

City of Columbia
BOARD OF ZONING APPEALS
August 12, 2019

CALL TO ORDER:

Chairman Jimmy Dugger called the August meeting of the Board of Zoning Appeals for the City of Columbia to order at 10:00 a.m. The meeting was held in the Council Chambers at City Hall.

ROLL CALL:

Quorum present and included the following:

Present were: Mr. Jimmy Campbell
 Mr. Jimmy Dugger
 Mrs. Kristi Martin
 Mr. Stephen Walker

Absent was: Mr. George Vrailas

Other attendees: Mr. Paul Keltner, Development Services Director
 Mrs. Melissa Sanders, Planning Associate
 Mrs. Sandra Richardson, Secretary

APPROVAL OF MINUTES:

The June minutes were presented for approval. Mr. Campbell made the motion to approve. Mr. Walker seconded the motion. Motion to approve passed with a unanimous vote of four to zero.

AGENDA ITEM #2

Case #19-0079

Request from Dinkins Home Center for an appeal of administrative decision on permit 2018-1053 being 133 Overlook Place.

Staff Review:

Mr. Keltner presented that this item is an appeal and he would step down in to the audience.

Discussion and Motion:

Mr. Ron Kelley with Dinkins Home Center was present to answer questions on behalf of Mr. & Mrs. Phillip Johnson who were also present. Mr. Kelley stated that they were appealing the decision about the setbacks on their lot where they had a home burned and replaced it with a manufactured home. He stated that the city changed their permits. All permits that he has looked at said front, side, and rear, and this one says street, side, and rear, and it happens to be on a corner lot. The house is actually seven feet from the side street, and this is what he is appealing. Mr. Paul Keltner, interim Zoning Administrator, represented the City of Columbia. Mr. Keltner stated that this is an appeal of verbiage front versus street. In 2006, the City did go to a street format mostly because of corner lots, prior to that it did have a front and a side. In Zoning

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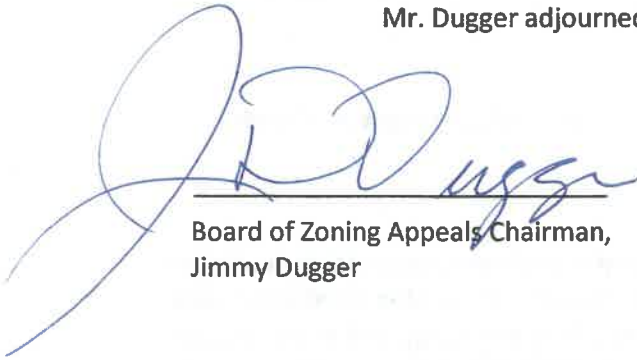
Ordinance 1507, prior to 2006, it was half of the front setback for corner lot within 10 feet, in this particular situation it is zoned RM-1, the street setback for that is 20 feet. Looking at the ordinance both Overlook Place and Collins Street would both have a 20 feet setback that was stated in the permit. Discussion included inspections, consideration between street and side, front versus street, manufacturer, Zoning Ordinance Article 6.2.9, private deed restrictions, setbacks, home in position, process, verifications, clarifications, covenants, lot layout, variance, homeowner association, codes, Certificate of Occupancy, expense factors, and pictures. Mr. Dugger stated that he wanted to make it perfectly clear that the City of Columbia and it's Code department never had a chance to touch this property until the home was on the property. There was a permit issued Oct. 29, 2018. Ms. Martin stated that she would like to see the loop holes strengthened. Mr. Walker asked if this was a replacement home built would it have been caught? The code needs verbiage that treats manufacture home and new construction the same per location. Mr. Dugger stated that he went by and visited the area yesterday, and discussed it with Tony Massey, City Manager, and asked for legal council to be present, but he was unable to get it scheduled today. He has permission to defer this item for 30 days or the next meeting to allow legal services a chance to review. Mr. Walker made the motion to defer for one month to the next established meeting and have legal council look at this and give their opinion how to handle this and not be detrimental to either side. Mr. Campbell seconded the motion. Motion passed with a vote of four to zero to defer.

OTHER BUSINESS:

In other business, the Board discussed education. The Power of Ten Summit is coming up in the fall for educational purposes.

ADJOURNMENT:

Mr. Dugger adjourned the meeting at 10:20 a.m.



Board of Zoning Appeals Chairman,
Jimmy Dugger

Date

9.9.2019