. 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: \_\_\_\_\_

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

- a) site plan
- b) neighborhood plan
- c) detail explanation

(Attach additional pages if necessary)

*See attached*

6.) c.)

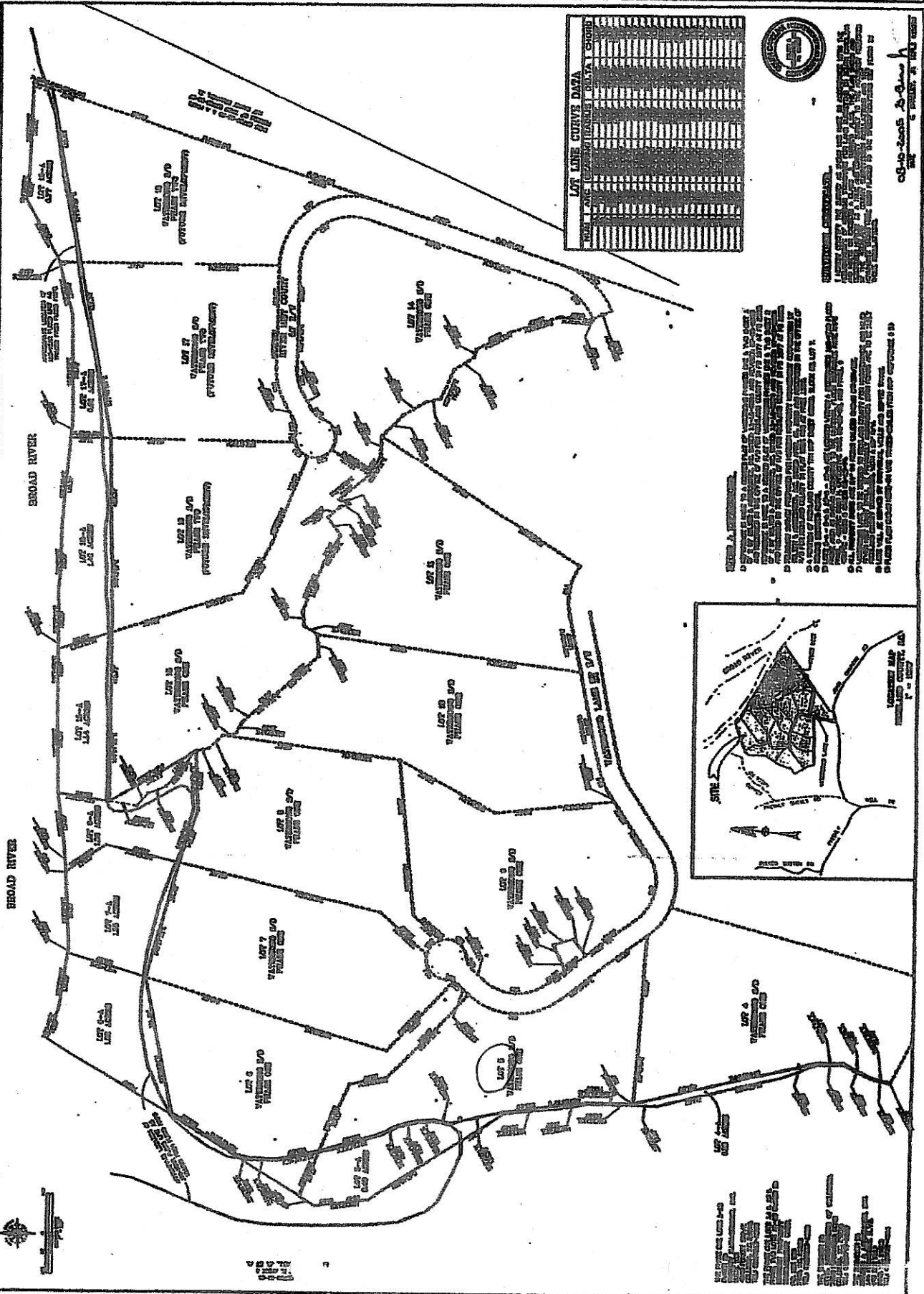
**Richland County Board of Zoning Appeals Variance Appeals**

5.) a. & b.) When we were in the process of purchasing this property the surveyor that surveyed the whole subdivision said that they would mark the back and side half of our property and for us to save our money for the survey because we would be coming back to them for many more surveys during the building process. Apparently the surveyor marked the wrong part of our property. They marked the back half of the property and into the property next to us, giving us the wrong impression of what property we were buying. (See highlighted section marked on plat) We had them mark the back half/ right corner knowing with the topography that this is the best place on the lot to build our home. We had it all figured out where we were going to build our home based on the markings from the surveyor before we even closed.

c.) We are trying to build our home in a similar location on the lot as our neighborhoods are building their homes in this subdivision. Our lot has more road frontage than any of the other lots in the neighborhood (see attached neighborhood plat) by having more road frontage our lot is not as deep, the longest part of the lot to build on is where we are trying to build, in nature keeping with the subdivision. Just like all the homeowners in the neighborhood we want to be tucked back in the woods from the street where our house is not really visible.

d.) Without the variance we will have a difficult time building any home since this area is the most level with the topography of the land. This is why we looked at all of this before we purchased the land. So now we are trying to be able to adjust our plans a little but not losing entirely what we were trying to build. We are also unable to do what all the other homeowners are doing to stay in tune with the way the rest of the neighborhood will be laid out, long driveways, homes tucked back in the woods away from the street. We are thinking of our resale and the look of the neighborhood as well.

