

Sumter City-County Board of Zoning Appeals

October 8, 2014

BOA-14-11, 6 N. Blanding St. (City)

The applicant is requesting variances from Article 8, Section I, Parking Regulations and from Article 9, Landscaping, Buffering and Tree Protection Requirements in order to allow a vacant lot to be used for the temporary or long term storage of vehicles without any site improvements.



Appeals - Variance - Special Exception

Sumter City-County Board of Appeals

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BOA-14-11, Variance Request – 6 N. Blanding St. (City)

I. THE REQUEST

Applicant: James F. Price

Status of the Applicant: Property Owner

Request: Variances from Art. 8, Section I Parking Regulations and Article 9, Landscaping, Buffering & Tree Protection

Location: 6 N. Blanding St.

Present Use/Zoning: Vehicle Storage and Truck Parking/General Commercial

Tax Map Reference: 228-11-03-055

II. BACKGROUND

Mr. Price owns the property at 501 W. Liberty Street and leases to the Budget Truck Rental Business. He recently purchased the vacant lot behind this business at 6 N. Blanding Street and wishes to use this vacant lot for parking/storage of rental vehicles.

The Zoning Administrator responded on July 29, 2014 finding that the parking of cars and trucks on a parcel constitutes a commercial use and therefore is subject to the development standards of the City Zoning Ordinance, including, but not limited to, landscaping, paved parking, stormwater solutions, etc.

Picture of Property



The Applicant is requesting a variance from all landscaping requirements and parking lot design standards and argues that *“upgrading to Staff’s suggestion,(sic) will cost as much as the property cost with no return on investment on my part.”* The development standards are not a suggestion but a requirement of the City Zoning Ordinance as adopted by Sumter City Council. Moreover, the cost of the improvements is not relevant and cannot be a factor considered upon requesting such variances. The applicant is asking to use the site as it is today, a vacant grassed lot with no improvements which would include landscaping and surface material such as pavement, gravel, crush and run, etc.



Illustration done by staff of landscaping compliance with Zoning Ordinance for applicant.

III. FOUR-PART TEST

- 1. There are extraordinary and exceptional conditions pertaining to the particular piece of property.***

There are no extraordinary conditions pertaining to this property. This is a rectangular shaped lot which is to be used as an expansion area to the existing business.

- 2. These conditions do not generally apply to other property in the vicinity.***

These requirements apply to all new commercially developed properties. There is sufficient area to fully comply with Zoning Ordinance.

- 3. 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.***

Without the approval of this variance, the property can be used for the proposed commercial use. The requirement of buffering, landscaping and improved surface for parking vehicles does not prevent or restrict the use of the property for intended purpose. Applicant just needs to submit scaled site plan and go through normal site plan approval review and comply with standards.

- 4. *The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the granting of the variance will not harm the character of the district.***

The landscaping and buffering requirements are to screen parking and storage areas from our primary arterial roads throughout our City to give them a more aesthetic pleasing look. This location is inside our Highway Corridor Overlay district and is very visible from Liberty Street. Without the landscaping and buffering, we are not fulfilling the intent of this overlay district. We are also setting a different standard for other new commercial projects in the near future.

IV. STAFF RECOMMENDATION

Staff recommends denial because request does not meet the four part hardship criteria.

V. DRAFT MOTIONS

- A. I move that the Sumter Board of Appeals deny BOA-14-11 (VARIANCE) subject to the findings of fact and conclusions contained in the draft order dated October 8, 2014, attached as Exhibit 1.
- B. I move that the Sumter Board of Appeals make an Alternate Motion.

VI. BOARD OF ZONING APPEALS – OCTOBER 8, 2014

The Sumter City-County Board of Appeals at its meeting on Wednesday, October 8, 2014, voted to approve your request with the following conditions:

- The parking of trucks must be directly behind the building and accessed from the West side.
- A rock surface must be put down to stabilize trucks at a 2” minimum of thickness.
- This variance is for this use only. If the lot sales or the use changes this variance does not go with it.
- A minor site plan must be submitted.