

**BOARD OF ZONING APPEALS**  
**March 6, 2024**

*Present: Robert T. Reese, Shasai S. Hendrix, Mandy Lautzenheiser, Annette Nelson, DeAnta Reese; Absent: David Fulmer*

Called to order: 3:17pm

CHAIRMAN REESE: I'll call to order the Richland County Board of Zoning Appeals March 6, 2024 meeting. And our Agenda is outlined as, presented as outlined. And the very first thing we wanna do is recognize that we do have a quorum. We do have a quorum. And also we note that there is an opportunity for public notice and Public Notice Announcement. I wanna just share with you this. In accordance with the Freedom of Information Act a copy of the Agenda was sent to radio and television stations, newspapers, persons requesting notification and posted on the bulletin board located in the County administration office. At this time, I will present the Rules of Order. Hold off on presenting the Rules of Order until we go through some other items on [inaudible]. Election of Officers.

MR. PRICE: I would suggest you go ahead and go through the Rules of Order first and then we can get to the elections.

CHAIRMAN REESE: Perfect, alright. Then the Rules of Order. The Board of Zoning Appeals is a *quasi*-court. It will take evidence that's presented and it will hopefully render a decision today for each case. The way that the mechanics of this will work is that the applicant will be allotted up to 15 minutes to present their case. Anyone that is signed up in opposition will be granted up to three minutes each to present their opposition. And then the applicant, if necessary, will be allotted up to five minutes of rebuttal. The Board can extend those times at its discretion as needed. The Board may have questions for

1 the applicant and also potentially for anyone signed up to speak. The Agenda is ordered  
2 as the Board requires to conduct business. Usually, the cases are ordered based on the  
3 filing date. Some cases may take longer than others, depending on the complexity of the  
4 case, the issues at hand, number of witnesses, etc. When you are called to testify, please  
5 address your remarks to the Board. No exchanges between the speaker and the  
6 audience. Please no audience demonstrations or testimony other than from the podium.  
7 You are under oath and are being recorded so please don't promise to do something that  
8 you're not prepared to do. Don't fail to say something that's material to what you do intend  
9 to do. And please speak into the microphone. In terms of evidence presented this is not  
10 as formal as court. We will accept documents that you've submitted, including any kind  
11 of last minute submissions that you may bring today, and those items you submit will be  
12 weighed appropriately. Cases can either be approved, denied or they could be granted a  
13 conditional decision based on meeting certain conditions. The decisions are final when  
14 the Minutes are approved, which is typically one month from the meeting or at the next  
15 scheduled meeting. Any person who may have a substantial interest in the decision  
16 rendered by the Board today may request a reconsideration of this decision prior to the  
17 approval of the Minutes. The reconsideration request must be based on a specific error  
18 made by the Board. And if you have an issue you may obtain more information about this  
19 process by contacting Mr. Price, the Zoning Administrator. Once the request for  
20 reconsideration has been exhausted, any person with a substantial interest in a decision  
21 of the Board, may appeal to the Circuit Court, and those appeals must be filed within 30  
22 days after the decision of the Board has been mailed, and that does not occur until after  
23 the Minutes have been approved. If you are unhappy with the Board's decision today

1 please follow the reconsideration and appeal process. Please don't voice your  
2 displeasure if you're frustrated with the Board. A few housekeeping items, please silence  
3 your phones or turn off your phones or pagers. Please make sure that your name is on  
4 the sign in sheet for each case. And if you need to come and go, please do it quietly as  
5 needed. The Board may have occasion to enter into executive session or recess. Anyone  
6 planning to provide testimony today, please rise to be sworn in. If you would please raise  
7 your right hand. Do you swear or affirm that the testimony you shall give be the truth, the  
8 whole truth and nothing but the truth, so help you God? Thank you. With the Notice of  
9 Public Announcement and the Rules of Order read then we will head to Item III on the  
10 Agenda which is the Election of Officers.

11 MR. PRICE: Excuse me, Mr. Chair? I'd like to make, I'd like to propose one  
12 amendment to the Agenda and that would be to move Item III and Item IV to the end of  
13 the Agenda. You can put it along right before Other Business so we can take it up after  
14 the public hearings. And the reason for that, based on the By-Laws for the Board of Zoning  
15 Appeals under §4.1 Chair and Vice Chair, and I'll really just kind of read the particular  
16 section as it relates to this conversation, that the Chair and Vice Chair that are new  
17 elected shall begin their terms of office at the close of the meeting in which they are  
18 elected. So that way you will, you as the current Chair will continue to serve out today's  
19 meeting and then the newly elected Chair and Vice Chair will serve for our next meeting  
20 in April.

21 CHAIRMAN REESE: So the Board having heard that recommendation, do I have  
22 a motion?

23 MS. NELSON: I move we accept the recommendation of Staff.

1 CHAIRMAN REESE: So it has been moved, and if you don't mind me stating it has  
2 been moved that Item III and Item IV be moved after Other Business.

3 MR. PRICE: After the public hearing.

4 CHAIRMAN REESE: Excuse me, after the public hearing. So is that your motion?

5 MS. NELSON: Yes.

6 CHAIRMAN REESE: So it has been moved that Items III and IV be moved to after  
7 the public hearing.

8 MS. HENDRIX: I second.

9 CHAIRMAN REESE: So it's been moved and properly seconded. Call for question.

10 MR. PRICE: Those in favor of the motion to move Items III and IV to after Item VIII  
11 which is the public hearing. Those in favor, Reese?

