



## ZONING BOARD OF APPEALS

### Minutes of the Meeting

June 14, 2023

#### ATTENDANCE

A regular meeting of the Zoning Board of Appeals was held on Wednesday, June 14, 2023, in the Fourth Floor City Chambers of the Sumter Opera House, 21 N. Main Street. Six board members – Mr. Leslie Alessandro, Mr. Frank Shuler, Mr. Claude Wheeler, Mr. Steven Schumpert, Mr. Jason Reddick, and Mr. Clay Smith were present. Mr. William Bailey, Mr. Louis Tisdale, and Mr. Todd Champion were absent.

Planning staff in attendance: Mr. Jeff Derwort, Mr. Quint Klopfleisch and Ms. Kellie Chapman.

The meeting was called to order at 3:02 p.m. by Mr. Leslie Alessandro, Chairman.

#### MINUTES

Mr. Clay Smith made a motion to approve the minutes of the May 10, 2023, meeting as written. The motion was seconded by Mr. Frank Shuler and carried a unanimous vote.

#### NEW BUSINESS

*Mr. Frank Shuler recused himself from BOA-23-11.*

**BOA-23-08, 11 S. Salem Ave. (City)** was presented by Mr. Quint Klopfleisch. The Board reviewed this request for variance approval from the front building setback requirements outlined in *Article 3, Section 3.i.5.b: (GC District) Minimum Yard & Building Setbacks* of the City of Sumter Zoning & Development Standards Ordinance (the “Ordinance”) in order to permit a new commercial structure with a front building setback of +/- 18 ft., where the required front setback is 35 ft. The property is located at 109 S. Harvin St., is zoned General Commercial (GC), and is represented by TMS# 249-16-03-004.

Mr. Klopfleisch added the minimum front setback for property zoned General Commercial (GC) along collector roads is 35 feet.

Mr. Klopfleisch mentioned the applicant owns the adjacent property lying to the south side and rear of the subject property. Due to the small size of the property, the applicant must combine this property with their property to the rear of the site in order to establish the building in conformance with other applicable development standards.

	<p>After a brief discussion, Mr. Steven Schumpert made a motion to approve this request subject to the following findings of fact and conclusions:</p> <ol style="list-style-type: none"> <li>1. All other buildings along the eastside of S. Harvin St. within this block are setback no more than +/- 20 ft. The Zoning &amp; Development Standards Ordinance addresses these types of situations for residential uses and allows the average of the existing front setback within 200 ft., within the same block, and along the same side of the street, to be used to determine the required setback. No such provisions are in place for commercial uses. Current setback requirements dictate that this proposed building, on an already narrow lot, must be located at least 15 ft. further back than any other building in the immediate vicinity that has direct frontage on S. Harvin St.</li> <li>2. Other properties in the immediate area have buildings as close or closer to their front property lines than the proposed building. The subject property contains no building improvements.</li> <li>3. The 35 ft. front setback would push the proposed building at least 15 ft. further back than other buildings in the immediate vicinity and on the same side of the street. Based on these existing conditions there is a case to be made that requiring a 35 ft. front setback in this instance is an unreasonable restriction.</li> <li>4. It is not anticipated that approval of this request will be of substantial detriment to adjacent property owners or to the public good. It is also not anticipated that approval of this request will harm the character of the district. Moreso, constructing the building to a 35 ft. front setback may actually harm the existing character along this section of S. Harvin St., as it would be a significant departure from the established building lines along a street that is adjacent to the downtown commercial core.</li> </ol> <p>The motion was seconded by Mr. Jason Reddick and carried by a unanimous vote.</p>
<b>OTHER BUSINESS</b>	<b>NONE</b>
	<p>There being no further business, Mr. Steven Schumpert made a motion to adjourn the meeting at 3:13 p.m. The motion was seconded by Mr. Clay Smith and carried a unanimous vote.</p> <p>The next regularly scheduled meeting is scheduled for June 14, 2023.</p>

Respectfully submitted,

*Kellie K. Chapman*

Kellie K. Chapman, Board Secretary