

**West Columbia Zoning Board of Appeals  
Case Evaluation for a Variance**

Case Number: ZBA 20-08

Tax Map Number: 004620-01-010

Property Address: 1210 Purple Wing Lane

Current Zoning: R-4 (Low-Density Residential)

Applicant: Robert E. Watson

Variance Requested: From the definition of an accessory structure to permit an accessory structure on a lot without a principal structure

Use of property: 2-vehicle garage

Reason for Request: In Section 301 of the Zoning Ordinance, the City of West Columbia defines an “*Accessory Structure*” as:

*A structure detached from a principal building located on the same premises and customarily incidental and subordinate to the principal building or use. Garages, carports, and storage sheds are common urban accessory structures.*

Additionally, the definition of a “*Principal Structure*” is:

*A structure (or building) having significant or primary uses and justifying its own utilization (such as a dwelling or office building) as contrasted to accessory structures which are incidental or subordinate to primary structures and do not alone justify their utilization (such as a tool shed or auto garage used in conjunction with a dwelling). Certain structures may be either principal or accessory depending upon utilization, such as a parking garage as an accessory structure to a high-rise apartment or as a principal structure when operated commercially in a business area.*

The applicant has plans to construct a pavilion with dimensions approximately 20’ W x 40’ L x 10’ H.

Section 1101.2 gives the Zoning Board of Appeals the authority

To hear and decide appeals for variance from the requirements of the zoning ordinance when strict application of the provisions of the ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the board makes and explains the following findings:

(a) there are extraordinary and exceptional conditions pertaining to the particular piece of property.

- (b) these conditions do not generally apply to other property in the vicinity.
- (c) because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.
- (d) The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.
  - (i) The board may not grant a variance the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a nonconforming use of land, or to change the zoning district boundaries shown on the official zoning map. The fact that property may be utilized more profitably, should a variance be granted, may not be considered grounds for a variance.
  - (ii) In granting a variance, the board may attach to it such conditions regarding the location, character, or other features of the proposed building, structure or use as the board may consider advisable to protect established property values in the surrounding area, or to promote the public health, safety or general welfare.

Character of Area: The property can be accessed from the corner where Rutland Avenue and Gunter Drive intersect, as well as from the privately-maintained Purple Wing Lane which loops around the 1200-block of residences on Botanical Parkway (Road is owned by the Saluda Mill Homeowners Association). While the subject property is zoned R-4, the aforementioned subdivision – where the applicant lives – is a part of a Planned Unit Development (PUD-R).

Analysis: As alluded to, the applicant lives directly across the property at 1210 Botanical Parkway. The two properties were once contiguous before the private Purple Wing Lane was constructed; however, the applicant purchased the properties after that fact. On April 15, 2014, the ZBA granted a variance for the existing accessory structure and a variance to reduce the secondary front setback for that accessory structure.

