



BOARD OF ZONING APPEALS

Minutes of the Meeting

January 8, 2020

ATTENDANCE	<p>A regular meeting of the Zoning Board of Appeals was held on Wednesday, February 12, 2020 in the Fourth Floor Council Chambers of the Sumter Opera House, 21 N. Main Street. Six board members – Mr. Warren Curtis, Mr. Leslie Alessandro, Mr. Louis Tisdale, Mr. L. C. Frederick, Mr. Steven Schumpert and Ms. Cleo Klopfleisch were present. Mr. Harold Johnson, Mr. Jason Reddick and Mr. Gregory Williams were absent.</p> <p>Planning staff in attendance: Mr. Daniel Crum, Ms. Helen Roodman, and Ms. Kellie Chapman.</p> <p>The meeting was called to order at 3:00 p.m. by Mr. Warren Curtis, Chairman.</p>
MINUTES	<p>Mr. Leslie Alessandro made a motion to approve the minutes of the December 11, 2019, meeting as written. The motion was seconded by Mr. Louis Tisdale and carried a unanimous vote.</p>
NEW BUSINESS	<p>Mr. Warren Curtis welcomed new board member Steven S. Schumpert.</p>
OLD BUSINESS	<p>Mr. Louis Tisdale made a motion to reopen the public hearing for BOA-19-38. Ms. Cleo Klopfleisch seconded and carried a unanimous vote.</p> <p>BOA-19-38, 1020 Cathryn Ave. (City) was presented by Mr. Daniel Crum. The Board reviewed this request for a Special Exception approval to expand an existing electrical power sub-station as required per <i>City Zoning Ordinance, Article 3, Section B: R-15 and R-9 Large and Medium Single-Family Zoning Districts and Section D: General Residential (GR) District; 3.b.4.b and 3.d.4.b Special Exceptions – Public Utilities and Infrastructure (SIC Code 49), and Article 5, Section B; 5.b.1</i> of the <i>City of Sumter – Zoning & Development Standards Ordinance</i>. The property is located at 1020 Cathryn Ave., zoned General Residential (GR) and Residential-9</p>

(R-9), and represented by Tax Map #'s 229-04-03-075, 229-04-03-001, and 229-04-03-002.

Mr. Crum stated this request is to allow for Special Exception Approval for an expansion to an existing electrical power sub-station. This request was deferred at the last meeting to allow the applicant time to address the concerns of magnet field and screening of the sub-station. The electrical facility at 1020 Cathryn Ave. was developed in an existing residential area in 1993, prior to the adoption of the current *Zoning and Developmental Standards Ordinance*.

Mr. Crum added the existing facility is an electrical substation operated by Duke Energy Progress. The facility is approximately +/- 0.77 acres in size and is comprised of a fenced-in complex with gravel surface and two main electrical units, currently spread over two parcels.

Mr. Crum added the applicant is proposing to expand the facility into the third parcel to the northeast to allow for additional electrical equipment.

Mr. Brad Tripp, Senior Engineer; Mr. Kim Craven, Principal Engineer; Mr. Theo Lane, District Manager; Mr. Dan Temple, Project Manager; Ms. Stephanie Austin, Public Engagement and Ms. Beth Steffens, Consultant of Dewberry were present to speak on behalf of the request.

Ms. Sarah Gibson and Ms. Velma Price, were present to speak in opposition of the request.

After a brief discussion, Mr. Louis Tisdale made a motion to approve this request subject to the following findings of fact, conclusions, and conditions:

- a. That the ingress and egress to the proposed use be provided with reference to automotive and pedestrian safety and convenience, traffic generation flow and control. Access in case of fire or catastrophe, such as not to be detrimental to existing or anticipated uses, either adjacent to or in the vicinity of the proposed use.

Access to the utility station is derived from Cathryn Ave., a two-lane road owned by SCDOT.

b. That off street parking and loading areas, where proposed by the applicant be designed in harmony with adjacent properties.

While there is no permanent staffing on-site, parking is provided within the existing utility sub-station compound. The proposed expansion are will not result in any on-street parking or encroachment onto adjacent residential properties.

c. That refuse and service areas be adequately screened as to not be visible from adjacent property or public right of way and shall be located in such a way as to not create a nuisance to adjacent properties.

Due to the unstaffed nature of the facility, there are no commercial dumpsters on-site. There is no proposed change to garbage collection as a result of site expansion.

d. That screening, buffering, or separation of any nuisance or hazardous feature provided with reference to type, dimensions, and character, and fully and clearly represented on the submitted plans, to protect adjacent properties.

The existing use utilizes vegetative buffers and chain link fencing to separate the substation from adjacent residential uses. While the proposed expansion to the northeast portion of the facility will result in removal of a portion of the existing buffer, a minimum 20 ft. vegetative buffer will be retained on the eastern property boundary.

e. The proposed signs and exterior lighting be provided as not to create glare, impair traffic safety, or be incompatible with adjacent properties.

No signage or additional commercial lighting is proposed for this project.

f. That the affected site be suitable in terms of size, shape, and topographic conditions to accommodate the proposed use, building or project, and to insure the compatibility and safety and welfare of the area residents.

	<p><u>The power station has been operating on the subject property since the 1950s with improvements in the 1990s. The subject parcels are sufficient in size to accommodate the existing as well as the planned expansion, while maintaining an appropriate buffer between the site and adjacent residential uses.</u></p> <ol style="list-style-type: none"> 1. <u>The proposed expansion complies with all applicable development standards for utility stations in the City of Sumter – Zoning & Development Standards Ordinance.</u> 2. <u>The use has coexisted with the surrounding residential development since the site was established in the 1950s. The nature of the use will not change with the expansion, this project will improve service reliability with no change to electrical output from the facility. The increase in the amount of equipment on site will not result in a change to the site’s existing traffic patterns.</u> 3. <u>The additional electrical machinery will not generate any hazardous or unwanted sound or light, and will be able to operate without impacting neighboring residential development.</u> <p>The applicant shall do one of the following two items to address issues of compatibility/improved screening with adjacent residences:</p> <ol style="list-style-type: none"> a. On the west and south property lines the applicant shall move the existing chain link fence 10 ft. into the existing compound and plant a 10 ft. wide vegetative buffer on the exterior side of the fence to screen the facility from adjacent residential uses; or, b. Construction of a brick fence with a minimum height of 6 ft. on the west and south property lines in place of the existing chain link fence. <p>The motion was seconded by Mr. Leslie Alessandro and carried a vote of 4 in favor (Tisdale, Schumpert, Frederick, and Alessandro) 1 in opposition (Klopfleisch).</p>
<p>ELECTION OF OFFICERS</p>	<p>Mr. Louis Tisdale nominated Mr. Leslie Alessandro to be chairman for 2020. The motion was seconded by Ms. Cleo Klopfleisch and carried a unanimous vote.</p>

	<p>Mr. Leslie Alessandro nominated Mr. Warren Curtis as vice-chairman. The motion was seconded by Ms. Cleo Klopfleisch and carried a unanimous vote.</p>
	<p>With there being no further business, Ms. Cleo Klopfleisch made a motion to adjourn the meeting at 4:45 p.m. The motion was seconded by Mr. Steven Schumpert and carried a unanimous vote.</p> <p>The next regularly scheduled meeting is scheduled for February 12, 2020.</p>
	<p>Respectfully submitted, <i>Kellie K. Chapman</i> Kellie K. Chapman, Board Secretary</p>