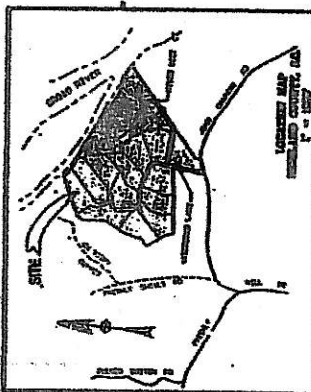
e.) This will not cause detriment to the adjacent property or to the public good, the character of the district will not be harmed by the granting of the variance. We have spoken to the owner of the adjacent property, Horizon Properties and he has given us permission to build into the easement and up to our property line. He will put it in writing if necessary.



LOT LINE CURVES DATA

LOT	CHORD BEARING	CHORD DIST.	ARC BEARING	ARC DIST.
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				

THIS SHEET IS A PART OF A SET OF PLANS FOR THE DEVELOPMENT OF THE SITE SHOWN HEREON. IT IS TO BE USED IN CONJUNCTION WITH THE OTHER SHEETS OF THE SET. THE INFORMATION CONTAINED HEREON IS FOR GENERAL INFORMATION ONLY AND IS NOT TO BE USED AS A BASIS FOR ANY OTHER PURPOSES. THE SURVEYOR'S OFFICE IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THIS SHEET.



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04 b.1



(v) a.)

6

4.05 Ac.  
PHASE ONE

TMS# 03700-02-07  
N/F HORIZON PROPERTY  
MANAGEMENT CORP.

