

City of Columbia
BOARD OF ZONING APPEALS
June 11, 2026

CALL TO ORDER:

Chairman Jimmy Dugger called the June 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. Jimmy Campbell
Mr. Jimmy Dugger
Ms. Debbie Wiles

Absent Were: Mr. Eddie Ables
Ms. Kristen Newton

Other attendees: Mr. Austin Brass, City Planner
Mr. Glenn Harper, City Engineer
Mr. Jake Hubbell, City Attorney
Mr. Jeremy Humphrey, Planner II
Mr. Paul Keltner, Director of Development Services
Mr. Charles Rush, Principal Planner
Mrs. Melissa Sanders, Planner I

II. APPROVAL OF MINUTES:

The May minutes were presented for approval.

Mr. Campbell moved to approve the minutes, with Ms. Wiles seconding. The motion to approve the minutes passed three to zero.

III Public Comments

IV. New Business

1. Case #26-0194

Request from Alyssia Luckey (Sutcliffe) for Conditional Use Permit approval of a Major Home Occupation at 320 Lee Drive, being Tax Map 99D Group G Parcel 8, a CD-3 (Neighborhood Character District) property.

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Staff Review:

Mr. Jimmy Dugger, Chairman read the agenda item. Mr. Jeremy Humphrey gave the details of the staff report.

Discussion and Motion:

Ms. Alyssia Luckey (Sutcliffe) was present to answer questions. Stated that she will be compliant.

Brandon Harmon lives besides this property. His concern is increased traffic.

Ms. Harrison, neighbor on River Heights Drive, agrees with what Brandon said.

Mr. Bradley Sutcliffe lives at the property. Discussion included split units, different renters coming in and out, and they don't want to have a storefront they just want to have a place to store their stuff. Ms. Wiles expressed her concerns in reference to no outside storage or the deliveries getting in and out. Ms. Wiles stated that her main concern is handling things, there is a lot going in and a lot going out. Ms. Luckey stated that she could assure the Commission that the limited collection that they will be carrying is not going to be massive. Their goal is to only carry about 50-100 and 50 per quarter. There is a small photo booth area with no traffic for models. Mr. Dugger asked if it was through amazon. Ms. Luckey stated no through Shoplify. Additional discussion included website, hours of operation, increased traffic, not ordering in bulk, limiting the hours of customers, no customers coming for pick up, staff, operational hours, dead end neighborhood traffic, and sample motions. Ms. Wiles asked if this is similar to a previous request. Mr. Humphrey stated that this is different and he further discussed it. Ms. Luckey discussed splitting up things. Mr. Dugger asked if the applicant could live with this. Ms. Luckey stated yes. Further discussion included trash, they have a recycling bin, inventory, fully prepared to take things to the dump, co-owner, investor, how they ship, warehouse, and post office. One of the neighbors stated that traffic and the tractor trailer deliveries are her concerns, and it is not a big road. The tractor trailer messed up her yard trying to make the turn to get to their location. She feels that there will be a problem with deliveries. Mr. Dugger moved to approve subject to no tractor trailers and mass deliveries onsite. Mr. Wiles discussed the tractor trailer turning around. Mr. Humphrey stated that there was an in and out exit, the road is narrow. Mr. Dugger asked if the Commissioners agree that the hour thing is not important. Mr. Campbell, and Ms. Wiles state that they feel it is important. Mr. Dugger further discussed. Ms. Wiles stated how does one defines operation. Mr. Campbell stated that she did say there will not be onsite clients. But he still thinks that 5 AM-11 PM seven days a week is too broad a term. Mr. Dugger asked Mr. Jake Hubbell, City Attorney, for his thoughts. Mr. Hubbell stated that the applicant stated that there will be no customers onsite, but if the Board approves it without that condition, he don't know if she is prevented from having a customer onsite. Mr. Humphrey further discussed. Mr. Hubbell stated if the concern with the hours would be customers coming onsite she is

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not going to have that anyway. The Board may put several conditions one which might be no customers onsite. The Board can still put some hours of restriction on deliveries. The Board could say no semitrucks, no tractor trailers or deliveries between whatever hours the Board thinks is appropriate. This Board could limit the number of deliveries per day. You can make a motion to approve the home occupation subject to the following conditions and you can list those conditions that you think are appropriate. Mr. Dugger stated move to find all seven variance criteria listed in the City of Columbia Zoning Ordinance have been sufficiently and fully satisfied and grant the requested variance. Mr. Hubbell stated that this is not on a variance request, this is a Home Occupation. A Board member can say, I move to approve the home occupation with the following conditions. Mr. Dugger stated that the following limitations are for Major Home Occupation. See if the applicant can live with this. He read item 6 a-g, the limitations to Major Home Occupation. He referenced the hours of operation, no palletization, and then he asked Mr. Hubbell to confirm. Mr. Hubbell stated no customers onsite, no semi-trucks or palletize deliveries, and no deliveries between certain hours. Mr. Dugger stated 6 PM, and 5 AM. Ms. Wiles stated a question to the one who will be there. Ms. Sutcliffe mentioned another job. Will there be someone there to receive the deliveries if those hours are set. Mr. Sutcliffe stated yes. Ms. Wiles asked Mr. Dugger to repeat the hours. Mr. Dugger stated 6 PM until 7 AM. Mr. Dugger asked if the secretary had the motion, and he asked her to read it. Ms. Sanders read no deliveries from 6 PM until 7 AM., no palletized deliveries, no customers and no tractor trailers. Mr. Dugger stated that he was happy with that. Ms. Wiles stated that she is somewhat concerned about packaging. Storage, whatever you do outside, must remain clear. Mr. Dugger stated packaging must be removed from site once a week, and or when warranted. Mr. Hubbell stated that one could say no packaging to be store outside. Ms. Wiles made a motion dependent upon conditions that have been verbally stated in this room. Mr. Hubbell stated read that one more time. Ms. Sanders read no customers onsite, no palletized, no tractor trailers, the limitation of deliveries from 6 PM to 7 AM, no trash or debris' and removal once a week or as warranted. Mr. Campbell seconded the motion. The motion to approve with conditions passed three to zero.