12 CHAIRMAN REESE: Aye.

13 MR. PRICE: Hendrix?

14 MS. HENDRIX: Aye.

15 MR. PRICE: Fulmer? Absent.

16 MR. PRICE: Nelson?

17 MS. NELSON: Yes.

18 MR PRICE: D. Reese?

19 MR. D. REESE: Aye.

20 MR. PRICE: Lautzenheiser?

21 MS. LAUTZENHEISER: Aye.

22 MR. PRICE: Alright, that motion passes.

23 *[Approved: R. Reese, Hendrix, D. Reese, Lautzenheiser, Nelson; Absent: Fulmer]*

1 CHAIRMAN REESE: And I just wanna make sure that there's some clarity here  
2 because a Item V is the Additions/Deletions to the Agenda and so I just wanna know if  
3 there are any other additions or deletions that you would have to this Agenda other than  
4 the ones aforementioned.

5 MR. PRICE: I think one of the distinctions, Mr. Chair, was that was more of an  
6 amendment to the Agenda versus, you know, adding or deleting an item from the Agenda.

7 CHAIRMAN REESE: Thank you. Additions or Deletions to the Agenda?

8 MR. PRICE: Yes, sir. I only mention this just in case someone came for the  
9 particular case, but under Public Hearing which is Item VIII, Item number 3., which is Case  
10 SE24-001, Loretta Lewis, 817 Longtown Road in Columbia, South Carolina 29229, a  
11 request for a residential group home to house youth waiting for permanent placement by  
12 state agencies, that case has been deferred until maybe next month, but it's been  
13 deferred from this Agenda to provide additional information.

14 CHAIRMAN REESE: Thank you for that information. So now we have had a formal  
15 amendment to the Agenda and we have had an item that has been deleted from the  
16 Agenda. So now we have, we are at what was previously Item VI which is the Adoption  
17 of the Agenda, so I would take a motion from the Board to adopt the Agenda with the  
18 amendment and the deletion.

19 MS. HENDRIX: Mr. Chair, I move a motion that we accept the Agenda as read with  
20 the additions and deletions and the amendment with the deletion of Case Number SE24-  
21 001 being tabled to the next meeting and the deletions as stated by the Zoning  
22 Administrator.

23 MS. LAUTZENHEISER: Second.

1 CHAIRMAN REESE: It has been moved and property seconded that we adopt the  
2 Agenda as amended and with the deletion taken into consideration. Ready for the  
3 question.

4 MR. PRICE: Alright. Alright, those in favor of the motion to adopt the Agenda as  
5 amended, Reese?

6 CHAIRMAN REESE: Aye.

7 MR. PRICE: Hendrix?

8 MS. HENDRIX: Aye.

9 MR. PRICE: Nelson?

10 MS. NELSON: Aye.

11 MR. PRICE: D. Reese?

12 MR. D. REESE: Aye.

13 MR. PRICE: Lautzenheiser?

14 MS. LAUTZENHEISER: Aye.

15 MR. PRICE: Motion passes.

16 *[Approved: R. Reese, Hendrix, D. Reese, Lautzenheiser, Nelson; Absent: Fulmer]*

17 CHAIRMAN REESE: Alright, so now, and we've already read the Rules of Order  
18 so we are at the place where you all have come for a public hearing. And so we have the  
19 first case which is Case #ZV23-002. And at this time we will hear from the Zoning  
20 Administrator.

21 **CASE NO. ZV23-002:**

22 MR. PRICE: Yes, sir. And prior to me reading the case into the Record, just make  
23 that note that Richland County is now operating under a new Land Development Code

1 which went into effect on March the 1<sup>st</sup>. However, the two cases that you have before you  
2 were submitted prior to that so they will still be under the previous Land Development  
3 Code. But these will probably be the last cases that you will have under the previous Code  
4 so going forward we'll be operating under the newly adopted Land Development Code for  
5 Richland County. Alright, our first item is Case ZV23-002. The Applicant is requesting the  
6 Board of Zoning Appeals to grant a Variance to encroach into the required side yard  
7 setback in the rural district. The Applicant is Willie Floyd. The location is at 47 Love Valley  
8 Court in Chapin, South Carolina. The parcel size is about 1.38 acres. Currently the  
9 property is residentially developed. The Applicant proposes to construct an accessory  
10 structure which will encroach into the required side yard setback by 5' as calculated by  
11 Staff. The required setback for the rural district which is what the zoning at the time of  
12 submittal is 20' from the side yard setback, and that is also noted in your Agenda. The  
13 subject parcel is conforming both in lot area and lot width, and according to the Applicant  
14 the proposed structure is intended to facilitate our caring of elderly and ill animals that we  
15 plan to foster in conjunction with local rescues. The Applicant states that the long and  
16 narrow configurations of the parcel are a result of restrictions that were created 45 years  
17 ago. The Applicant also states that granting of the Variance will have negligible impact on  
18 adjacent properties due to the distance between residences and the buffer and the woods  
19 adjacent to the proposed structure. Upon Staff's review Staff feels that the request does  
20 not meet all of the requirements for the granting of a Variance as all the requirements  
21 must be met for the approval. The Applicant has not demonstrated that the referenced  
22 configurations of the parcel are exclusive to the subject site. The parcels along Love

Valley Court are similar in area and width and configurations. So for those reasons Staff recommends disapproval of the request.