5  
4.35 Ac.  
PHASE ONE

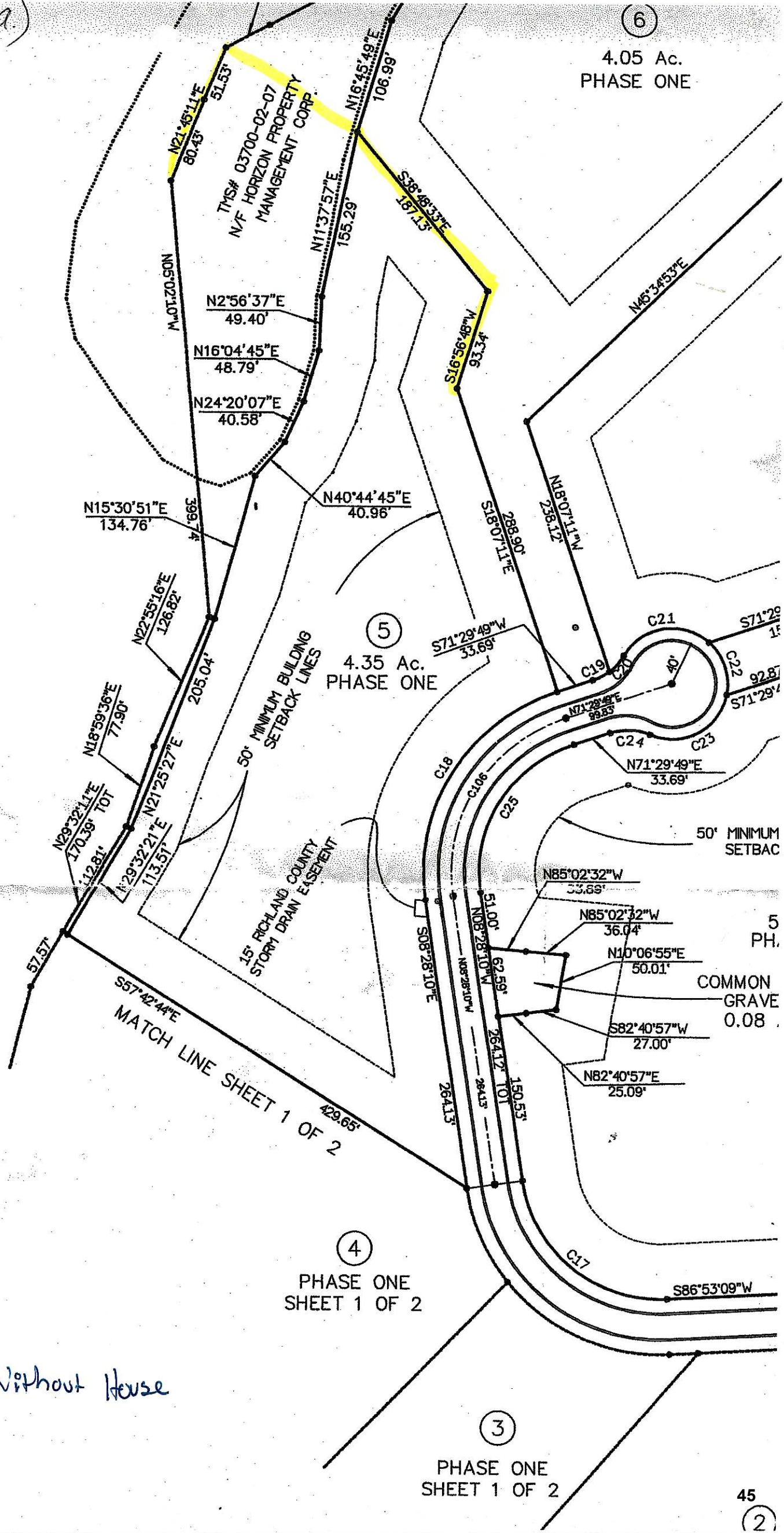
50' MINIMUM SETBACK

5 PH.  
COMMON GRAVE  
0.08

4  
PHASE ONE  
SHEET 1 OF 2

3  
PHASE ONE  
SHEET 1 OF 2

Without House



6

4.05 Ac.  
PHASE ONE

TMS# 03700-02-07  
N/F HORIZON PROPERTY  
MANAGEMENT CORP.

5  
4.35 Ac.  
PHASE ONE

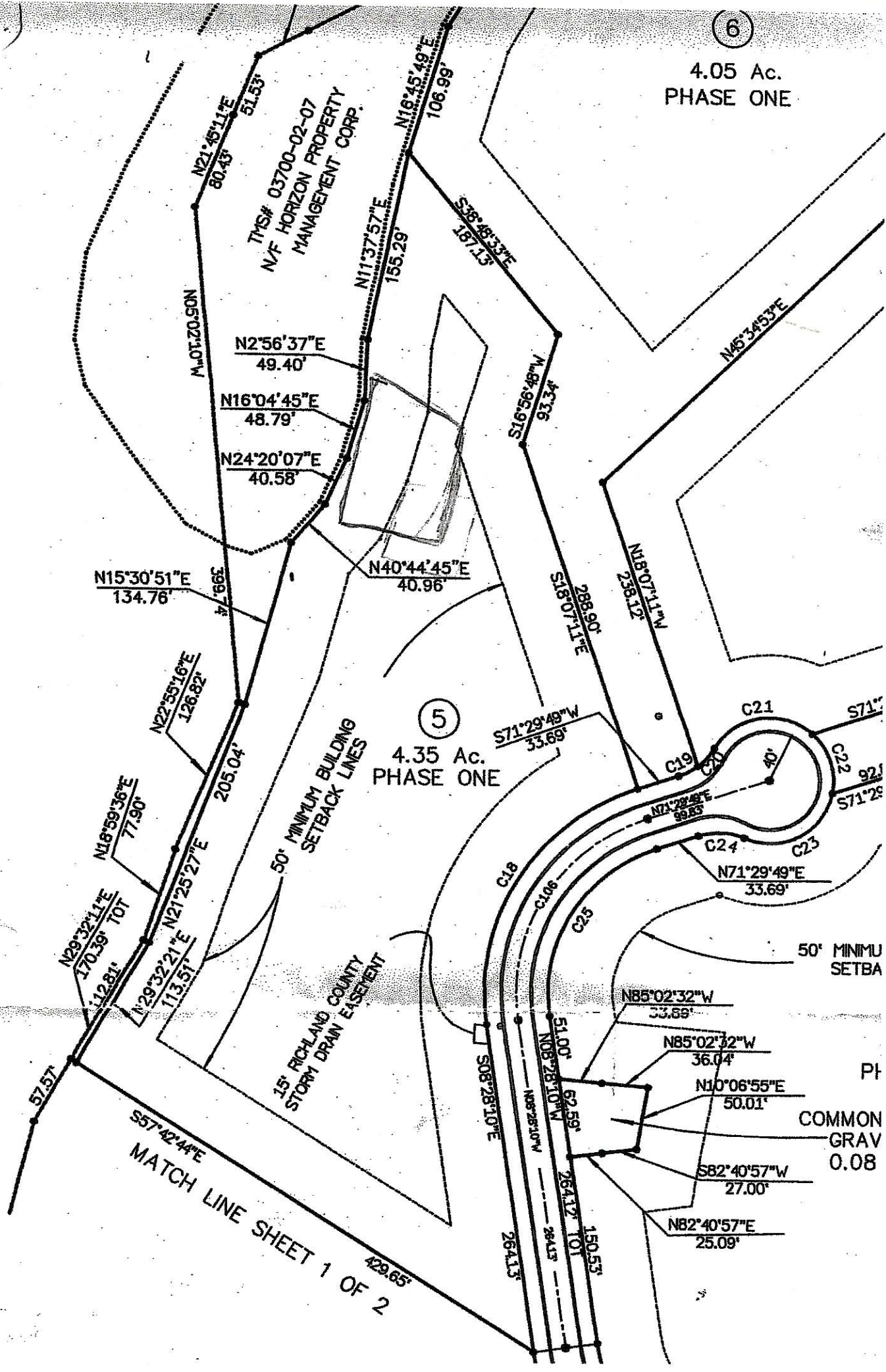
50' MINIMUM BUILDING  
SETBACK LINES

15' RICHLAND COUNTY  
STORM DRAIN EASEMENT

50' MINMU  
SETBA

PH  
COMMON  
GRAV  
0.08

MATCH LINE SHEET 1 OF 2



With House

# *Insight Management Corp*

*4840 Forest Drive Suite 333*

*Columbia, SC 29206*

April 30, 2008

Mr. Geonard Price  
Richland County Zoning  
2020 Hampton St.  
Columbia, SC 29202

Re: Lot #5 Watersong Setback Variance

Dear Mr. Price,


Please accept this letter and attached drawing as a formal follow-up to our telephone conversation regarding my thoughts on the requested setback variance for Lot #5 in the Watersong subdivision.