2. Case #26-0196

Request from Burke Hodge for Appeal from an Administrative Decision concerning Article 4 of Zoning Ordinance 4400 for property located at 803 Westover Drive, Suite A, being Tax Map 100G Group A Parcel 31, a CD-4C (General Urban Corridor Character District) property.

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Staff Review:

Mr. Jimmy Dugger, Chairman read the agenda item. Mr. Dugger asked the applicant to come forward to give his report. Mr. Jake Hubbell, City Attorney, stated let me mention something that the Board may not be aware of. Zoning Ordinance under 8.5.17 D5. says that a concurring vote of the majority of the entire membership of the Board of Zoning Appeals shall be necessary to take action on this. While there is a quorum here, on certain things the majority vote of the quorum will carry the day. But for this instance it requires the majority vote of the entire membership. The Commission have five members, the majority will be three. In essence it has to be unanimous for this Ordinance today. Mr. Hubbell stated that any motion made will require three votes to pass. Further discussion included the applicant has the privilege to defer to next month.

Discussion and Motion:

Burke Hodge, applicant, was present to answer questions. Mr. Hodge stated the only thing wrong is it is being misrepresented. They are asking to lease for retail operation, in that is a sub category where they will produce the product that they sell retail. They also make retail for some other clients. They will also sell some of their products. Originally when he submitted the application it was very broad, and he further explained. He also stated that the retail component has been there.

Mr. Dugger stated that the Board has two factors. The applicant came first, and if he want to defer or not. He would like to hear staff's report at this time.

Mr. Austin Brass, City of Columbia Zoning Administrator, gave the details of the staff report. He explained why this application is before the Board today. He discussed the perspective of staff based off the information on the business license. The Board is tasked to decide if this is retail sales or wholesale sales.

Mr. Dugger discussed changing the verbiage.

Mr. Brass also stated that a Change of Use permit was never applied for. The discussion included the challenge, being compliant, retail front component, not considered wholesale, retail, component of accessory, confusion, percentage of total sales, and complying. The applicant stated why not make it work from a retail prospective.

Mr. Dugger asked for Mr. Hubbell 's recommendation.

Mr. Hubbell stated that the applicant needs to decide before the Board votes if he wants to defer or not. Mr. Hodge stated that he does not want to defer. Mr. Hubbell explained the difference on how it would work. Mr. Dugger asked about his right to appeal. Mr. Hubbell stated yes. Mr. Dugger read the options, and if Mr. Hodge doesn't like what happens today, he can refer to an appeal.

Mr. Brass stated that only thing that he would add, if this is truly a retail project is, there is transactional sales person to person. That would be considered retail sales. He stated

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that he also did hear the light manufacturing portion of it, and he further discussed it. He wanted to make sure there is clarity from the applicant on what he was going to do. Mr. Dugger further discussed.

Mr. Brass discussed the leasing agent, the property was formerly Co-Op, the principal use was retail, the appearance, and the actual use. Further discussion included it is not a coffee shop, the clients could come in purchase a product and go home with it.

Mr. Hodge discussed the functionality of what they will be doing in his business. Mr. Dugger compared it to a restaurant.

Further discussion included wholesales, no objective standards, interpretation, and Mr. Brass gave an example for clarity.

Mr. Hodge continued to discuss the review and assessment of the items in the staff report. He also discussed his points including discrepancies, the fact that he is retail, every coffee house that sales retail coffee from their wholesale environment, wholesale sales, the actual use, and using other locations.

Mr. Brass stated that retail sales are permitted there. His recommendation is if the applicant could be specific about what he is doing at this location; however, he did indicate that he is doing retail sales, it sounds like some of the other uses will be done at other locations, that is the challenge here is to determine if it is a retail sale component, and not a full fledged wholesale sale operation.

Mr. Humphrey asked Mr. Hodge if he was white label. Mr. Hodge stated no.

Mr. Dugger asked Mr. Humphrey to clarify. Mr. Humphrey explained the process of white label. Additional discussion included doing business all across the USA, looking at larger sites, requirements, they want to bring in everything under one roof, making the retail piece a storefront, and boost the internet.

