Sumter City-County Zoning Board of Appeals

December 11, 2024

BOA-24-39, 1475 Alice Dr. (City)

The applicant (Sean Wilson) is requesting a Special Exception approval in accordance with *Article 3, Exhibit 5: Permitted Uses in All Zoning Districts*; *Article 5, Section 5.b.2: Enumeration of Certain Hazardous and/or Potential Disruptive Land Development Activities*; and *Article 5, Section 5.b.3.m: Liquor Stores* of the City of Sumter Zoning & Development Standards Ordinance (the Ordinance) **in order to establish a Liquor Store Use** on the property. The proposed use will be in a separate space that is part of a larger wholesale membership club development proposed on the property. The property is located at 1475 Alice Dr., is zoned General Commercial (GC), and is identified as TMS# 203-00-03-001.

Sumter
SOUTH CAROLINA

Appeals - Variance - Special Exception

Sumter City-County
Zoning Board of Appeals

December 11, 2024

BOA-24-39, 1475 Alice Dr. (City)

I. THE REQUEST

Applicant: Sean Wilson

Status of the Applicant: Authorized Agent

Request: The applicant) is requesting special exception approval in order to establish a liquor store use on the property.

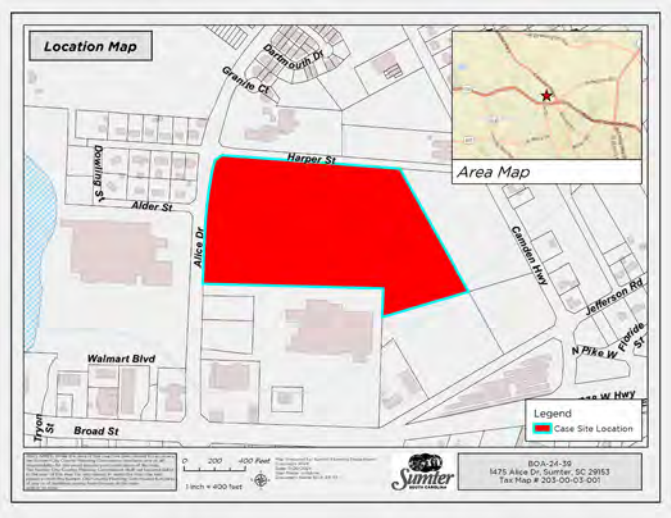
City Council Ward: Ward 1

Location: 1475 Alice Dr.

Present Use/Zoning: Undeveloped / General Commercial (GC)

Tax Map Reference: 203-00-03-001

II. BACKGROUND



The applicant is requesting special exception approval to establish a liquor store use (NAICS 44532) on property located at 1475 Alice Dr.

The subject property is located at the southeastern corner of the intersection of Alice Dr. and Harper St. and is shown in red on the map on the right.

The applicant is proposing a separate liquor store space to be a component of a larger BJ's Wholesale Membership Club project that was recently approved by Sumter City Council and the Sumter City-County Planning Commission. The liquor store area, as required by state law, will be in a separate enclosed space from the larger membership club area. There will be no customer entrance to the liquor store area

from inside of the membership club area. As such, the defined liquor store area space serves as the boundary for determining compliance with any required separation standards.