As I stated yesterday, my 50 foot side and rear setbacks were imposed as part of a larger goal which was to construct a subdivision in a rural area of the County with minimal impact on the land or the surrounding neighbors. The setbacks were intended to leave a minimum 50 foot (100 ft. between adjoining lots) vegetative buffer between the lots, and to also provide protection to the natural vegetation growing along the creek bottoms at the rear of the lots.

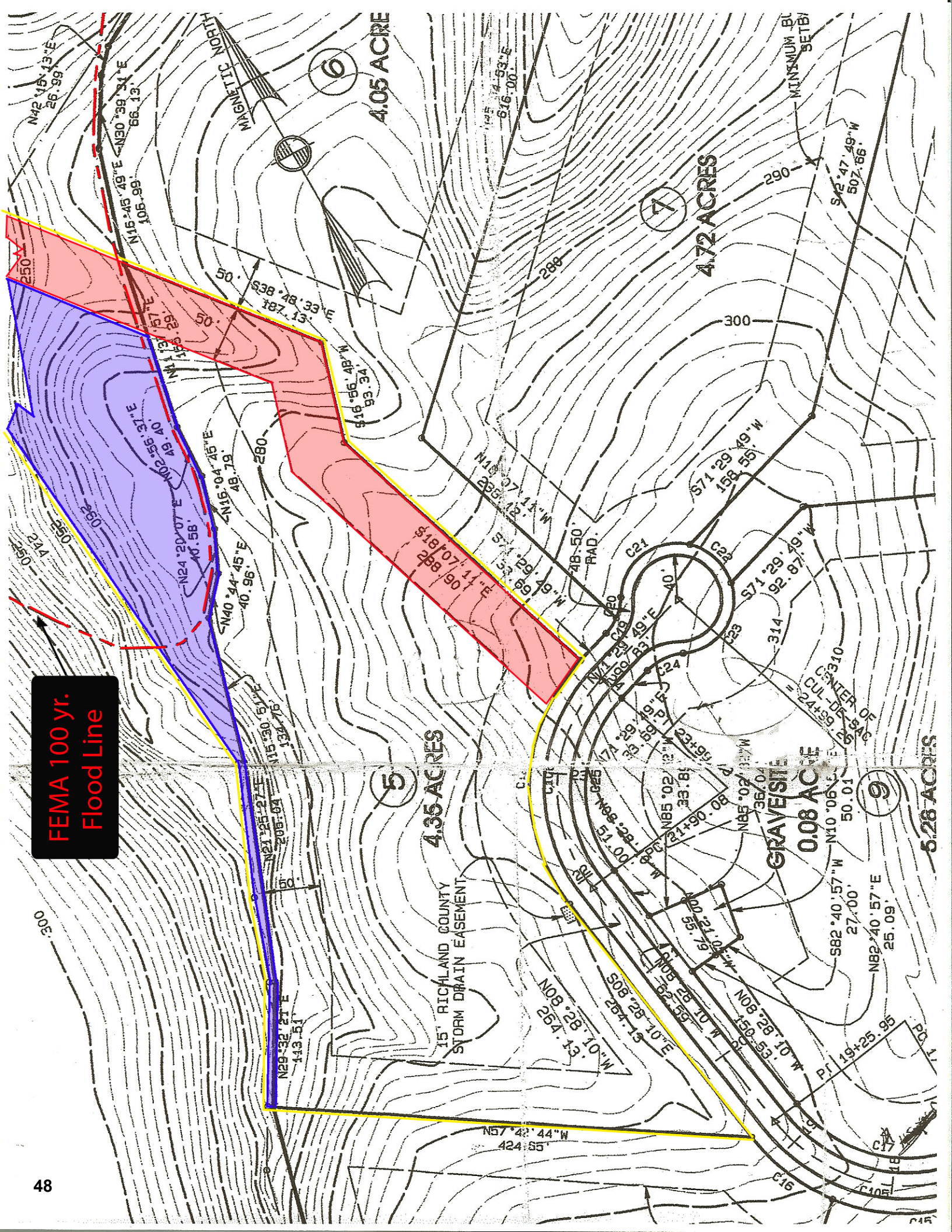
As you can see on the attached drawing, the fifty foot setback makes it virtually impossible to construct a home meeting our 3000 sq. ft. minimum on the prettiest portion of lot #5. If you will also note on the drawing, I own a strip of flood plain land behind lot #5 (shaded blue) which averages more than 100 ft. in width. In my opinion, this strip alone will provide an effective buffer between Lot #5 and the adjoining (rear) land owner without the imposed additional 50 ft. setback shown on the plat. Therefore, I have no objection to reducing the rear setback on Lot #5 to zero as requested by the Owners. I do, however, wish to maintain the 50 ft. sideline setback (shown in red) to prevent the construction on Lot#5 from interfering with the privacy of Lot #6.

If you have further questions, or if I can be of any future assistance, please do not hesitate to call.

