

# **RICHLAND COUNTY BOARD OF ZONING APPEALS**



**Wednesday, 2 October 2019**

**3 p.m.**

**Council Chambers**





**Richland County  
Board of Zoning Appeals  
Wednesday, October 2, 2019  
2020 Hampton Street  
2<sup>nd</sup> Floor, Council Chambers**

**3:00 p.m.**

## **Agenda**

- I. CALL TO ORDER & RECOGNITION OF QUORUM** **Mike Spearman, Chairman**
- II. PUBLIC NOTICE ANNOUNCEMENT**
- III. ADOPTION OF AGENDA**
- IV. RULES OF ORDER** **Chairman**
- V. APPROVAL OF MINUTES**
- VI. PUBLIC HEARING** **Geonard Price,  
Zoning Administrator**

### **OPEN PUBLIC HEARING [ACTION]**

- 1. Case 19-007 SE** **A special exception to permit the** **District 2**  
**Shirpolle Peniston-Blair** **establishment of a continued care** **Joyce Dickerson**  
**2033 Heyward Brockington** **retirement community on property**  
**Columbia, SC 29203** **zoned Rural (RU) district.**  
**TMS: 09700-04-21**

**VII. OTHER BUSINESS**

**VIII. ADJOURNMENT**





2 October 2019  
Board of Zoning Appeals

## REQUEST, DISCUSSION AND RECOMMENDATION

### **CASE:**

19-007 Special Exception

### **REQUEST:**

The applicant is requesting the Board of Zoning Appeals to grant a special exception to permit the establishment of a continued care retirement community on property zoned Rural (RU) district.

### **GENERAL INFORMATION:**

*Applicant:* Shirpolle Peniston-Blair

*TMS:* 09700-04-21

*Location:* 2033 Heyward Brockington Road, Columbia, SC 29203

*Parcel Size:* 1.87 acre tract

*Existing Land Use:* The parcel is currently occupied by a residential structure.

*Proposed Land Use:* The applicant proposes to use the property and existing structure to establish a residential care institution.

*Character of Area:* The general area consists of large residentially and undeveloped parcels.

### **ZONING ORDINANCE CITATION:**

Table 26-V-2 of the Land Development Code authorizes the Board of Zoning Appeals to authorize continued care retirement communities subject to the provisions of section 26-152 (d) (6).

### **CRITERIA FOR SPECIAL EXCEPTION:**

In addition to definitive standards in this chapter, the Board shall consider the following:

1. Traffic impact.
2. Vehicle and pedestrian safety.
3. Potential impact of noise, lights, fumes or obstruction of airflow on adjoining property.
4. Adverse impact of the proposed use on the aesthetic character of the environs, to include possible need for screening from view.
5. Orientation and spacing of improvements or buildings.

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### **Special exception requirements (as found in section 26-152 (d) (6)):**

- (6) Continued care retirement communities.
  - a. Use districts: Rural; Rural Residential.
  - b. The minimum lot size to establish a continued care retirement community shall be one (1) acre.
  - c. No parking space or drive aisle shall be located closer than twenty (20) feet to any other residence not a part of the community.
  - d. The front setback shall be the same as permitted in the respective district, but shall not be less than the lesser setback of any existing homes on adjacent lots. The side and rear setbacks shall be as set forth for the district.
  - e. All facilities shall be solely for the use of the residents and their guests.

## **DISCUSSION:**

Staff visited the site.

The applicant is proposing to utilize the existing residential on the property for “Residential care institution for adolescent girls ages 12 to 20; Level III Therapeutic.”

The applicant proposes to have two (2) full time employees for each of the expected three (3) shifts, plus a service learner worker. Records indicate that the existing residential structure totals 2,194 square feet (1,690 square feet heated).

Staff did not observe any conditions or factors that would negatively impact the properties in the surrounding area by the establishment of this type of development. The property is buffered from the adjacent parcels by a heavy growth of wooded vegetation.

Staff recommends **approval**.