CHAIRMAN REESE: So does that conclude the –

MR. PRICE: It concludes -

CHAIRMAN REESE: - administration's?

MR. PRICE: Yes, sir.

CHAIRMAN REESE: So that this time we're gonna ask the Applicant if they would come forth and you can share with us and make your case.

MS. HENDRIX: And Ms. Teresa Floyd and Mr. Willie Floyd, once you guys get to the podium please state your name for the Record and your full address.

**TESTIMONY OF TERESA FLOYD:**

MS. FLOYD: I'm Teresa Floyd, 47 Love Valley Court, Chapin, South Carolina.

**TESTIMONY OF WILLIE FLOYD:**

MR. FLOYD: Willie Floyd, same address.

MS. FLOYD: Thank you so much for allowing us to present our request to you. I'm Teresa Floyd and I'm here with my husband Will to humbly request a Variance to be build 15' from the drainage easement on our property instead of the 20' rule which is currently in place. We would love to build a structure which would allow me to continue my animal rescue work but also preserve our driveway. Building in this area would put it in immediate proximity to my home, allowing quick essentially constant access to my babies. I foster, keep and care for a variety of animals in different situations including elderly animals, pregnant animals awaiting delivery and even hospice cases. I work in conjunction with Pawmetto Lifeline and also take in animals from different situations including from my



1 patients, I'm a physician, that come in telling me sob stories that they've heard and next  
2 thing you know I'm taking in more babies. My chief assistant in my venture is my 74 year  
3 old mother who has some health issues. It would be so nice for her to be able to continue  
4 helping me without having to walk a good ways multiple times a day in every kind weather  
5 to care for these precious angels. We will continue to care for them no matter what but it  
6 would be so fabulous to have them close by. By current rules to put this structure in would  
7 mean losing our driveway and having to make another. Unfortunately if we have to do this  
8 it would likely make this venture cost prohibitive. We keep certain animals actually in our  
9 house, especially those with health issues, but we're running out of space inside and this  
10 structure would allow us to help more animals that need close monitoring. I currently have  
11 nine cats including a blind kitten, one in hospice care with me, and give dogs, all of which  
12 are rescues in some way. I did have 14 cats but found homes for five of the six kittens I  
13 delivered in August after fostering for Pawmetto Lifeline their nine month mother while  
14 she was pregnant. I pay all costs of their care out of pocket and never release an animal  
15 to anyone unless they're spayed, neutered, have their shots and are microchipped. I'm  
16 truly blessed to care for these babies and am so fortunate to have a wonderful husband  
17 who is willing to build this structure for me within financial reasonability – I don't even  
18 know if that's a word, and a mother who's willing to help so much even though she has  
19 her own health issues. Thank you so much for considering our request and we truly  
20 appreciate your time and consideration.

21 MR. FLOYD: I just wanna mention that the properties next to us, the lots out there  
22 are about 1.4 to 1.5 acres, they're long and narrow. There's nothing on the other side of  
23 the structure as they mentioned earlier except woods so it's not gonna impose upon our

1 neighbors. But if we don't get the Variance then we have a circle drive, you know, we  
2 would have to move the circle drive which makes the project, you know, prohibitive. And  
3 so what I don't want to do – my wife has dedicated herself her whole life – as we age and  
4 get older, this is our forever home – is to have her trying to go back and forth as she does  
5 now during the night and in all kinda weather, rains, you know, snow, whatever the case  
6 may be, check on these animals all during the night. It's not only not safe for her to do it  
7 but it's dangerous for, you know, for her to go back and forth, again it's such an  
8 inconvenience. It would be much nicer to have it right next to our home so she could  
9 continue to do it as she ages and her mother can help her now whenever I'm away. Thank  
10 you so much.

11 CHAIRMAN REESE: So this plat or this picture that we have on the screen here,  
12 is that also what they're seeing out –

13 MR. PRICE: Yes.

14 CHAIRMAN REESE: Okay. So I have a question for you. Alright, help me  
15 understand on this picture where is the proposed structure that you're building? I see your  
16 circular driveway here. Yeah, can you help me –

17 MR. PRICE: We may be able to identify the area. I apologize we do have  
18 something in here we can pass around to you.

19 MR. FLOYD: I have it on a diagram, it's been submitted to you. The red structure  
20 there.

21 CHAIRMAN REESE: Thank you. On the screen that –

22 MR. FLOYD: It would be right –

23 CHAIRMAN REESE: So it's the red structure that we're seeing on the screen here?

1 MR. FLOYD: It's the red structure there, as you see lines up beside the driveway?  
2 It'll be right in that area.

3 MR. PRICE: And if you see on your screen Mr. DeLage has kinda provided, you  
4 know, I would say it pretty much matches the proposed location that was presented to  
5 you.

6 MS. FLOYD: Not only because of the proximity, I mean, that really was the only  
7 place that we could put it on our property to make it closer so my mom can come out the  
8 garage and just walk right over, you know, literally just right into there. We just didn't have  
9 another place to put it.

10 CHAIRMAN REESE: Let me ask, was there any – well I know that there was notice  
11 that went out to the community – was there any opposition from the community?