Sincerely,

  
\_\_\_\_\_  
C. Dailey  
V. President, C.O.O.

FEMA 100 yr.  
Flood Line





7 May 2008  
Board of Zoning Appeals

REQUEST, ANALYSIS  
AND  
RECOMMENDATION

**08-38 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**

Wade Green

**Tax Map Number**

01316-01-11

**Location**

201 Rucker Road

**Parcel Size**

1+ acre tract

**Existing Land Use**

Undeveloped

**Existing Status of the Property**

The subject property is currently undeveloped.

**Proposed Status of the Property**

The applicant proposes to encroach into the required side yard setback by 8 feet and the front yard setback by 28 feet.

**Character of the Area**

The surrounding area is comprised of residential structures.

**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 encroach into the required front and side yard setbacks by 28 and 8 feet, respectively.

The need for the request is necessitated by the applicants desire to construct a residential structure on the subject parcel.

Approximately 50% of the parcel is located in the flood zone. This restricts the location of the proposed structure. The restricted area, coupled with the required rural district setbacks reduces the actual building area. Also, the parcel narrows from the front property line to the edge of the flood zone by approximately 50 feet, creating an additional irregularity to the shape of the parcel.

**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**

N/A

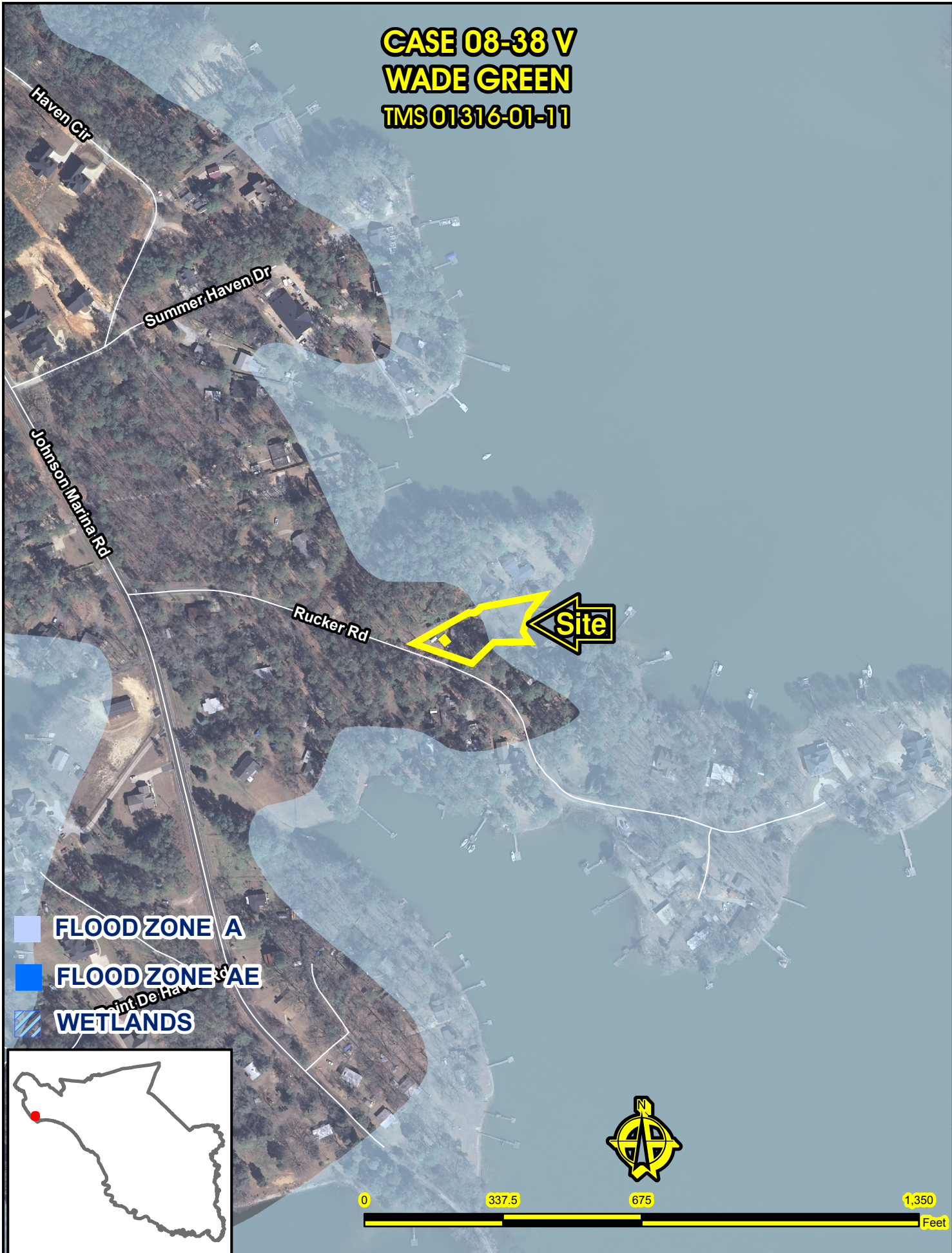
**ATTACHMENTS**

- Copy of plats
- Pictures

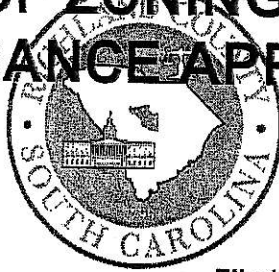
**CASE HISTORY**

No record of previous special exception or variance request.

