

City of Columbia
BOARD OF ZONING APPEALS
February 15, 2024

CALL TO ORDER:

Chairman Jimmy Dugger called the February meeting of the Board of Zoning Appeals for the City of Columbia to order at 9:01 a.m. The meeting was held in the Council Chambers at City Hall.

I.ROLL CALL:

All present and included the following:

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

Other attendees: Mr. Robert Archibald, Planner II
 Mr. Austin Brass, Planner
 Mr. Kevin McCarthy, City Planner
 Mrs. Sandra J. Richardson, Secretary
 Mrs. Melissa Sanders, Planner I

II. APPROVAL OF MINUTES:

The January minutes were presented for approval. Mr. Ables moved to approve the minutes, with Mr. Vrailas seconding. The motion to approve the minutes passed five to zero.

III. OLD BUSINESS: *There was no old business to discuss.*

IV. NEW BUSINESS:

AGENDA ITEM #IV:1

Case #24-0028

Request from Andrew Wiseman for a landscape parcel buffer variance located at 1540 Bear Creek Pike.

Staff Review:

Austin Brass presented the Board with the details of the staff report. This request is zoned Special District Interstate. The Zoning Code requires any property that has a single family or two family residential use to have a one hundred foot buffer when it abuts the Special

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District interstate property. He gave the details of the submittal. Staff feels that this request is reasonable.

Discussion and Motion: Mr. Vrailas stated that his dad owns the adjoining property and he will be representing his dad on this request. He will not be voting on this request. Mr. Andrew Wiseman, Catalyst Design group, was present to answer questions. Discussion included separation, landscape buffer proposed, giving a greater distance, reducing the buffer, the parcels, wooded, tree preserving, and setback lines. Mr. George Vrailas stated that his dad does not see any issues with the request. Mr. Jay Wingett inquired about the reduction of the trees, and the buffer. Mr. Wiseman explained the areas that this would affect. Mr. Archibald discussed the natural vegetation that is there right now. Mr. Campbell explained that he will still have what he has now, he is not proposing to change that. Further discussion included walking trail, amenity space, this abuts his property, open space, townhouses, setback, CD-4C zone, buffer requirements, and the code only requires a twenty-five foot buffer. Mr. Brass discussed the site plan process. The only way it could change is if the applicant brings it to Planning Commission with modifications. Mr. Campbell moved to approve with Mr. Ables seconding. The motion to approve passed four to zero with Mr. Vrailas abstaining. Ms. Martin thanked Mr. Wingett for bringing his concerns to this Board.

V. OTHER BUSINESS:

Mr. George Vrailas stated that there have been concerns from the public regarding the variances that are being requested and required for the new zoning code. He stated that he thought the Board could have some discussion with the Planning Commission.

Mr. Dugger asked Mr. Brass how the Board could make a difference in regards to what Mr. Vrailas was talking about. He also stated that they are hearing concerns everyday. He asked what could the Board do to proactively move through the Planning Commission and this Board to help the Council to make some changes.

Mr. Brass discussed the process. Mr. Brass asked Mrs. Richardson to give the next Planning Commission and Council meeting date to this Board.

Mr. Dugger asked how to get this Board's thought processes to the table.

Mr. Brass stated it will be to attend the aforementioned meetings.

Mr. Vrailas discussed meeting with the Planning Commission. He stated that we are trying to overlap new codes with an existing environment that has already been established.

Mr. Dugger inquired about getting on the docket.

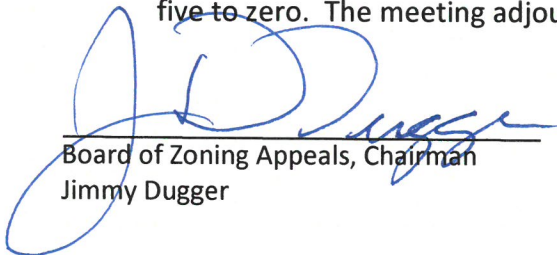
Mr. Brass explained the process, and he encouraged the Board to be in attendance at the public meeting.

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Mr. Vrailas stated that he thinks a study session is what is needed. He would like to meet with the Planning Commission to give recommendations. Mr. Dugger stated that he has talked with the Chairman to the Planning Commission and he is open to this. Mr. Dugger asked Mr. Brass if he could set this meeting up for discussion. Mr. Brass stated that certainly he could check with the Planning Commission to see if this is something they can entertain. Ms. Martin stated that she believes this could be beneficial. She stated that she thinks that the Board has expressed in the past that their concern was this code was adopted and it hit like a bomb. There was no transition time. This came in hard and fast, and it is different from what we have had in the past. Further discussion included the new plan, pedestrian traffic, choosing an area to be a champion, demonstrate how that can look and function, and the members that were a part of the process. Mr. Brass explained the teamwork involved in the process, and the process of trying to get the word out. He also stated that staff did everything ethically to get the word out. Additional discussion included infrastructure, sidewalks, rational nexus, mixing the old with the new, and hardships.