12 MR. PRICE: No, sir.

13 MS. FLOYD: Our neighbors actually are kinda glad I do this.

14 CHAIRMAN REESE: I wanna ask this. The property that is adjacent to yours, is  
15 that, is that a piece of property that you know is owned by someone or is it maybe wetland  
16 or something or is it –

17 MR. FLOYD: Where the yellow line runs onto the upper side of where the structure  
18 is actually a ditch. That's why we're talking about getting closer to, which will save, if you  
19 look at the front corner, will save our driveway if we can move it over just a little bit. On  
20 the far side of the next property over is nothing but woods. The only home is sitting out  
21 on the end, I think it's on that diagram I showed you, I circled and put on there 'the closest  
22 home', which has been our neighbors for over 20 years. We've been there for over 20

1 years. But that's another lot beside us there with nothing but woods on the other side of  
2 the structure. The home is on the end.

3 CHAIRMAN REESE: Anyone have any questions?

4 MS. NELSON: I have one question. You said other animals, I heard you mention  
5 dogs and cats, what other animals do you take care of?

6 MS. FLOYD: I have found some, you know, baby squirrels and things like that, but  
7 mostly it's dogs and cats. And usually what happens is Pawmetto will have a case that  
8 really needs somebody that can provide a high level of care for these animals and with  
9 me being a human physician, you know, they kinda feel comfortable, and I know the CEO  
10 very well and so, and basically nobody else will take them. And so I take them and usually  
11 it's an expectant mother or an elderly animal that's dying, things like that. So really just  
12 dogs and cats primarily, but occasionally an outlier, baby rabbit or something.

13 MR. FLOYD: Right now she worries to death in the wintertime. The last kitten cat  
14 had the babies and it was cold outside and so she was worried to death about them and  
15 just go back and forth during the night checking on them making sure the kittens are okay.  
16 And again we've fostered elderly dogs before just to give them a place to live until they  
17 get to, you know, pass on their own. And whenever the owners get too old or whatever to  
18 take care of them.

19 MS. FLOYD: We've had every situation from somebody walking into my practice  
20 saying, you know, there's two 17 year old dogs who's owner literally dropped dead and  
21 no shelter will take them or they don't have room and plus they're elderly. And if somebody  
22 take them they're gonna be euthanized which their only health issue is they're old so we  
23 will take those. We had two sisters that we did that for not too long ago and so we brought

1 them in and Bella Cloe lived with us until, you know, they became pretty decrepit and it  
2 was obvious. And so I actually the vet to come to my house and put them to sleep so I  
3 can hold them.

4 MR. FLOYD: We appreciate your consideration and like I said this is her passion,  
5 what she wants to do the rest of her life. I just want it to be where it's convenient for her  
6 so that – I know what it's like to have her go out there when it's cold, it's raining and  
7 everything, dark outside, and you know, this would make it much more convenient for her.

8 CHAIRMAN REESE: Let me just ask one more question. Alright, why the  
9 [inaudible] this size as opposed to one that might be just a tad bit smaller that would allow  
10 it to fit within the setback? And I'm just asking because there may be some specificity that  
11 is needed for this size.

12 MS. FLOYD: Well, I think it's just so I can have the capacity if needed to care for  
13 more. You know, one thing we'd like to do if we were able to build that is part of it have  
14 windows so the cats can have their own play area, safe with, you know, just with windows  
15 around and things like that. So I think it's, the main reason for the size is just so we don't  
16 have to do it again if we decide to continue to grow, because we both are kinda getting to  
17 retirement age and so we might be able to, you know, take more in as our workload, you  
18 know, decreases.

19 CHAIRMAN REESE: Alright.

20 MR. D. REESE: I have a question of Staff. [Inaudible] properties in the vicinity  
21 [inaudible] stated that these restrictions do not apply to [inaudible] such as [inaudible].

1 MR. PRICE: Typically when we're looking at other, you know, other parcels in  
2 comparison to see if the conditions apply, we're typically looking in the general area. I  
3 mean, we don't typically go outside to other subdivisions or developments.

4 MS. FLOYD: Eagle's Rest literally is just on the other side of the asphalt road. It's  
5 a newer subdivision. Our subdivision is so old.

6 MR. FLOYD: That's it right there.

7 MS. FLOYD: Yeah. I mean, it -

8 MR. FLOYD: If you look right above you there, our driveway over -

9 MS. FLOYD: The houses are very close together.

10 MR. FLOYD: At the top of the map there.

11 MS. FLOYD: You know, it's a new subdivision.

12 MR. FLOYD: If you take the cursor and go straight to the top, that circle of houses  
13 right there, that circle of houses, that's Eagle's Rest.

14 MS. FLOYD: If we didn't live in an older subdivision I couldn't even think about  
15 doing this in a new subdivision because the lots are so small and everything.

16 CHAIRMAN REESE: Any other questions? [Inaudible] a vote. Is there a point for  
17 consideration?

18 MS. FLOYD: I can show you pictures of the babies if you'd like to see some.

19 CHAIRMAN REESE: Well listen, the thing is that we understand your commitment  
20 to and your mission to the work that you're doing, we just have to make sure that it is in,  
21 it's compliant and within the standards that we have in order to make the decision. And  
22 so I think, I know I don't wanna be presumptuous for everybody else but the reason that

1 I'm asking my question is because I'm trying to figure out exactly where you lie within  
2 those standards. And so I wanna know if, Mr. Price, is there a point of consideration?

3 MR. PRICE: Yes, sir. Okay, so I would, looking back at the Staff's recommendation  
4 as went through the criteria, typically we look solely at the parcel itself and just compare  
5 the parcel. Maybe for the Board's consideration one of the things that you could look at if  
6 you wanted to identify something that's more unique about this parcel as compared to the  
7 other ones is the actual location of the driveway itself. Looking at the other parcels they  
8 don't seem to have, you know, that circular drive and it's pretty wide, so you could take  
9 that in consideration.