Figure 1: General Site Development Area

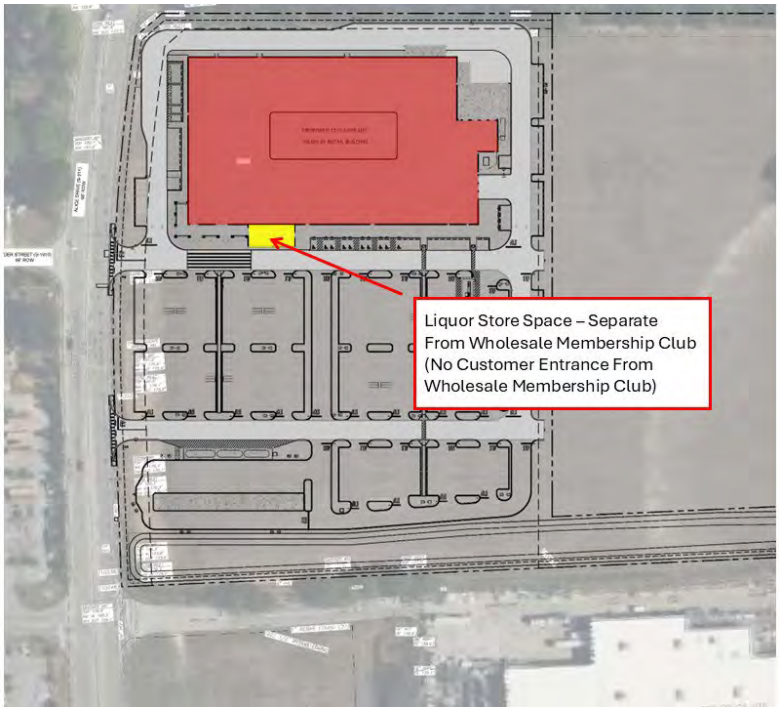


Figure 2: General Site Development Area

The property is located in the General Commercial (GC) zoning district. The City Council formally adopted an ordinance to change the zoning designation of the property from Agricultural Conservation (AC) to GC on November 6, 2024. The Sumter City-County Planning Commission granted major site plan and Highway Corridor Protection District Approval for submitted development plans on November 20, 2024.

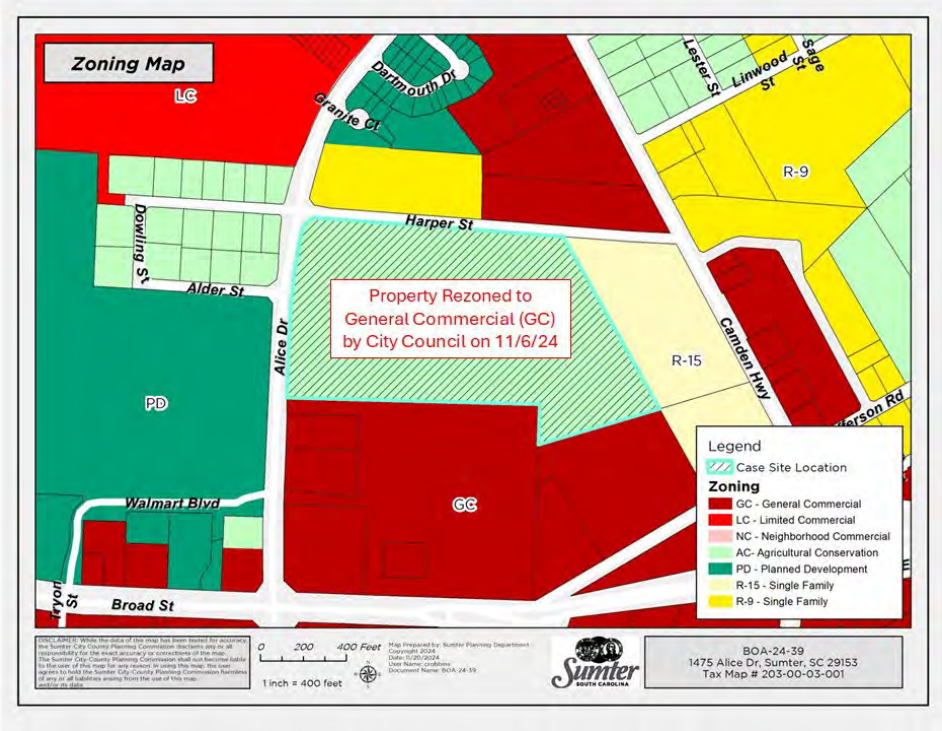


Figure 3: Zoning Map

III. SPECIAL EXCEPTION REVIEW CRITERIA

In the GC zoning district under *Article 3, Exhibit 3-5,* Liquor Stores (NAICS 44532) are special exception uses requiring the review and approval of the BOA. Special exception requests for liquor stores are evaluated in accordance with *Article 1, Section 1.h.4.c.,* and *Article 5, Section 5.b.3.m.* of the Ordinance.

