

City of Columbia
BOARD OF ZONING APPEALS
January 9, 2025

CALL TO ORDER:

Chairman Jimmy Dugger called the January meeting of the Board of Zoning Appeals for the City of Columbia to order at 9:00 a.m. The meeting was held in the Council Chambers at City Hall.

I. ROLL CALL:

Quorum present and included the following:

Present were: Mr. Eddie Ables
 Mr. Jimmy Campbell
 Mr. Jimmy Dugger
 Mr. George Vrailas

Absent was: Ms. Kristi Martin

Other attendees: Mr. Robert Archibald, Planner II
 Mr. Austin Brass, Principal Planner
 Mrs. Sandra Richardson, Recording Secretary

II. APPROVAL OF MINUTES:

The December minutes were presented for approval. Mr. Campbell moved to approve the minutes, with Mr. Ables seconding. The motion to approve the minutes passed three to zero, with Mr. Vrailas abstaining.

III. OLD BUSINESS:

Case #24-0352

Request from L. Bruce Peden for Appeal of an Administrative Decision for 200 Stewart Street, zoned CD-3 (Neighborhood Character District), concerning Zoning Ordinance 4400 Section 1.22.2F, Table 4.3.9.A-1 and Section 4.3.9.E.6.(ah).

Staff Review:

Mr. Dugger read the agenda item. Mr. Archibald gave the details of the carried forward staff report from the previous agenda. Mr. Peden is requesting a continuous deferral. The request for short term rental is currently being viewed by City Council, and could possibly change the outcome of the nonconforming STR at Mr. Peden's client's property.

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Discussion and Motion:

Mr. Burce Peden was present to answer questions. Mr. Peden requested an additional deferral for this request. Mr. Campbell moved to defer, and Mr. Ables seconded. The motion to defer passed four to zero.

Case #24-0351

Request from L. Bruce Peden for Appeal of an Administrative Decision for 623 Crestland Drive, zoned CD-3L (Large Lot Neighborhood Character District), concerning Zoning Ordinance 4400 Section 1.22.2F, Table 4.3.9.A-1 and Section 4.3.9.E.6.(ah).

Staff Review:

Mr. Dugger read the agenda item. Mr. Archibald stated that there is no further information from staff. This is the exact report of the previous case that was just heard. The deferral request is as presented by Mr. Peden.

Discussion and Motion:

Mr. Peden was present to answer questions. He stated that he was requesting a deferral. Mr. Campbell moved to defer this item, and Mr. Ables seconded the motion. The motion to defer passed four to zero.

Mr. Dugger stated that there will be a meeting tonight at City Council. Mr. Archibald confirmed the first meeting on the STR new provisions will be tonight before City Council and that will be the first reading. Mr. Dugger asked Mr. Peden if he had any questions for staff in regards to the meeting. Mr. Peden stated no. He appreciated the indulgence of the members of this board, and the staff of the City of Columbia addressing this issue. It is a very complicated issue. Mr. Campbell stated that City Council will have the first reading tonight then the second reading will be the next meeting. Mr. Archibald confirmed. Mr. Dugger asked who will be the legal council for this Board. Mr. Archibald stated Mr. Jake Hubbell. Mr. Dugger stated as the Board is being faced with a large number of these things coming to us, he would like to have him present at the first two or three meetings. Mr. Archibald stated that staff will make that arrangement.

IV. NEW BUSINESS:

Case #24-0541

Request from David Morgan for a setback variance at 1701 Grant Street, being CD-3 property (Neighborhood Character District) at Tax Map 99P Group B Parcel 1.

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Staff Review:

Mr. Dugger read the agenda item. Mr. Robert Archibald, gave the details of the staff report. This is an odd shaped lot. The variance request is specific to the back yard.

Discussion and Motion:

Mr. David Morgan was present to answer questions. He stated that the house was built in 1940. They are trying to make sure that the foundation is safe. Mr. Vrailas asked if he would have to rebuild to today's standards and put a driveway in. He wanted to make sure that Mr. Morgan was aware of the cost that he may be getting in to. Mr. Morgan stated that it has a driveway. Mr. Archibald stated that it does have an existing, and the improvement will be to build on the existing. It does have the provision for the driveway already in place that was not demolished. Mr. Vrailas asked if they were on sewer or septic. Mr. Morgan stated sewer. Mr. Campbell moved to approve, and Mr. Ables seconded. The motion to approve passed four to zero.