10 CHAIRMAN REESE: I wanna ask if there are – in your professional experience  
11 are there special considerations, any special considerations that might be applicable in  
12 this case based on your experiences in other similar ones.

13 MR. PRICE: No, sir. Again, we always base our decisions strictly on the criteria.  
14 And again, you know, upon looking at it I think that if we take the driveway into  
15 consideration I think Staff's recommendation may actually lean more to a  
16 recommendation of approval if it's based on the location of the drive and also considering,  
17 I believe they have the, they can't go further back because of the septic tank also. So  
18 because of those conditions I believe that all of the criteria could be met and thus Staff's  
19 recommendation may, would lean more toward approval versus denial.

20 CHAIRMAN REESE: Okay, so I would offer a motion. So I move that we approve  
21 this application based on the special consideration of the circular driveway and its location  
22 and the proximity of the septic tank that would make this a special consideration opposed  
23 to other properties in the area.

1 MS. HENDRIX: Second.

2 CHAIRMAN REESE: It's been moved and properly seconded. Any questions? Or  
3 a call for question. We're ready for a vote.

4 MR. PRICE: Alright, those in favor of that motion, of the motion for approval, a yes  
5 would be in support of that motion, Reese?

6 CHAIRMAN REESE: Aye.

7 MR. PRICE: Hendrix?

8 MS. HENDRIX: Aye.

9 MR. PRICE: Nelson?

10 MS. NELSON: Aye.

11 MR. PRICE: D. Reese?

12 MR. D. REESE: Yes.

13 MR. PRICE: Lautzenheiser?

14 MS. LAUTZENHEISER: Yes.

15 MR. PRICE: Alright, the motion passes.

16 *[Approved: R. Reese, Hendrix, D. Reese, Lautzenheiser, Nelson; Absent: Fulmer]*

17 CHAIRMAN REESE: Congratulations.

18 MR. D. REESE: Congratulations.

19 MR. FLOYD: Okay, thank you all.

20 CHAIRMAN REESE: Absolutely.

21 MR. FLOYD: We sincerely appreciate what you do.

22 CHAIRMAN REESE: Alright, our second case is –

23 **CASE NO. ZV23-003:**



1 MR. PRICE: Our next case is Case SV23-003. The Applicant is requesting the  
2 Board of Zoning Appeals to grant a Variance to encroach into the required front yard  
3 setback in the residential single family, well what was the residential single family low  
4 density district. This property would now be identified as R2. But the Applicant is Virginia  
5 L. Newman, the location is at 2027 Elm Abode Terrace, Columbia, South Carolina. The  
6 parcel sits on a little less than 6/100ths of an acre. Currently the property is residentially  
7 developed. The Applicant proposes to establish an open carport which will encroach into  
8 the required front yard setback. The Applicant is proposing to establish a 528 square foot  
9 carport that would encroach into the required front yard setback which is 25' by essentially  
10 20', so it'll be 5' from the property line. The existing structure was constructed in 1970  
11 and it currently that structure encroaches into the required front yard setbacks along Elm  
12 Abode Terrace and Melissa Avenue by 5' and 8' respectively. According to the Applicant  
13 the presence of a septic tank at the edge of the concrete driveway restricts the ability to  
14 establish the proposed carport further into the property. Upon Staff's review we feel that  
15 all of the criteria for the granting of a Variance has been met and Staff recommends  
16 approval of this request. Normally we can just kinda go based on an aerial but this, Staff  
17 did take some pictures, this is a little unique. One of the things that you will see is that the  
18 home, current home already encroaches into the required setback so the proposed open  
19 carport would be in line with the home. One of the things that Staff did take note of, Tommy  
20 do we have any more pictures other than that? One of the things that Staff took note of  
21 was, and if you look at the second picture where it's labeled as 'view along Melissa Drive',  
22 you know, one of the things we take into consideration is will this impose any type of  
23 visibility issues, not only for the property owner backing out but other vehicles coming

1 along Melissa Drive, you know, that may not see the car coming out. But there are two  
2 reasons Staff still feels that this would not pose any threats or any potential issues with  
3 the community is that the carport is gonna be open so it's not – if it was gonna be enclosed  
4 that might be a different issue but it's gonna be open. And also again, it's along the same  
5 lines as where the home is so there really isn't much of a difference as far as effecting  
6 visibility. So again, so for those reasons Staff recommends approval.

7 CHAIRMAN REESE: Thank you much. And so is there anyone who is here to  
8 speak on behalf of this application? And the only reason I ask that is because I know the  
9 sign in sheet has a different name on it so I just wanna make sure, I wanted to make sure  
10 that anybody wasn't confused about that. So if you would you can come right to the  
11 podium, sir.

12 MS. HENDRIX: Sir, just state your name and address for the Record.

13 **TESTIMONY OF JACOB MCKIE:**

14 MR. MCKIE: I am Jacob McKie. My address is 2948 Belle Drive, Columbia, South  
15 Carolina 29209.

16 CHAIRMAN REESE: Mr. McKie, let me ask you this, because you signed on the  
17 applicant line item, so are you here to speak on behalf of the project or are you here to  
18 speak against?

