



BOARD OF ZONING APPEALS

Minutes of the Meeting

October 10, 2012

ATTENDANCE

A regular meeting of the Zoning Board of Appeals was held on Wednesday, October 10, 2012, in the Fourth Floor Council Chambers of the Sumter Opera House, 21 N. Main Street. Six board members – Mr. J. Seth; Mr. James Price; Mr. Sam Lowery; Mr. Jimmy Lowery; Ms. Kay Stockbridge; Ms. Betty Clark and the secretary were present. Ms. Sonya Davis; Mr. Patrick Flaherty and Mr. John Acken were absent. The meeting was called to order at 3:05 p.m. by Mr. J. Seth.

MINUTES

A motion was made by Mr. Sam Lowery to approve the minutes of the September 12, 2012, meeting. The motion was seconded by Mr. Jimmy Lowery and carried a unanimous vote.

NEW BUSINESS

BOA-12-38, 2255 Watersong Run (City) was presented by Ms. Claudia Rainey. The board reviewed the applicant's request for a variance from the maximum height requirement for construction of a new dwelling in the Residential Zoning District(R-15) per Article 3, Section 3.b5.c R-15 Single Family Zoning District; Building Height Requirements (maximum). Applicant is requesting an increase of 7 feet in the maximum height requirement of 35 feet. The property is located at 2255 Watersong Run and is represented by Tax Map #205-11-02-039. Mr. Eric Smith, General Contractor for the property owner, David Whaley was present and spoke on behalf of the request. After some discussion, between board members and staff, Mr. Jimmy Lowery made a motion to approve this request, for a variance, subject to the findings of fact and conclusions contained in the draft order, dated October 10, 2012. The motion was seconded by Ms. Betty Clark and carried a unanimous vote. The request was approved.

BOA-12-39, 3030 Daufaskie Rd. / 10 Daufaskie Ct. was presented by Ms. Claudia Rainey. The board reviewed the applicant's request for a variance from the side setback requirements of the Carolina Palms Subdivision Plat Phase III approved setbacks (Plat recorded 02/15/2011). Applicant is requesting a two and a half foot (2.5 ft) decrease from the required 5 foot side

	<p>setback in order to construct a new dwelling. The property is located at 3030 Daufaskie Rd. /10 Daufaskie Ct. and is represented by Tax Map #186-14-01-020. Mr. Buddy Wilkes, Contractor for the property owner, was present and spoke on behalf of the request. After some discussion, between board members, staff and the applicant, Mr. James Price made a motion to accept staff recommendation and approve this request subject to the findings of fact and conclusions contained in the draft order, dated October 10, 2012. The motion was seconded by Mr. Sam Lowery and carried a unanimous vote. The request was approved.</p>
<p>OTHER BUSINESS</p>	<p>Mr. George McGregor notified the board of the following:</p> <ul style="list-style-type: none"> ❖ The parking requirement ordinance review that was discussed at the last meeting will be conducted the first part of 2013. ❖ A Federal Civil Rights Action for BOA-12-32, 941 E. Liberty Street for an adult use establishment has been received and staff will work with the City attorney on this matter. The Adult use filing is the applicant, Terry Land versus The City of Sumter and The Zoning Board of Appeals. ❖ The magistrate rendered an opinion on the two open Sweepstakes establishments that were shut down by the sheriff's office. She found that the machines in those locations violated State law and were therefore illegal. The sweepstakes filing is SLED versus the applicant.
<p>ADJOURNMENT</p>	<p>With no further business, a motion to adjourn was made at approximately 3:40 by the chair, Mr. J. Seth. The motion was seconded by Ms. Kay Stockbridge and carried a unanimous vote.</p> <p>The next regularly scheduled meeting will be held on November 14, 2012.</p>
	<p>Respectfully submitted,</p> <p><i>Julie A. Scarborough</i></p> <p>Julie A. Scarborough, Board Secretary</p>