Article 1.h.4.c: Special Exceptions

1. *Special exceptions are subject to the terms and conditions for the use set forth for such uses in the Zoning Ordinance.*

2. *Permits for Special Exceptions shall be evaluated by the Board of Zoning Appeals on the basis of the following criteria:*

    a. *That the Special Exception complies with all applicable development standards contained elsewhere in this Ordinance, including landscaping and bufferyards, off-street parking, and dimensional requirements;*

Staff Review: The applicant has secured major site plan and HCPD approvals for site development from the Sumter City-County Planning Commission under Case# MSP-24-56/HCPD-24-35. The approved plans meet all Ordinance requirements for site development.

b. *That the special exception will be in substantial harmony with the area in which it is located;*

Staff Review: The property was recently rezoned to the GC zoning district, is located along a roadway corridor designed to support higher intensity commercial uses and is in a location suitable for the establishment of a broad range of commercial uses.

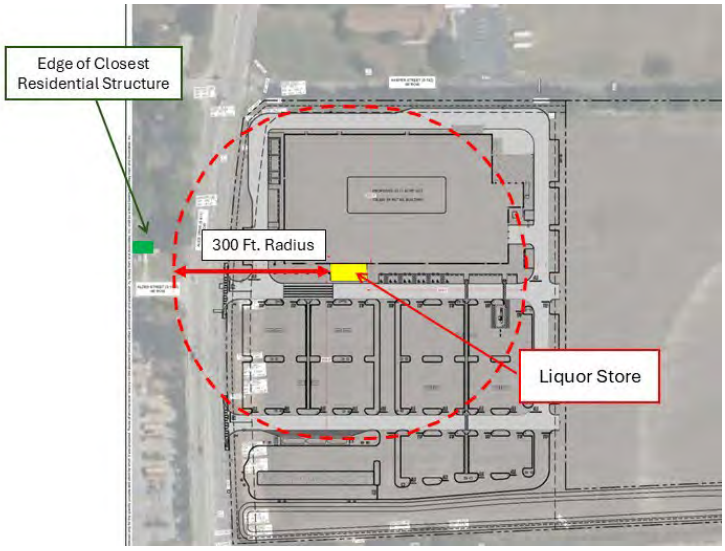
c. *That the special exception will not discourage or negate the use of surrounding property for use(s) permitted by right.*

Staff Review: The property was recently rezoned to GC, is located along a roadway corridor designed to support higher intensity commercial uses and is in a location suitable for the establishment of a broad range of commercial uses. The liquor store is part of a larger wholesale membership club development and there is no indication that the proposed use will discourage or negate the use of surrounding property for uses(s) permitted by right.

Article 5.b.3.m. Liquor Stores (NAICS 44532):

1. *This use shall not be within 300 ft. (measured in a straight line from structure to structure) of a residential use, church, school or public playground on a separately platted parcel.*

Staff Review: The proposed separate liquor store area is not within 300 ft. (measured in a straight line from structure to structure) of a residential use, church, school of public playground on a separately platted parcel. The enclosed area of the separate liquor store space is used to determine the boundary for structure-to-structure measurements. See Exhibit 1 for submitted separation distance plan.



2. *A six-foot fence that is a visual screen will be installed to separate this use from residential uses, where such residential uses are directly adjacent to the property or site containing the use.*

   Staff Review: There are not residential uses directly adjacent to the subject property. As such, a six-foot screening fence is not requirement. Please note that *"Directly Adjacent"* is interpreted to mean a shared property line, and does not include property on the opposite side of a street right-of-way.

IV. STAFF RECOMMENDATION

Staff recommends no additional conditions of approval if the Board makes the necessary findings to approve this request.