19 MR. MCKIE: I'm here to speak on behalf of the project.

20 CHAIRMAN REESE: Thank you. Thank you, I just needed that clarity.

21 MR. MCKIE: Yes, sir. Thank you.

22 MS. HENDRIX: And one more question, is there any relation to Ms. Virginia L.  
23 Newman? Because that's who we have as the actual applicant.

1 MR. MCKIE: I have no relation to her at all.

2 MR. PRICE: Mr. McKie has been representing the Applicant through the whole  
3 process. He helped prepare the documents that were submitted and previously at the last  
4 meeting, unfortunately we weren't able to have it due to lack of a quorum, Ms. Newman  
5 was here but he is here to represent the property owner.

6 CHAIRMAN REESE: The floor is yours.

7 MR. MCKIE: Thank you. I wanna thank the panel for having us and receiving us  
8 today as representative – I'm a general state contractor and I'm here to represent Ms.  
9 Newman, and we prepared the paperwork that we sent in to the Richland County. And  
10 Mr. Price pointed out all the points that I don't know what else I can add but I'm available  
11 to add, answer any questions you have with proposing to – because of the health  
12 condition of this resident, they've lived in this house for many years and now that they're  
13 older they can't make the incline anymore. Her knees are going out and it's about a three  
14 or four degree incline on that property from the driveway up to entering the home and  
15 that's why they need help. And the driveway would assist the residents when they get out  
16 of their car with their packages and having to make that incline to get into the closest  
17 entrance to the home. And so that's one of the reasons why they need a carport, and they  
18 need to have it as close as we can possibly get to the house rather than trying to sit it  
19 further back into the property. That property's very narrow but it's elongated and we  
20 inherited the sins of the past, the developer that set the house in that position, 7' from the  
21 property line. And that's what's caused the problem and so they have inherited that  
22 situation. And now that they're older and she's getting treatment for her knees she can't  
23 make the incline to get into the house. And that's what I need to add to it. Mr. Price has

1 done a very good job of pointing out the numbers and why we need to locate it as close  
2 as we can to the property. And we didn't know that the County had the full authority over  
3 that property after, you know, we just totally – we understand the setback but you have  
4 full jurisdiction over the 25' that belongs to the owner. I'm familiar with the setback but I  
5 didn't know you had that jurisdiction over 25'.

6 CHAIRMAN REESE: Well Mr. McKie, we certainly appreciate your testimony and  
7 I'm just wondering if there's any questions from this Board. Then – anybody?

8 MS. NELSON: I do have a question, Mr. McKie, and I'm looking at the, looked at  
9 the layout and I looked at the screen. It's gonna be a carport and just based on the picture  
10 I'm assuming they'll have concrete footers. Will they?

11 MR. MCKIE: They'll have what now?

12 MS. NELSON: Will the poles have concrete footers?

13 MR. MCKIE: They will have concrete footing, yes.

14 MS. NELSON: It looks like the driveway is really close to the septic tank. I guess  
15 my question is is will the weight of that new structure albeit it an open structure cause  
16 residual impacts to the septic tank that's already there that's so close.

17 MR. MCKIE: Right. Due to the drain field and the septic tank we're limited how  
18 close we can get to the septic tank and I hope that answers your question.

19 CHAIRMAN REESE: Any additional questions?

20 MS. NELSON: No.

21 CHAIRMAN REESE: I'll make a recommendation. So I move that we accept the  
22 administration's recommendation to approve.

23 MS. LAUTZENHEISER: Second.

1 CHAIRMAN REESE: It is moved and properly seconded that we accept the  
2 recommendation of the administration for approval. Time for question.

3 MR. PRICE: Alright, we have a motion for the approval of Case ZV23-003. A yes  
4 is in agreement with the motion for approval. Those in favor, Reese?

5 CHAIRMAN REESE: Yes.

6 MR. PRICE: Hendrix?

7 MS. HENDRIX: Yes.

8 MR. PRICE: Nelson?

9 MS. NELSON: Yes.

10 MR. PRICE: D. Reese?

11 MR. D. REESE: Yes.

12 MR. PRICE: Lautzenheiser?

13 MS. LAUTZENHEISER: Yes.

14 MR. PRICE: Motion passes.

15 *[Approved: R. Reese, Hendrix, D. Reese, Lautzenheiser, Nelson; Absent: Fulmer]*

16 CHAIRMAN REESE: Thank you, sir. Mr. McKie, thank you sir.

17 MR. MCKIE: Certainly. Thank you, panel. Thank the Board for – this is a need.

18 CHAIRMAN REESE: Absolutely.

19 MR. MCKIE: Thank you. Thank you very much.

20 CHAIRMAN REESE: Alright, so with the public hearings, the fact that we have  
21 concluded the public hearings, now we can go back to the items that were shifted on the  
22 Agenda and that is the Election of Officers and Adoption of the 2024 Calendar. So, the

1 Election of Officers. Is it appropriate for us to open up the floor for nominations for the  
2 office of Chairman?

3 MR. PRICE: Yes, sir.

4 CHAIRMAN REESE: Alright, so at this time why don't we, we will open the floor  
5 for nominations for the office of Chairman.

6 MS. HENDRIX: Mr. Chair, I would like to move a motion that Robert T. Reese  
7 remain Chair for the 2024 year.

8 MS. NELSON: I second.

9 CHAIRMAN REESE: It has been moved and properly seconded that Robert Reese  
10 be added to the names, to the list of those that are considered for Chairman. Are there  
11 any other considerations? Any other considerations? Alright, so it's been moved and  
12 properly seconded that Robert Reese be considered for Chairman. Time for question.