**CASE 08-38 V**  
**WADE GREEN**  
**TMS 01316-01-11**



**RICHLAND COUNTY  
BOARD OF ZONING APPEALS  
VARIANCE APPEALS**



Rcpt# \_\_\_\_\_

Application# \_\_\_\_\_

Paid \$ \_\_\_\_\_ Filed \_\_\_\_\_

1. Location 201 Rucker Rd Chapin SC 29036
2. Page \_\_\_\_\_ Block \_\_\_\_\_ Lot 0 Zoning District \_\_\_\_\_
3. 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 \_\_\_\_\_ of the Richland County Zoning Ordinance.
4. Applicant requests a variance to allow use of the property in a manner shown on the attached site plan, described as follows: \_\_\_\_\_  
\_\_\_\_\_
5. 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: Flood plain & setbacks will drastically reduce the size of the buildable footprint
  - b) Describe how the conditions listed above were created: size of the lot when purchased
  - c) These conditions do not generally apply to other property in the vicinity as shown by: nearby homes were built before flood plain was enforced
  - 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 footprint of buildable here will not allow a house of this size due to setback requirements
  - 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: surrounding neighbors do not object to requested variance
6. The following documents are submitted in support of this application [a site plan must be submitted]:
  - a) \_\_\_\_\_
  - b) \_\_\_\_\_
  - c) \_\_\_\_\_

(Attach additional pages if necessary)



**GERALD MEETZE**  
 PREPARED FOR  
 VACANT LOT SURVEY

SCALE: 1" = 30'  
 DATE: 08-09-07  
 LOT AREA: 23130 S.F.  
 0.53 ACRES  
 RICHLAND COUNTY TMS#  
 01316 BLOCK 01 LOT 11  
 JOB NO. 0708015

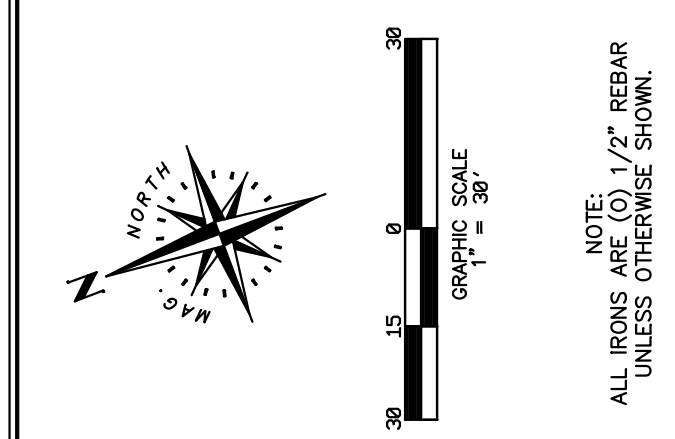
(1) SHOWN AS A MAJOR PORTION OF LOT 22 AND A MAJOR PORTION OF LOT 22A PREPARED FOR KEVIN L. HOLCOMBE BY BENJAMIN H. WHEATSTONE, DATED 10-31-96 AND RECORDED IN THE OFFICE OF R/D FOR RICHLAND COUNTY IN RECORD BOOK 56, PAGE 5878  
 (2) SHOWN AS A MAJOR PORTION OF DON E. WILLIAMS & JENNIFER WILLIAMS BY COX AND DINKINS, INC., DATED 10-05-83 IN RECORD BOOK 2, PAGE 7166

EXCEPT AS SPECIALLY STATED OR SHOWN ON THIS PLAN, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: EASEMENTS, OTHER THAN POSSIBLE EASEMENTS THAT WERE VISIBLE AT THE TIME OF MAKING OF THIS SURVEY; BUILDING SETBACK LINES; RESTRICTIVE COVENANTS; SUBDIVISION RESTRICTIONS; ZONING OR OTHER LAND-USE REGULATIONS; AND ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH SHOULD DISCLOSE.  
 THE SURVEY AS SHOWN HEREON WERE CONSIDERED AS A PART OF THIS SURVEY.  
 THE LOCATIONS OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVE-GROUND VISIBLE STRUCTURES, LOCATIONS OF UNDERGROUND UTILITIES, STRUCTURES AND/OR EASEMENTS MAY VARY FROM LOCATIONS SHOWN HEREON UNLESS DESIGNATED WITH BEARINGS & DISTANCES.

F.I.R.M. MAP # 45079C - 0025 H DATED: 02-20-02  
 THE UNDERSIGNED STATES THAT TO THE BEST OF HIS KNOWLEDGE AND BELIEF THE LOCATION OF THE SUBJECT PROPERTY HAS BEEN CHECKED AGAINST FIRM / TEMA MAPS OR OTHER FLOOD DATA AND FINISHED FLOOR (S) OR PROPERTY (S) LOCATED IN A SPECIAL FLOOD HAZARD AREA.  
 HEREBY STATE THE SURVEY AS SHOWN WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF MINIMUM STANDARDS FOR LAND SURVEYING IN SOUTH CAROLINA AND MEETS OR EXCEEDS A CLASS B SURVEY.