Case #24-0528

Request from Bob Gage for a setback variance at 800 S. James M. Campbell Blvd., being a CD-4C (General Urban Corridor Character District) property at Tax Map 100N Group L Parcel 6.

Staff Review:

Mr. Dugger read the agenda item. Mr. Austin Brass, gave the details of the staff report. He discussed the maximum and minimum setbacks. He stated that this request does have a unique abnormality in hardship due to the fact that there is an existing impaired stream that runs along the north boundary line at James Campbell Blvd. When there is a heavy rain it does fill up with water. It is a recognized TDEC stream. He discussed recommendation made including all other requirements be met including site orientation and architectural features from Article 4 Table 4.3.1. The request is to exceed the setback due to the hardship of the impaired stream buffer.

Discussion and Motion:

Mr. Bob Gage was present to answer questions. Mr. Dugger asked if this is what is called blue line stream. Mr. Brass stated yes. Mr. Gage discussed his request. Mr. Vrailas stated some information that he has that Mr. Gage might not be aware of is that the State and County is enforcing now if you are going over a stream you got to do an Engineer study. You have to be built twice the distance away from the stream banks. If you don't then you will have to go through another study. There are two studies you might need to think about. Mr. Gage stated that he will look into those. There is an existing driveway there for the mall. Mr. Vrailas explained that he has had that same situation, but with a house. It is a State law. Mr. Dugger asked Mr. Gage if there was

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anything that wanted to ask staff. Mr. Gage stated no he will do more research on it before he will have questions. Mr. Campbell moved to approve. Mr. Dugger stated Mr. Campbell would you take this the recommendation is to approve with the condition that all other standards of the Zoning Ordinance are met including site orientation and design features as outlined in Article 4. Table. 4.3.1. Will you accept this. Mr. Campbell stated that is the request. Mr. Ables seconded the motion. The motion passed four to zero.

V. OTHER BUSINESS:

Mr. Dugger stated we will have election of officers at this time.

Mr. Ables moved for Mr. Jimmy Dugger to be Chairman, and Mr. Vrailas seconded. The motion passed three to zero, with Mr. Dugger abstaining.

Mr. Campbell moved for Mr. Ables to be Vice-Chairman, and Mr. Vrailas seconded. The motion passed three to zero with Mr. Ables abstaining.

Mr. Dugger inquired about education. Mr. Archibald stated that there are no upcoming education sessions.

Mr. Vrailas stated that tonight's meeting on the agenda if they move forward with the proposal the ZBA will be responsible for conditional use permits for all the short-term rentals that are out here so you might want to attend tonight's meeting. We are going to be swamped. Mr. Campbell stated the Board have talked about it before and the first two to three months will be busy, but after that it will taper off. Mr. Vrailas stated that they have to permit yearly. Mr. Campbell stated that he understands that, but he feels the Board will have a rush on the front end, but he doesn't think it will be every month after a couple of months.

Mr. Archibald stated that the educational opportunity will be with Mr. Keltner and Mr. Brass. We will have a session for the Board of Zoning Appeals in regards to the cases that will be forthcoming to the Board. Mr. Dugger stated even if it is for this Board he feels that everybody should be invited.

Mr. Vrailas stated that what he would like to see is to treat it like the churches, because this Board use to have to approve those all the time. Then the City stepped in and said it is really not necessary. That would be nice.

Mr. Vrailas stated if there are one hundred plus of these. Each case comes individually with probably neighbors it will be a big deal.

Mr. Campbell discussed certain criteria and staff approval.

Mr. Brass discussed staff approval administratively, challenges, ethical standpoint, and processes.

Mr. Dugger stated as long as we have the official training.

V1. ADJOURNMENT:

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Mr. Campbell moved to adjourn with Mr. Ables seconding. The motion to adjourn passed four to zero. The meeting adjourned at 9:53 a.m.


Board of Zoning Appeals, Chairman
Jimmy Dugger

2-13-2025
Date