If granted approval, the proposed project will be subject to site plan review, which will entail a review from the following Richland County divisions:

- Planning
- Engineering
- Building
- Fire Marshal

If an approval is granted, it is recommended the BZA review the proposed development schedule to determine if conditions should be applied. It is staff’s recommendation that an approval stipulate the following:

1. Plans for the development of the site must be submitted for official review by Richland County within one (1) year of the approval of the special exception;
2. If the stipulation of item #1 is not met, the special exception for the continued care retirement community is voided;
3. The submitted site plan is considered to be a conceptual layout for the proposed development. The special exception approval by the Board of Zoning Appeals does not constitute an official site and/or building plan review and approval;
4. Major changes to the site plan, such as an increase in square footage, height, and/or orientation of the buildings, will require an additional review and approval by the Board of Zoning Appeals; and
5. The Zoning Administrator shall determine if any requested changes to the Special Exception are major changes.

## **CONDITIONS:**

### Section 26-56 (f) (3)

*Conditions:* In granting a special exception, the board of zoning appeals may prescribe conditions and safeguards in addition to those spelled out in this chapter. The board of zoning appeals may also prescribe a time limit within which the special exception shall be begun or completed, or both. All conditions placed on the project by the board of zoning appeals shall be incorporated into such project.

## **OTHER RELEVANT SECTIONS:**

N/A

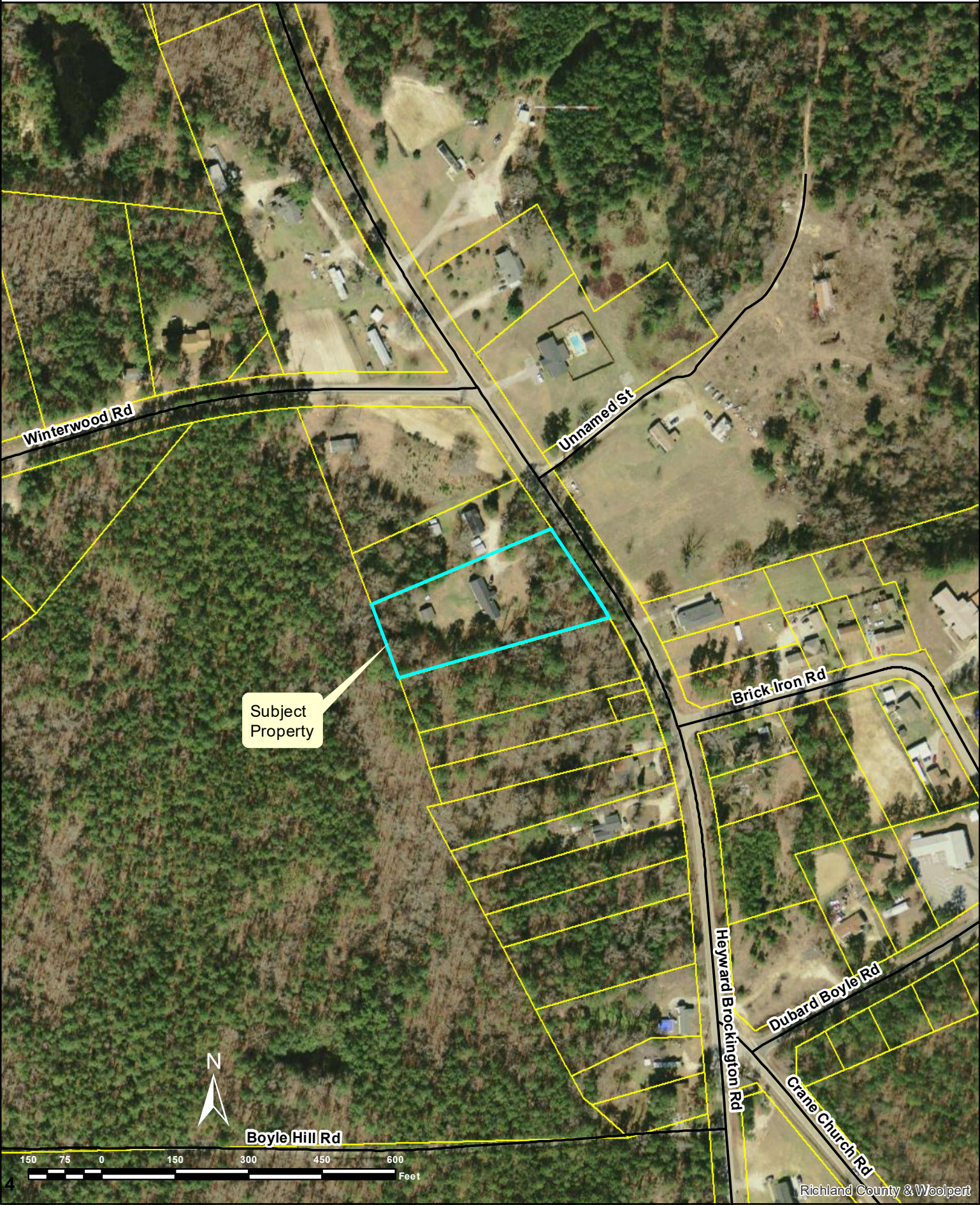
**CASE HISTORY:**

N/A

**ATTACHMENTS:**

- Site plan
- Zoning Application Packet

Case 19-007 SE TMS R09700-04-21  
2033 Heyward Brockington Road, Columbia, SC 29203





Case 19-007 SE TMS R09700-04-21  
2033 Heyward Brockington Road, Columbia, SC 29203



Subject  
Property



100 50 0 100 200 300 400 Feet



# BOARD OF ZONING APPEALS

## SPECIAL EXCEPTION



1. Location: 2033 Heyward Brookington Road  
RO 9700-04-21  
 TMS Page: \_\_\_\_\_ Block: \_\_\_\_\_ Lot: \_\_\_\_\_ Zoning District: RU

2. The Board of Zoning Appeals is requested to consider the granting of a special exception permitting:

Residential Care for Adolescent Girls

3. Describe the proposal in detail:

Residential Care Institution for Adolescent girls ages 12 to 20; Level III Therapeutic.