13 MR. PRICE: Alright. Those in favor of Robert Reese for Chair for the 2024 year,  
14 Lautzenheiser?

15 MS. LAUTZENHEISER: Yes.

16 MR. PRICE: D. Reese?

17 MR. D. REESE: Yes.

18 MR. PRICE: Nelson?

19 MS. NELSON: Yes.

20 MR. PRICE: Hendrix?

21 MS. HENDRIX: Yes.

22 MR. PRICE: Reese?

23 CHAIRMAN REESE: Abstain.

1 MR. PRICE: If you can't vote for yourself, I mean, how can anybody else?

2 CHAIRMAN REESE: Yes. I just thought I'd add some color to the conversation.

3 [Laughter]

4 *[Approved: R. Reese, Hendrix, D. Reese, Lautzenheiser, Nelson; Absent: Fulmer]*

5 CHAIRMAN REESE: Alright, so then let's move right in to the position of co-chair.

6 So we will open the floor for nominations for co-chair.

7 MS. NELSON: I nominate that Ms. Hendrix remain as co-chair for the 2024 year.

8 MS. LAUTZENHEISER: I second.

9 CHAIRMAN REESE: It's been moved and properly seconded that Ms. Hendrix  
10 remain as co-chair, or nomination be into, or name be put into consideration for  
11 nomination for co-chair. Any other nominations? Time for question.

12 MR. PRICE: Alright, again those in favor of Shasai, hopefully I'm saying it right,  
13 Hendrix for Vice Chair. A yes is in favor of that motion, Lautzenheiser?

14 MS. LAUTZENHEISER: Yes.

15 MR. PRICE: Reese?

16 CHAIRMAN REESE: Yes.

17 MR. PRICE: Nelson?

18 MS. NELSON: Yes.

19 MR. PRICE: Reese?

20 MR. D. REESE: Yes.

21 MR. PRICE: Hendrix?

22 MS. HENDRIX: I professionally oblige, yes. [Laughter]

23 *[Approved: R. Reese, Hendrix, D. Reese, Lautzenheiser, Nelson; Absent: Fulmer]*

1 MR. PRICE: Alright, so that motion passes.

2 CHAIRMAN REESE: Motion passes. Okay, so the last item for consideration on  
3 this Agenda is the adoption of the 2024 calendar. And you have received a tentative  
4 calendar in front of you that has all of the dates for consideration. Is there a  
5 recommendation to accept or to adopt the 2024 calendar?

6 MS. NELSON: I'll make a motion we adopt the calendar as submitted.

7 MR. D. REESE: Second.

8 CHAIRMAN REESE: So it's been moved and properly seconded that we adopt the  
9 calendar as submitted. I do have a question. So where are we currently on this calendar?  
10 You know, I just wanna make sure that I know, because here we are in March so is this  
11 March 6<sup>th</sup> here that this calendar begins and so this calendar also includes January and  
12 February, is that of the next year?

13 MR. PRICE: No, sir. This is all for 2024. Unfortunately –

14 CHAIRMAN REESE: Okay, so we're just, we're voting on this in March but this  
15 really should've been a calendar that we adopted in January.

16 MR. PRICE: Correct.

17 CHAIRMAN REESE: Got it. Got it. I just wanna make sure. I wanna make sure I'm  
18 clear, that's January and February of 2024 and not 2025. That was just my clarity. Alright  
19 so it has been moved and properly seconded that we adopt the calendar that has been  
20 presented. We're ready for question.

21 MR. PRICE: Alright, those in favor of the adoption of the calendar for the 2024  
22 year, a yes is in agreement with the motion for adoption, Reese?

23 MR. D. REESE: Yes.



1 MR. PRICE: Hendrix?

2 MS. HENDRIX: Yes.

3 MR. PRICE: Nelson?

4 MS. NELSON: Yes.

5 MR. PRICE: Robert Reese?

6 CHAIRMAN REESE: Yes.

7 MR. PRICE: Lautzenheiser?

8 MS. LAUTZENHEISER: Yes.

9 MR. PRICE: Okay, that motion passes.

10 *[Approved: R. Reese, Hendrix, D. Reese, Lautzenheiser, Nelson; Absent: Fulmer]*

11 CHAIRMAN REESE: Is there any Other Business? Any Other Business that is for  
12 consideration on this Agenda? Any Other Business?

13 MS. NELSON: I have a question actually. The Minutes from the January meeting,  
14 I know the February meeting was postponed. Did we, we did not review the January  
15 Minutes.

16 MR. PRICE: Did y'all not get those for –

17 CHAIRMAN REESE: Even if we did get them in February we didn't have a quorum  
18 so they wouldn't have been approved.

19 MR. PRICE: Right.

20 CHAIRMAN REESE: And I don't remember whether they were submitted to us or  
21 not, but I'm concerned – and that's a good question because the cases that we had in  
22 January won't be official until those Minutes are approved. And so my question is, even

1 if we – cause I know I have not reviewed the Minutes and so I don't know about anybody  
2 else but I wouldn't feel comfortable voting on the Minutes without having reviewed them.

3 MR. PRICE: If I'm correct and I'm gonna go through, I don't believe you met in  
4 January. And February was actually, February was the one that we couldn't have the  
5 meeting. So if – I'm looking and I – did we meet in December? We didn't meet in January.  
6 Okay, so what happened we couldn't meet in January and so we ended up missing  
7 February so we're in March?

