



BOARD OF ZONING APPEALS

Minutes of the Meeting

September 8, 2021

ATTENDANCE

A regular meeting of the Zoning Board of Appeals was held on Wednesday, September 8, 2021, in the Fourth Floor City Chambers of the Sumter Opera House, 21 N. Main Street. Five board members – Mr. Leslie Alessandro, Mr. Jason Reddick, Mr. Sam Lowery, Mr. Louis Tisdale and Mr. Steven Schumpert were present. Ms. Cleo Klopfleisch, Mr. Warren Curtis and Mr. L.C. Fredrick were absent.

Planning staff in attendance: Ms. Helen Roodman, Mr. Jeff Derwort and Ms. Kellie Chapman.

The meeting was called to order at 3:15 p.m. by Mr. Leslie Alessandro, Chairman.

MINUTES

Mr. Louis Tisdale made a motion to approve the minutes of the August 11, 2021, meeting as written. The motion was seconded by Mr. Steven Schumpert and carried a unanimous vote.

NEW BUSINESS

BOA-21-19, 3501 Broad St. (County) was presented by Mr. Jeff Derwort. The Board reviewed this request for a variance from building setback requirements outlined in *Article 3, Section 3.i.5.c: GC District Minimum Yard and Building Setback Requirements* of the Sumter County Zoning & Development Standards Ordinance in order to construct a climate-controlled mini-warehouse building +/- 35 ft. from the closest point of a residential zoning district on the adjacent parcel to the west, where the minimum side yard setback from adjacent residential zoning districts is 50 ft. The property is located at 3501 Broad St., is zoned General Commercial (GC) at the location of the proposed development and is represented by Tax Map # 186-00-01-006.

Mr. Derwort stated the applicant is seeking variance approval from General Commercial (GC) district side yard setback requirements applicable to abutting residential zoning districts.

The applicant is requesting variance approval in order to facilitate the construction of a +/- 18,000 sq. ft. climate-controlled storage building on the undeveloped portion of the property in front of the existing mini-warehouse buildings.

The property is split-zoned, with the front portion of the property being within the GC district and the rear portion of the property being within the Residential-15 (R-15) district. This split zoning pattern is present across abutting properties to the east and west. The proposed development will be within the GC zoned area of the property. However, a 50 ft. setback is required from the closest points of residentially zoned portions of adjacent property. The applicant is requesting a 15 ft. variance from this requirement.

Mr. Ted Hardy was present to speak on behalf of the request.

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

1. The property at 3501 Broad St. was originally developed prior to the adoption of current development standards. Currently, the site is improved with a mini-warehouse facility and office facility. The property is split between the GC district and the R-15 district, with GC in the front and R-15 in the rear. All of the existing mini-warehouse buildings on the property are located within the R-15 zoned portion of the property and are considered a non-conforming use not-subject discontinuance. The property is commercially developed, with the exception of the southwest portion of the property where this project is proposed. Abutting properties are also developed with commercial uses, including commercial use of the R-15 zoned area of the property to the west. This is an extraordinary situation because the proposed development area is bounded by existing commercial uses. However, due to split zoning characteristics, a significant side setback is required that impacts the GC zoned area of the subject property where development is proposed.
2. While other properties share similar zoning characteristics with increased setback requirements where adjacent to residential zoned

	<p>property, the subject property is somewhat unique in that the area proposed for development is completely bounded by existing commercial uses.</p> <p>3. As written, the applicable side yard setback requirement would impact an area of the GC zoned portion of the property and prohibit the construction of a climate-controlled mini-warehouse building at the size, scale, and location desired by the applicant. A smaller building could be constructed in compliance with applicable setback requirements.</p> <p>4. The site of the proposed structure is completely bounded by existing commercial development and a major arterial roadway (Broad St.). The intent of the increased setback requirement from residential districts is to protect residential uses from the external impacts of commercial uses, which is moot in this instance. In theory, residential development could occur on the residentially zoned portions of the adjacent property. However, this scenario is highly unlikely. Therefore, staff finds the authorization of this variance will not be of substantial detriment to adjacent property or the public good, nor will the granting of the variance harm the character of the district.</p> <p>Situations such as these highlight a need to reevaluate the application of commercial zoning strips along major commercial corridors. It would be appropriate for the subject property and the abutting properties to be completely within a commercial zoning district.</p> <p>The motion was seconded by Mr. Steven Schumpert and carried a unanimous vote.</p>
OTHER BUSINESS	NONE
	<p>With there being no further business, Mr. Steven Schumpert made a motion to adjourn the meeting at 3:37 p.m. The motion was seconded by Mr. Sam Lowery and carried a unanimous vote.</p> <p>The next regularly scheduled meeting is scheduled for October 13, 2021.</p>

	Respectfully submitted, <i>Kellie K. Chapman</i> Kellie K. Chapman, Board Secretary