Mr. Dugger asked Mr. Hubbell if the verbiage was modified. Mr. Hubbell stated that it is not just what is written on paper, it is to decide if retail is the principal use.

Ms. Wiles inquired if retail can reach a balancing point.

Mr. Brass stated that retail does not have a threshold percentage. He is proposing to do retail sales and it will be up to the Board to determine if it is indeed principal use of retail sales, and he further discussed.

Mr. Hodge stated that only one application has been submitted. He also stated that wholesale has been made clear to him, and as they expand he will make sure that they move beyond that and stay in the zoned area. This facility will ultimately become like a corporate office.

Mr. Campbell stated that what is before this Board is the request to overrule the Zoning Administrative ruling. Mr. Campbell moved to approve. Mr. Dugger seconded the motion. It's the Board's decision, all I can do is state the facts. Ms. Wiles asked does that require him to submit a new application. Mr. Brass stated that the next step will be a Change of Use. Mr. Dugger asked Mr. Campbell if he would add the paper work requirement to his motion. Mr. Campbell stated sure. He asked if he makes another application does the commission vote on this. Mr. Hubbell stated what's before the

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Board today is whether retail is a part of his request. Mr. Brass further explained the process. Mr. Hodge asked for understanding. Mr. Brass further discussed.

Further discussion included the process and procedure, clarifying a process, the applicant can move forward without coming to the Commission, just verifying the use, and if the Board agrees with the use.

Mr. Hubbell stated that the Board members are not negotiating between the applicant and staff. The Board has to make a decision. To Ms. Wiles' question, yes, the Board is setting in motion a certain process, and he further discussed. For today the question will be is the principal use retail or is it not. The motion to approve with the condition of new paperwork passed three to zero.

3. Case #26-0210

Request from Steven Samuel for Variance approval regarding driveway curb cut width for 1173 Industrial Park Road, being Tax Map 76 Parcel 75.07, an SD-LI (Light Industrial Park Road, being Tax Map 76 Parcel 75.07, an SD-LI (Light Industrial Special District) zoned property.

Staff Review:

Mr. Jimmy Dugger, Chairman read the agenda item. Mr. Jeremy Humphrey read the details of the staff report. Staff recommend denial of this request.

Discussion and Motion:

Mr. Steven Samuel was present to answer questions. Mr. Samuel asked if he was supposed to provide evidence to explain the issue at hand. He had supportive documents in hand. Mr. Dugger stated he can present to us. Once the information was distributed Mr. Dugger asked staff what do we have here that is different. Mr. Humphrey stated that he had not seen the handout before today, therefore was unable to answer the question. Mr. Samuel discussed angles, public safety, the trucks coming in the entrance, the inability to get a fire truck in there, stopping on Industrial Park, limitations, prohibiting people entering, conforming to a standard, logical box, and topography difference, and compact cars making the turn. Further discussion included the first entrance, owning the whole building and what is behind it, the approved ingress and egress, parking is in the back, this exceeds the maximum curb cut, larger variance, closer to the bypass, trying to make the blue lines bigger, widening the turn, there is no way a truck and trailer will be able to enter currently, drone footage, an eye sore, and topographical point of view. Mr. Dugger asked Mr. Hubbell about the verbiage of minimal impact and no adverse effect. Mr. Hubbell stated that he doesn't know that he agrees or disagrees because he thinks those are the factors that the

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Commission is going to have to make. He doesn't want his opinion one way or the other to influence the decision.

Mr. Dugger further discussed the situation. Ms. Wiles referenced the determination. Mr. Keltner discussed his conversation with Mr. Brad Massey. He stated that Mr. Massey recommended that it not be less than 36 feet wide. He further discussed the width, and straightening the driveway out.

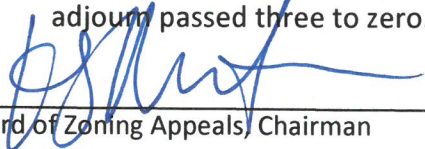
Mr. Joerdan Simpson discussed the topography and thinks that it is a real safety issue. Additional discussion included the purpose, it being at the right place, fence, turning in off Industrial Park Rd. will be tough to hit the driveway, the picture that was handed out, the power tower, it is not a good situation, there is no connection between the driveway and the south, the cut, there is not a lot of room to go right, and the blind drive. The chair will entertain a motion. Mr. Dugger moved to approve of this situation, if voting yes, they can do what they want to do, and if the Commission votes no they cannot. Mr. Hubbell explained the by-laws. Ms. Wiles seconded the motion. Mr. Campbell stated that he is aware of the problem but doesn't know if they will cure this issue. Ms. Sanders asked if the motion was for the width that was presented. Mr. Dugger stated yes.

V. OTHER BUSINESS:

There was no other business to discuss.

VI. ADJOURNMENT:

Mr. Campbell moved to adjourn, and Ms. Wiles seconded the motion. The motion to adjourn passed three to zero. The meeting adjourned at 10:52 A.M.



Board of Zoning Appeals, Chairman
Jimmy Dugger

08/13/26

Date


Kristen Newton