



BOARD OF ZONING APPEALS

Minutes of the Meeting

November 13, 2013

<p>ATTENDANCE</p>	<p>A regular meeting of the Zoning Board of Appeals was held on Wednesday, November 13, 2013, in the Planning Department Conference Room in the Liberty Center, 12 W. Liberty Street. Five board members – Mr. J. Seth; Mr. James Price; Mr. Sam Lowery; Mr. Patrick Flaherty; Mr. Jimmy Lowery and the secretary were present. Mr. Louis Tisdale; Mr. Leslie Alessandro; Mr. John Acken and Ms. Betty Clark were absent. The meeting was called to order at 3:00 p.m. by Mr. J. Seth.</p>
<p>MINUTES</p>	<p>A motion to approve the minutes of the October 9, 2013, meeting was made by Mr. Patrick Flaherty. The motion was seconded by Mr. Sam Lowery and carried a unanimous vote.</p>
<p>NEW BUSINESS</p>	<p>BOA-13-16, 315 Kendal Avenue (City) was presented by Mrs. Claudia Rainey. The board reviewed the applicant’s request for a variance of 10 feet from the required 35 foot front yard setback per Article 3, Section 3.b.5.b Residential-15 Zoning District Development Standards in order to build a residential dwelling with a 25 foot front setback. The property is located at 315 Kendal Ave. and is represented by Tax Map #206-08-03-003.</p> <p>Mr. Jimmy Carolina, applicant, was present and spoke in favor of the request. Ms. Loretta Halley and Mr. Jerry Cander were present and spoke in opposition.</p> <p>After some discussion between board members, the applicant and staff, Mr. Patrick Flaherty made a motion to approve this request, subject to the findings of fact and conclusions contained in the draft order dated November 13, 2012. The motion was seconded by Mr. Jimmy Lowery and carried a unanimous vote. The request was approved.</p> <p>BOA-13-17, 30 McIntosh Court (City) was presented by Mrs. Helen Roodman. The board reviewed the applicant’s request for a variance of 10 feet from the 35 foot front yard setback requirement per Article 3, Section 3.b.5.b Residential- 9 Zoning District Development Standards in order to construct a residential dwelling with</p>

a 25 foot front yard setback. The property is located at 30 McIntosh Ct. and represented by Tax Map #182-00-02-008 (P).

Mr. Tyler Dunlap was present to speak in favor of the request.

After little discussion, Mr. James Price made a motion to approve this request as recommended by staff. The motion was seconded by Mr. Jimmy Lowery and carried a unanimous vote. The request was approved.

BOA-13-18, 40 Seay Court (City) was presented by Mrs. Helen Roodman. The board reviewed the applicant's request for a variance of 10 feet from the 35 foot front yard setback requirement per Article 3, Section 3.b.5.b Residential-9 Zoning District Development Standards in order to construct a residential dwelling with a 25 foot front yard setback. The property is located at 40 Seay Ct. and represented by Tax Map #182-00-02-008 (P).

Mr. Tyler Dunlap was present and spoke in favor of the request. Mr. Jeremy Littleton and Mr. Jonathan Van Duseu were present and spoke in opposition.

After much discussion, between board members, the applicant and staff, a motion was made by Mr. Patrick Flaherty to approve this request as recommended by staff. The motion was seconded by Mr. Jimmy Lowery and carried a unanimous vote. The request was approved.

BOA-13-19, 377 Rast Street (City) was presented by Ms. Donna McCullum. The board reviewed the applicant's request for Special Exception approval for a Tattoo Facility (SIC 7299) as required per the City Zoning Ordinance, Article 3, Section I, 3.i.4.g & Exhibit 5. The property is located at 377 Rast St. and is represented by Tax Map #230-16-03-023.

Mr. Stan Hudgins was present and spoke in favor of the request. Mrs. Rosa Harriett, Security Finance, Mr. Sedrick Helms, Security Finance and Mr. Joe Disher, Hull Story/Sumter Mall were present and spoke in opposition.

After much discussion between board members, staff and the applicant a motion was made by Mr. Patrick Flaherty to approve this request. The motion was seconded by Mr. Jimmy Lowery and carried a two in favor-Flaherty, J.

	<p>Lowery, one in opposition-S. Lowery and one abstention-Price vote. The motion failed.</p> <p>Discussion continued between board members and staff and a new motion was made by Mr. Sam Lowery to deny this request based on the findings of staff. The motion did not receive a second. The motion was then withdrawn by Mr. Sam Lowery.</p> <p>Discussion continued, and a motion was made by Mr. Sam Lowery to defer this request, until the next meeting, in order to further research and review the matter. The motion was seconded by Mr. Patrick Flaherty and carried a unanimous vote. The request will return to the Board of Zoning Appeals, December 11, 2013.</p>
ADJOURNMENT	<p>With there being no further business, a motion to adjourn was made at approximately 4:25 by acclamation.</p> <p>The next regularly scheduled meeting will be held on December 11, 2013.</p>
	<p>Respectfully submitted,</p> <p><i>Julie A. Scarborough</i></p> <p>Julie A. Scarborough, Board Secretary</p>