4. Area attributed to the proposal (square feet): Living Space 2225 sq ft.

5. Are other uses located upon the subject property?  No  Yes (if Yes, list each use and the square footage attributed to each use):

- a. Use \_\_\_\_\_ square footage \_\_\_\_\_
- b. Use \_\_\_\_\_ square footage \_\_\_\_\_
- c. Use \_\_\_\_\_ square footage \_\_\_\_\_

6. Total number of parking spaces on the subject property: 10 parking spaces

7. Total number of employees on shift of greatest employment: 2 full time employees per 3 SHIFTS. \* Service learner workers 7 Total Employees Shift.

8. Address the following Standards of Review (Sec. 26-56 (f) (2) of the Richland County Land Development Code). Please note that the members of the Board of Zoning Appeals will use your answers, among other things, as they evaluate your request.

- a. Traffic impact: Rural Residential areas carry less traffic. The residential property is 60 yards = 180 feet from the rural road. Also, the woodlands serve as a natural privacy fence.
- b. Vehicle and pedestrian safety: The residential property is 60 yards = 180 feet from the rural road. Also, the woodlands serve as a natural fence.
- c. Potential impact of noise, lights, fumes or obstruction of airflow on adjoining property: CLEAN Environment, far from the smog and pollution offering clean, fresh air. And an abundance of green space.
- d. Adverse impact of the proposed use on the aesthetic character of the environs, to include possible need for screening from view: The woodlands serves as a natural fence and a private isolated residential area; natural privacy fence of woodlands.
- e. Orientation and spacing of improvements or buildings: Minor Renovations and Repairs.

**BOARD OF ZONING APPEALS**  
**SPECIAL EXCEPTION**

1. **Location:** 2033 Heyward Brockington Road, RO9700-04-21 **Zoning District:** RU
  
2. **The Board of Zoning Appeals is requested to consider the granting of a special exception:** The purpose of the Board of Zoning Appeals special request is to serve 10+ adolescent girls between the ages of 12-20 years of age.
  
3. **Describe the Proposal in Detail:** Describe the proposal in detail: A Level III therapeutic residential care institution for adolescents who are in need of a high level around the clock residential care. The purpose of the Board of Zoning Appeals special request is to serve 10+ adolescent girls between the ages of 12-20. The location is 2033 Heyward Brockington Road, Columbia, SC: Zoning District of Richland County. The address mentioned above living space is 2225 square footage.
  