V1. ADJOURNMENT:

Mr. Ables moved to adjourn with Mr. Vrailas seconding. The motion to adjourn passed five to zero. The meeting adjourned at 9:44 a.m.



Board of Zoning Appeals, Chairman
Jimmy Dugger

3-14-2024
Date



City of Columbia - Board of Zoning Appeals

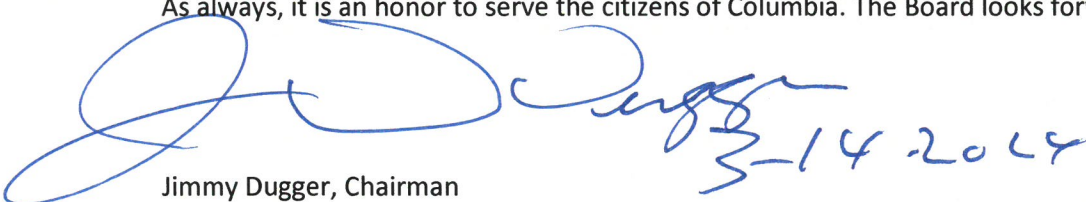
Mayor Molder and City Council:

Section 8.3.3.H of the Zoning Ordinance requires the Board of Zoning Appeals to prepare an annual report and submit it to the City Council. The annual report includes a comprehensive review of the actions of the Board of Zoning Appeals during the previous calendar year.

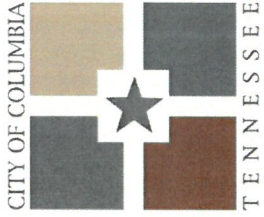
This document reports the activities of the Board during calendar year 2023. The tables below list all requests for variance, conditional use approval, and appeals of administrative decisions. The Board's caseload declined significantly compared to previous years. During 2022, the Board heard twenty-five cases; it heard only nine in 2023 (several petitions received late in the year were decided in early 2024). Most of this difference is attributable to the decline in Conditional Use requests. The current zoning ordinance permits many more uses by right than the previous ordinance. Specifically, model homes and sales centers no longer require BZA approval. However, the new zoning ordinance has also made some variance requests more complex. The list on the next page notes items which relate to the design intent of the ordinance. These matters differ from the traditional subject matter of variance requests and require more detailed analysis. The Board is concerned about the impact of these matters on its operations. We will work with planning staff to compile our recommendations for improved zoning administration. The Zoning Administrator will provide this information to the Planning Commission and the City Council in an official communication.

The information reported here will be incorporated into the 2023 Annual Report from the Department of Development Services.

As always, it is an honor to serve the citizens of Columbia. The Board looks forward to a productive 2024.


Jimmy Dugger, Chairman
City of Columbia
Board of Zoning Appeals

Type	Number of Requests	Outcomes
Appeal of Administrative Decision	1	Zoning Administrator's Interpretation Overturned
Conditional Use	1	Approved
Variance	7	6 Approved 1 Withdrawn



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Case Type	Case #	Location	Parcel	Current Status	Description
Variance	23-0047	Nashville Hwy	075 011.04, 075 03	Approved	Outdoor Display Placement
Variance	23-0084	706-714 Woodland	099A K 061.00, 099A	Approved	Retail Frontage Reduction (design)
Appeal from Admin. Decision	23-0098	1500-1502 Herbert Lewis	101D A 004.02	ZA Overturned	Definition of Artisan Use
Variance	23-0124	1409 Perkins	088M A 021.00	Approved	Accessory Building Size
Variance	23-0161	815 Hatcher	100K F 021.00	Approved	Ceiling Height (design)
Variance	23-0287	2799 Pulaski Hwy	124 008.00	Withdrawn	Number of Accessory Structures
Variance	23-0315	1160 Pretender	075L D 031.00	Approved	Accessory Building Placement
Conditional Use Permit	23-0332	1616 Harley Davidson	093 001.01	Approved	Wireless Communication
Variance	23-0364	912 E 9th	099G C 007.00	Approved	Foundation Cladding (design)

Applications Received in 2023 but Decided in 2024 – Will be included in 2024 Annual Report					
Case Type	Case #	Location	Parcel	Current Status	Description
Variance	23-0471	806 Nashville Hwy	090I B 001.00	Approved	Accessory Building Placement
Variance	23-0506	215 Polk St	099P K 018.01	Approved	Setback Reduction
Variance	23-0508	4015 Shenandoah	112D I 013.00	Approved	Setback Reduction
Variance	23-0519	1201 Mapleash	099 049.00	Approved	Principal Building Placement
Variance	23-0526	Bear Creek Pike	090 010.01	Approved	Façade Glazing (design)