8 CHAIRMAN REESE: Okay, so if you will repeat that about the January meeting,  
9 you said we could not –

10 MR. PRICE: So in January is when we did not have a quorum. And due to some  
11 advertisement issues we did not meet in February. So the first meeting is in March.

12 CHAIRMAN REESE: Okay, so let me make sure I ask this question just for clarity's  
13 sake. There are no Minutes that need approving?

14 MR. PRICE: I'm going through my – I believe if there were Minutes to be approved  
15 – we're just checking our agenda to make sure that there wasn't a meeting in December,  
16 because that would've been the last meeting you had. But if you have not had a meeting,  
17 if you did not meet in December then we would be looking at the approval of the Minutes  
18 of November 1<sup>st</sup>, 2023, which we will definitely get to you by the next meeting for your  
19 review and hopefully approval.

20 CHAIRMAN REESE: So let me, I want to make sure I'm clear, so we had a meeting  
21 in November and we haven't had a meeting since, or we haven't had an official quorum  
22 to have a meeting. So the November Minutes have not yet been approved.

23 MR. PRICE: I believe that's the case, yes, sir.

1 CHAIRMAN REESE: Okay. So let me ask this question, if somebody's been  
2 waiting out there since November to have their official, they have not?

3 MR. PRICE: No, sir.

4 CHAIRMAN REESE: Tell me what that means.

5 MR. PRICE: What typically happens is, historically what has always been said to  
6 the applicant is that it becomes official upon the approval of the Minutes. However, if they  
7 decide to proceed on they do it at their own risk in case there's a reconsideration. So I  
8 don't think any of the applicants have been waiting at this time.

9 CHAIRMAN REESE: Okay, okay. So –

10 MR. PRICE: We're not holding anyone up. But to the point, we do need to get you  
11 the Minutes so we can make that official.

12 CHAIRMAN REESE: Okay, so I really want an opportunity to expedite the approval  
13 of the November meeting Minutes so that we've done our due diligence to make sure that  
14 we have officially, the actions that we undertook at that meeting are in the official records.

15 MR. PRICE: Yes, sir.

16 CHAIRMAN REESE: So is there a precedent of having a confirmation of Minutes  
17 in the interim of meetings?

18 MR. PRICE: For where I think you're headed the only way to approve those  
19 Minutes from November is for you to, for us to actually have a meeting. You know, you  
20 can call a special called meeting in which we would all need to – you just need to adjourn  
21 to approve those Minutes and that may be the only item on the agenda. Or you can just  
22 wait until the April meeting and approve those. So again I understand your need to but I  
23 don't think anyone is pressing at this time.

1 CHAIRMAN REESE: You haven't had any calls or anything saying, oh what's  
2 going on?

3 MR. PRICE: No, actually I believe one of the locations may actually already be  
4 operating, so.

5 CHAIRMAN REESE: You know, I just read those directions at the beginning, like  
6 if you move on your own without this and you – so anyway, you – my concerns are so  
7 noted for the Record.

8 MR. PRICE: Yes, sir and you will have your Minutes before each of the meetings  
9 from the previous meetings going forward. I apologize, you know, I think we just had a  
10 number, we haven't had cases or we for various reasons you haven't gotten the Minutes  
11 so I apologize for that.

12 CHAIRMAN REESE: So let me ask one more question, and I wanna do this and  
13 this is just for my clarity's sake, you know, so in this day of virtual interactions is there a  
14 precedent, not just with this Board but for any other board to have a meeting that is an  
15 official that is done under a virtual format as opposed to an in-person format?

16 MR. PRICE: The precedent was set during Covid when we had a number of  
17 meetings, but I believe everyone including Council has had in-person meetings once we  
18 were back open. And one of the main reasons is, you know, technology is advanced a  
19 good ways but there are always some issues, seems to be some issues sometimes  
20 making sure people are able to express their thoughts whether, you know, either for or  
21 against or just wanna make comments regarding cases. So we've always found that  
22 having them in person actually just, it makes it better.

1 CHAIRMAN REESE: Be it known that my question was not about the meetings  
2 that we would have that were involving public input. And I was just asking if in fact that  
3 we did decide to have a special called meeting that was for this Body of Commissioners  
4 would it be appropriate and/or legal to have a special called meeting for us that would be  
5 virtual, that's my real question.

6 MR. PRICE: That is something that we will look into and I can get back with you  
7 and then you as the Chair after conferring with the other Board Members can call a special  
8 called meeting if that is something that we can do.

9 CHAIRMAN REESE: And this is all in regards to just getting minutes out of the  
10 way. If we're gonna start we might as well start with a clear slate. So anyway I would ask  
11 if you would check on that and let us know and then we could be in contact with all of the  
12 Members of the Board. And if I could also ask if you would just for the sake of  
13 convenience, to submit a copy of those Minutes of that meeting to everybody on this  
14 Board so that we would have them in our possession just so we would be able to have  
15 an opportunity to review them if in fact a special called meeting could be accounted for.

16 MR. PRICE: Yes, sir, we'll make sure that you have the Minutes before the meeting  
17 regardless of whether we can have the virtual meeting, but we'll make sure that you have  
18 those.

19 CHAIRMAN REESE: Any other business? Hearing none. This meeting is  
20 adjourned.

21  
22 *[Meeting Adjourned at 4:15pm]*