

Minutes

Town of South Congaree  
Board of Zoning Appeals Meeting  
September 2, 2025

The following Zoning Board of Appeals (ZBA) members were present at the meeting: Chairman James Galluzzo, Vice Chairman Andrea McHugh, Secretary Larry Estes, members Joe Gilchrest and Vickie Wooten. A quorum was established.

The first order of business was to approve the Minutes of the ZBA meeting dated June 2, 2025. A Motion to approve the Minutes was made by McHugh and seconded by Estes, all members responded "aye" and the Motion was passed.

Statement of Matter to be Heard:

ZBA 25-02 - Consideration of a variance request for relief from rear setback requirements on property located at 1949 Blue Ridge Terrace (TMS#007817-01-024), West Columbia, SC 29170.

ZBA 25-03 - Consideration of a variance request for relief from rear setback requirements on property located on Elnora Drive (TMS#007896-0-071) West Columbia SC 29170.

Ms. Viola Boatwright had submitted a request to the Town of South Congaree Zoning Administrator to have a property line on her property at 1949 Blue Ridge Terrace relocated.

A letter dated July 21, 2025, to Cobb Land Surveying LLC, and Ms. Boatwright, indicated the following:

The proposal to relocate the property line had been denied because accessory structures on the Blue Ridge Terrace property would be too close to the property line. Section 158-71 of the Municipal Code requires that accessory structures must be a minimum of five feet from the property line.

A review of a copy of the proposed plat by Cobb Land Surveying LLC, revealed the following: The relocated property line would place an existing accessory structure on the Blue Ridge Terrace property at 3.3 feet from the property line. A second accessory structure on the Blue Ridge Terrace property would be placed at 4.3 feet from the property line.

On July 30, 2025, Ms. Boatwright and Michael Wayne Cupp submitted a request for a Variance. A review of the Justification for a Variance revealed the following:

Ms. Boatwright owned the property at 1949 Blue Ridge Terrace. Ms. Boatwright also owned the adjoining lot that is located behind her Blue Ridge Terrace lot. The adjoining lot has road frontage on Elnora Drive. The Boatwrights had built a 40ft by 20ft carport with a concrete slab on the Elnora Drive lot. However, two feet of the carport is on the Blue Ridge Terrace property. It is cost prohibitive to remove the carport. Approval of a Variance would allow the Elnora Drive property to be developed and the Blue Ridge Terrace property to be sold if necessary.

BZA Meeting Minutes, Continued:

Applicant Presentation:

A telephonic interview was conducted with the Michael Wayne Cupp:

Mr. Cupp is Ms. Boatwright's son. His mother is having health issues therefore he is representing his mother. His mother had married Walter Boatwright during the 1960s. Walter Boatwright is now deceased. They had purchased their residence at 1949 Blue Ridge during the 1960s. They purchased the Elnora Drive lot during the 1980s. The carport was built during the 1980s. The carport could only be accessed from Elnora Drive. Mr. Cupp may have to sell either or both properties to take care of his mother. However, the encroachment would prevent his ability to sell either lot. The 20 ft by 40 ft concrete slab is six inches thick, it is cost prohibitive to remove the carport.

BZA Decisions:

There are extraordinary conditions in that the existing property line runs through an accessory structure. The Boatwright's owned both properties. It is reasonable to conclude that there was no intent to violate the town ordinance.

This condition does not apply to other properties; it is unique to the two properties in this case.

Enforcing Section 158.071 of the Municipal Code would negatively impact the utilization of both properties. It would prohibit the ability to sell either or both properties.

Granting the variance would not cause a substantial detriment to the adjacent properties or to the public good. The character of the neighborhood would not be harmed.

BZA member Wooten made a motion that a Variance be granted for both cases (ZBA 25-02 and ZBA 25-03.) Vice Chairman McHugh seconded the motion. All BZA members responded "aye," and the motion was passed.

The meeting was adjourned.