



BOARD OF ZONING APPEALS

Minutes of the Meeting

November 12, 2014

ATTENDANCE

A regular meeting of the Zoning Board of Appeals was held on Wednesday, November 12, 2014, in the Fourth Floor Council Chambers of the Sumter Opera House, 21 N. Main Street. Six board members – Mr. J. Seth; Mrs. Jean Frierson; Mr. James Price; Mr. Sam Lowery; Mr. Patrick Flaherty and Mr. Colin Davis were present. Mr. Leslie Alessandro; Mr. Louis Tisdale and Mrs. Betty Clark were absent.

Planning staff in attendance were Mr. George McGregor; Mrs. Helen Roodman; and Mrs. Julie Scarborough.

The meeting was called to order at 3:00 p.m. by Mr. J. Seth.

MINUTES

A motion to approve the minutes of the October 8, 2014, meeting was made by Mr. Patrick Flaherty. The motion was seconded by Mr. Colin Davis and carried a unanimous vote.

NEW BUSINESS

BOA-14-13, 1383 Mooneyhan Rd. (County) was presented by Mrs. Helen Roodman. The board reviewed the applicant's request for a variance from the one (1) acre minimum lot size requirement in the Agricultural Conservation Zoning District per Article 3, Section N, 3.n.5.a Agricultural Conservation District, in order to subdivide a .530 acre parcel from a 1.632 acre parcel for a Lifetime Transfer. The property is located at 1383 Mooneyhan Rd., represented by Tax Map #252-00-04-004 (p) and zoned Agricultural Conservation (AC).

Mr. Ken Young, Attorney representing the applicant, and Mrs. Lisa Harrison, applicant's daughter, were present and spoke in favor of the request. Mrs. Tammy Hodge, Mr. Chris Rhye, Mr. Talmadge Tobias, Mrs. Debra Wilson, Mr. Thomas Heideman and Mrs. Victoria Plowden-Rumbold were present and spoke in opposition of the request.

After much discussion, between board members, staff and the applicant, a motion was made by Mr. Sam Lowery to deny this request subject to the findings of fact and conclusions contained in the draft order dated November 12, 2014. The motion did not receive a second and therefore failed.

Discussion continued and a motion was made by Mr. Patrick Flaherty to defer this request until the December

10, 2014 meeting. The motion was seconded by Mr. Colin Davis and received a unanimous vote. The request will return to the December 10, 2014 meeting.

BOA-14-14, 4013 & 4015 N. Kings Hwy. (County) was presented by Mr. George McGregor. The board reviewed the applicant's request for a variance from the one (1) acre minimum lot size requirement in the Agricultural Conservation Zoning District per Article 3, Section N, 3.n.5.a Agricultural Conservation District, in order to subdivide a .38 acre parcel from a 1.40 acre parcel for a Lifetime Transfer. The property is located at 4013 – 4015 N. Kings Hwy., represented by Tax Map #078-00-02-037 (p) and zoned Agricultural Conservation (AC).

Mrs. Margaret Edwards, applicant, was present and spoke in favor of this request.

After little discussion, a motion was made by Mr. Patrick Flaherty to approve this request subject to the findings of fact and conclusions contained in the draft order dated November 12, 2014. The motion was seconded by Mr. James Price and received a unanimous vote. The variance was granted.

BOA-14-15, 1057 Broad Street (City) was presented by Mrs. Helen Roodman. The board reviewed the applicant's request for a variance from Article 8, Exhibit 8-5 Maximum Sign Area for General Commercial Zoning District (Note #4 Shopping Center Rules) to allow for an additional 179.17 sq. ft. for a reader board sign at the entrance to the Sumter Mall. The property is located at 1057 Broad St., represented by Tax Map #230-16-01-005 and is zoned General Commercial (GC).

Mr. John Mulherin, applicant, was present and spoke in favor of the request.

After some discussion, between board members, staff and the applicant, a motion was made by Mr. Patrick Flaherty to approve this request subject to the findings of fact and conclusions contained in the draft order dated November 12, 2014. The motion was seconded by Mr. Colin Davis and received a unanimous vote. The variance was granted.

BOA-14-16, 2340, 2350, 2360, 2370, 2380, 2390 & 2395 Presidio Drive (County) was presented by Mrs. Helen Roodman. The board reviewed the applicant's request a variance from the front yard setback

of 35 feet to allow for a 25 foot front setback as required per Article 3, Section N, 3.n.5.b Setback Requirements for Agricultural Conservation District, in order to construct single family dwellings closer to the front property line in Presidio Park Subdivision. The properties are located at 2340, 2350, 2360, 2370, 2380, 2390 & 2395 Presidio Dr., represented by Tax Map # 094-00-01-003 (part) and zoned Agricultural Conservation (AC).

Mr. Tyler Dunlap was present and spoke in favor of the request. Mr. Craig Whitman and Mrs. Andrea Whitman requested clarification of the request then stated that they were not in opposition.

After some discussion, a motion was made by Mr. James Price to approve this request. The motion was seconded by Mr. Colin Davis and received a unanimous vote. The variance was granted.

BOA-14-23, 4888 Broad Street (County) was presented by Mr. George McGregor. The board reviewed the applicant's request for a Drinking Place (5813) as required per Article 3, Section I, 3.i.4.d Special Exception Uses in General Commercial Zoning District. The property is located at 4888 Broad St., represented by Tax Map 155-00-01-011 and zoned General Commercial (GC).

Mr. Chip McMillian, Attorney representing the applicant, Mr. Michael Alston, applicant, Mr. William McCarthy and Mr. Christopher Soward were present and spoke in favor of the request. Mr. Anthony Dennis, Sumter County Sheriff, Mrs. Mattie Wright, Mrs. Gale Bradley, Mrs. Loretta Brunson, Mr. John Thomas, Base representative, and Mrs. Kathy Ward, General Counsel for the Sumter County Sheriff's Office were present and spoke in opposition of the request.

After much discussion, between board members, staff and the applicant, a motion was made by Mr. James Price to deny this request as recommended by staff. The motion was seconded by Mr. Colin Davis and received a unanimous vote. The Special Exception was denied.

BOA-14-24, 385 W. Wesmark Blvd. (City) was presented by Mrs. Helen Roodman. The board reviewed the applicant's request for a variance from Article 8, Exhibit 8-5 for a 9 foot decrease from the 10 foot front yard setback to allow a freestanding business sign on the property. Property is located at 385 W. Wesmark Blvd., represented by Tax Map 203-14-01-033 and zoned Planned Development.

	<p>Mrs. Kelli McGregor was present and spoke in favor of the request.</p> <p>After little discussion, a motion was made by Mr. Colin Davis to approve this request subject to the findings of fact and conclusions contained in the draft order dated November 12, 2014. The motion was seconded by Mr. Patrick Flaherty and received a unanimous vote. The variance was granted.</p>
ADJOURNMENT	<p>With there being no further business, a motion to adjourn was made at approximately 5:30 p.m. by acclimation.</p> <p>The next regularly scheduled meeting will be held on December 10, 2014.</p>
	<p>Respectfully submitted,</p> <p><i>Julie A. Scarborough</i></p> <p>Julie A. Scarborough, Board Secretary</p>