REVISIONS: 03-31-2008 TO ADD SCALED FLOOD PLAIN FROM F.I.R.M. MAP, AND TO ADD PROPOSED DWELLING LOCATION.

**BELTER & ASSOCIATES, INC.**  
 144 FRIARGATE BOULEVARD  
 RMO, SOUTH CAROLINA 29063  
 TELEPHONE: (803) 732-4004

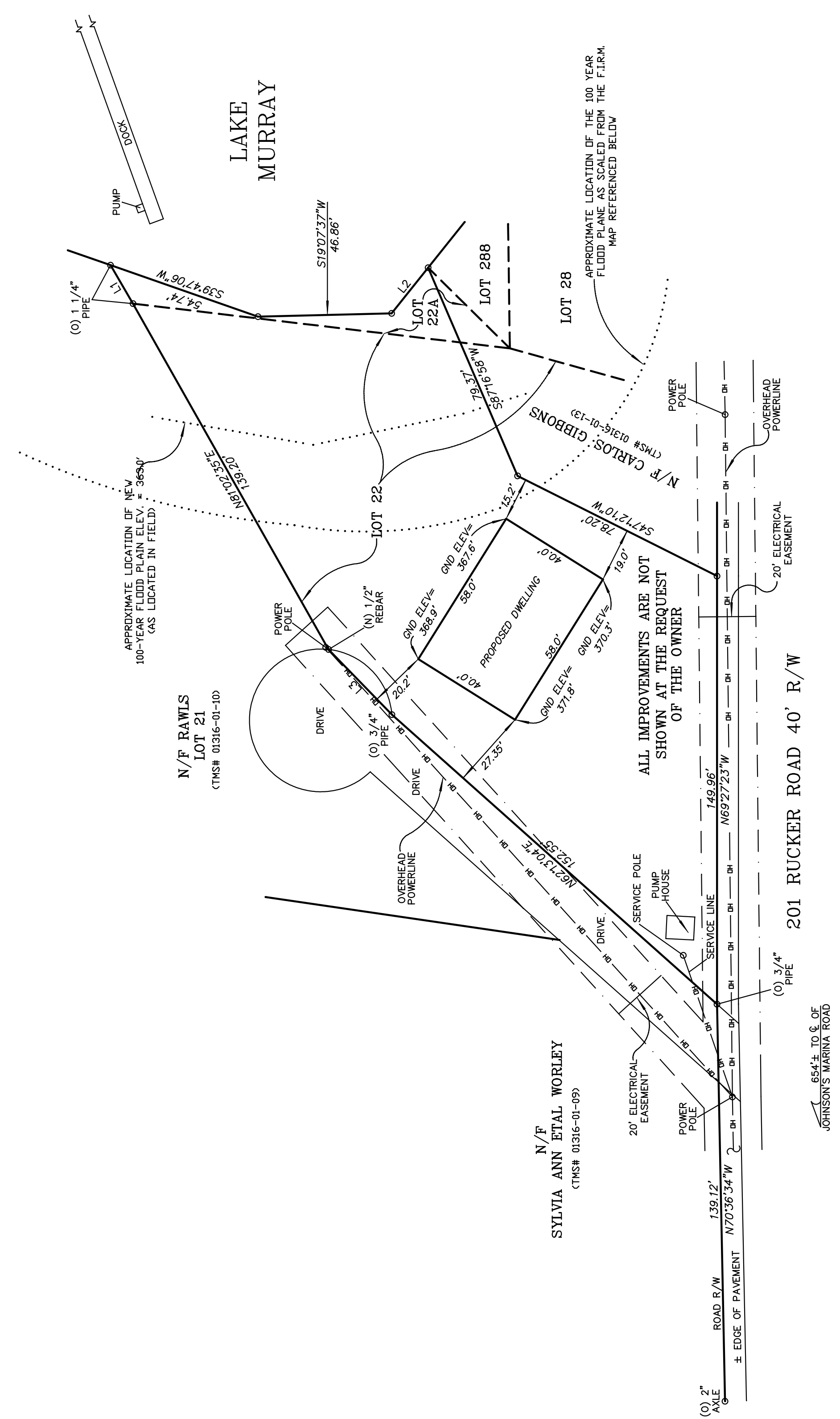


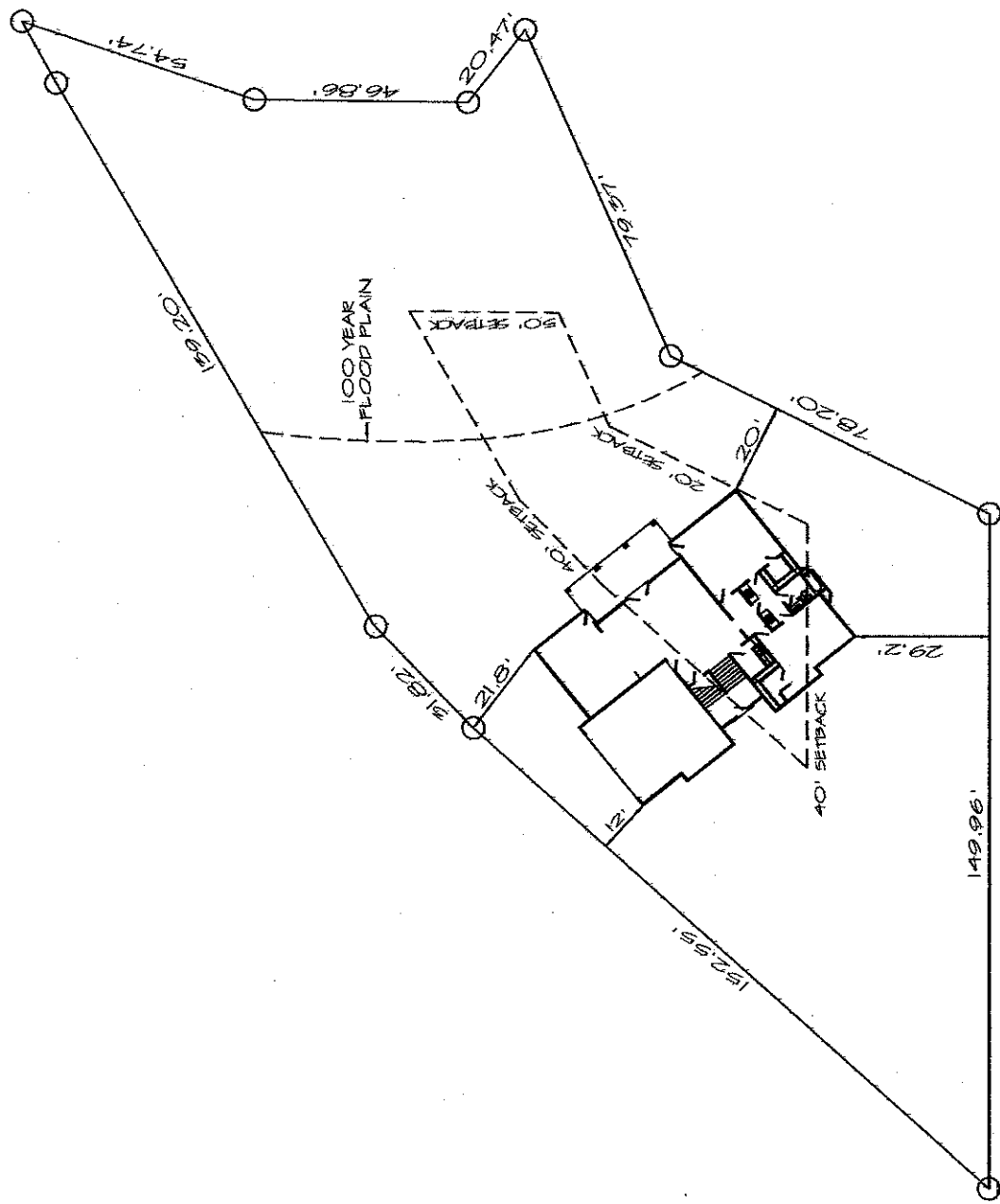
NOTE: ALL IRONS ARE (O) 1/2" REBAR UNLESS OTHERWISE SHOWN.

NUM	BEARING	DISTANCE
L1	N80°10'59"E	15.60'
L2	S30°48'24"E	20.47'
L3	N66°22'04"E	31.82'



NOTE: NO SEWER OR DRAINAGE STRUCTURES VISIBLE AT DATE OF SURVEY. THIS LOT MAY BE SUBJECT TO EASEMENTS & SETBACKS OF RECORD.





PLOT PLAN  
FOR  
RALEY PROPERTIES

SCALE: 1" = 40'  
201 RUCKER RD.

# **Reconsideration**

Case 07-54 SE

TO: RICHLAND COUNTY BOARD OF  
ZONNING APPEALS  
2020 HAMPTON ST.

FROM: BERNARD DOCTOR  
1251 BROCKINGTON RD.  
COLUMBIA SC 29203  
CASE# 07-54 SE

SUBJECT: REQUEST FOR RECONSIDERATION

I am requesting reconsideration because I feel the decision of the board was in error based on the following reason. (Mistake of Fact)

Your reason for disapproval was.

1. Not conducted in a manner to prevent spillage.
2. Not aesthetically compatible with the surrounding area.

1. AS I explained in my presentation prior to dismantling any vehicle the oils and fluids will be drained. If all fluids are drained prior to dismantling it is will be impossible to have a spill. The engines that will be kept will not be drained but an engine on a vehicle is sealed unless the engine is turned upside down for a period of time the oil will not come out. That is why you can park a vehicle in your drive way for years without leakage. The only way to let the fluids out of that engine will be to break the seal by removing the drain plug or removing the oil pan.

2. My property is zoned M-1 (Light Industrial) it is completely surrounded by M-1 zoned property any where from 200 feet up to over 1,000 feet from my property line. While looking at the table of permitted uses I see that some of the permitted uses for this property is truck driving schools, automobile towing including storage services, construction heavy with outside storage, repair and maintenance services boat and commercial trucks large, repair and maintenance services automotive major, building supply sales with outside storage. Etc..... if these types of businesses were built on all the M-1 properties surrounding my property and an auto salvage yard was put on my land I see it as aesthetically compatible with the "surrounding area".



BERNARD R. DOCTOR





Richland County Government  
2020 Hampton Street  
Columbia, SC 29204

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

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