4. **Area of attributed to the proposal (square feet):** Living space is 2225 sq.FT.

5. **No other uses located on the subject property.**
  
6. **The total number of parking spaces on the subject property:** The property has 12-15 parking spaces.
  
7. **Total number of employees on shift of greatest amount:** The residential care institution will be staff with 2 highly trained Full time employees on each of the 3 shifts with the use of part-time (flexible) employees. Also, service learning workers will be available for tutoring, life skills, character building and differentiated instructional purposes.
  
8. **Traffic Impact:** The residential property is 60 yards= 180 feet from the rural road. Also, the woodlands serve as a natural fence.
  
9. **Vehicle and Pedestrian Safety:** The residential property is 60 yards = 180 feet from the rural road. Also, the woodlands serve as a natural fence.

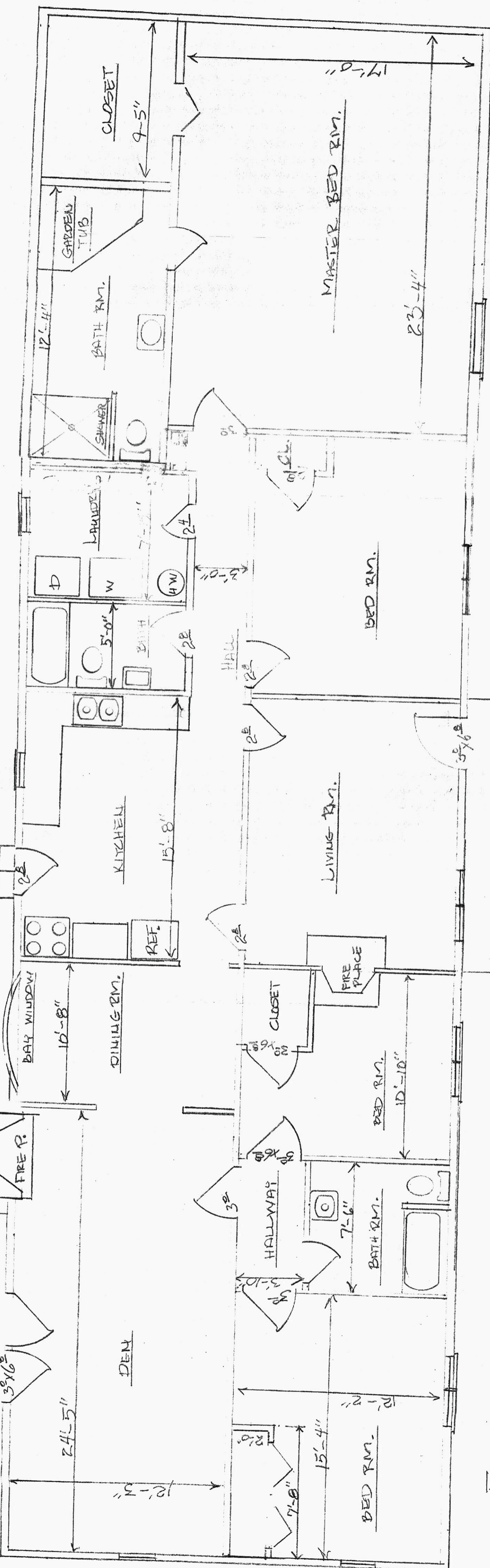
**10. Potential Impact of noise, lights fumes or obstruction of airflow on adjoining property:** Clean environment, far from the smog and pollution offering clean, fresh air and an abundance of green space.

**11. Adverse impact of the proposed use on the aesthetic character of the environs, to include possible need for screening to view:** The woodlands serves as a natural fence and a private isolated residential area; natural privacy fence of woodlands.

**12. Orientation and spacing of improvements or buildings:** Northwest spacing.

SCREEN IN DECK

FRENCH DOORS  
3'x6'



FLOOR PLAN: SCALE 1/4" = 1'-0"

LIVING SPACE 2225 sq. ft.

W 172.20'

1.87 ACRES

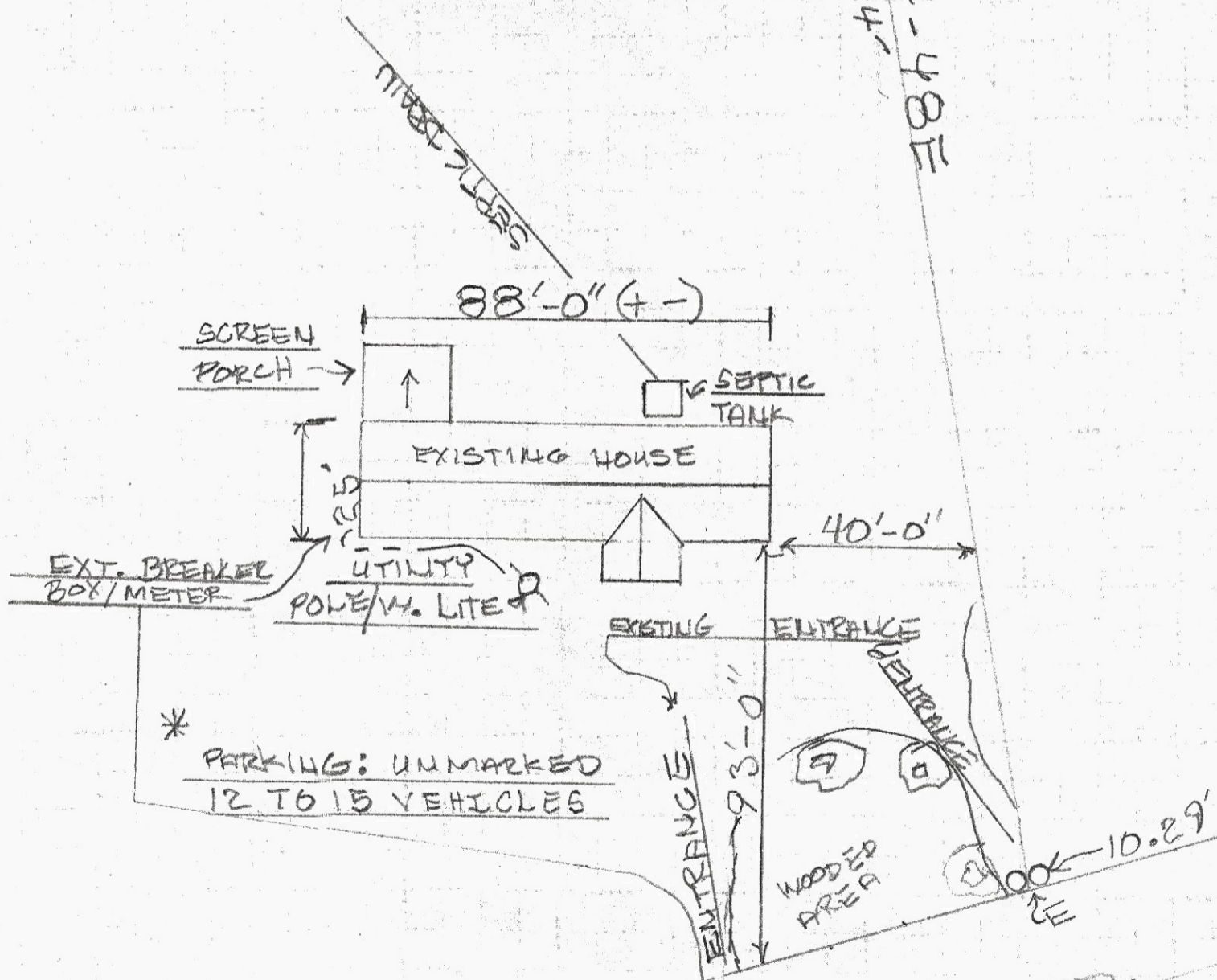
LOT (A)

EXISTING GARAGE

LOT (B)

S 78-06-50 W/447.26 (+ -)

N 72-34-24 W  
400.24' ±  
187-72-48 E



218.71'  
S 27-40-20 E

HEYWARD BROCKINGTON RD.









Richland County Government  
2020 Hampton Street  
Columbia, SC 29204

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

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