V. DRAFT MOTIONS for BOA-24-39

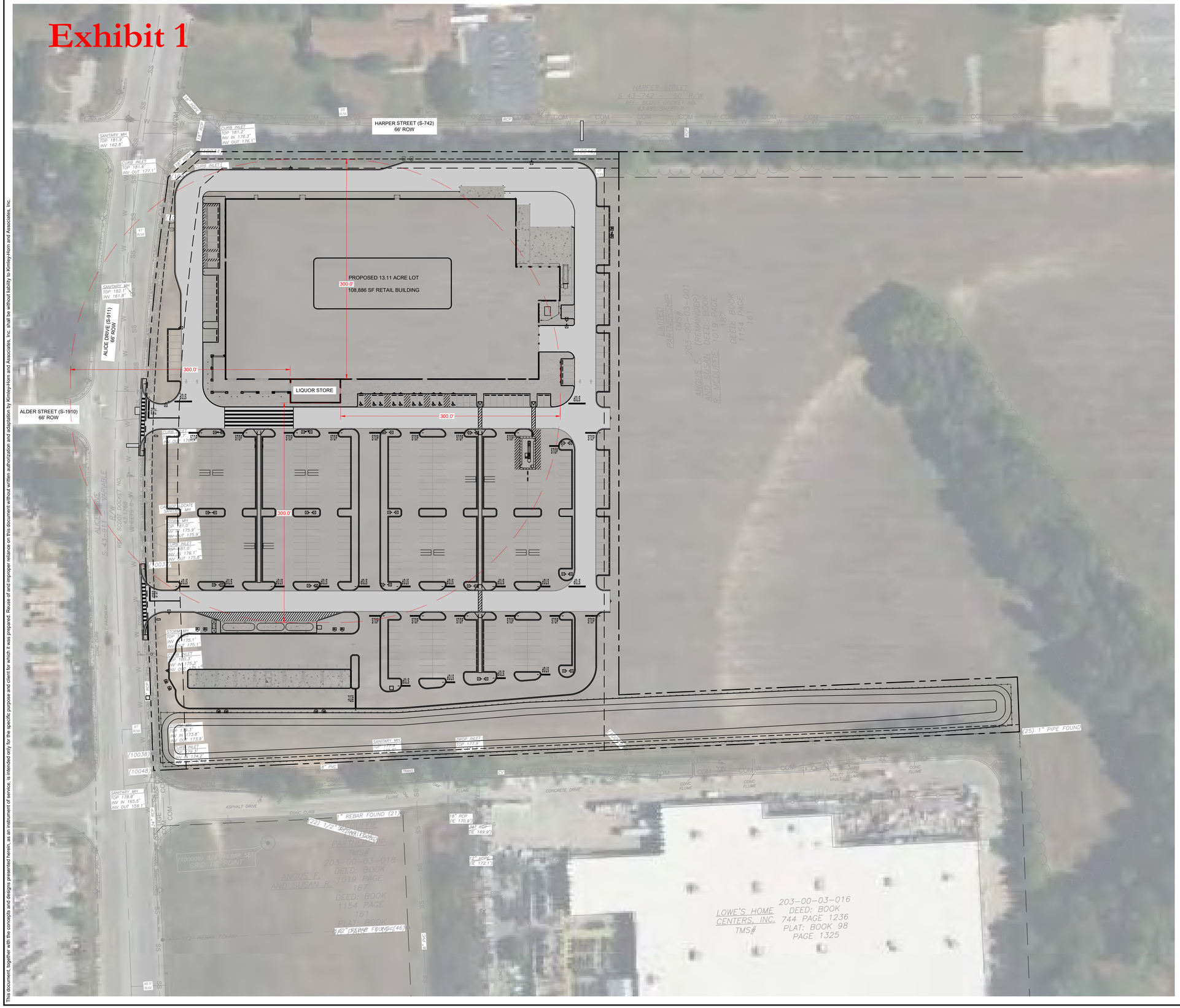
A. I move the Zoning Board of Appeals **approve** BOA-24-39, subject to the findings of fact and conclusions developed by the BZA and so stated:

B. I move the Zoning Board of Appeals **deny** BOA-24-39, subject to the following findings of fact and conclusions:

C. I move the Zoning Board of Appeals enter an alternative motion for BOA-24-39.

VI. BOARD OF APPEALS – December 11, 2024

Exhibit 1



DEVELOPMENT SUMMARY:

SITE SUMMARY:

CURRENT ZONING:	AC (AGRICULTURAL CONSERVATION)
PROPOSED ZONING:	GC (GENERAL COMMERCIAL)
SITE AREA:	13.40 ACRES
IMPERVIOUS AREA:	9.54 ACRES (71.19 %)
PERVIOUS AREA:	3.86 ACRES (28.81 %)
TOTAL DISTURBED AREA:	13.40 ACRES
BUILDING HEIGHT:	39 FT 4 IN
BUILDING SETBACK:	
FRONT (ALICE DRIVE):	45 FT
EXTERIOR SIDE (HARPER STREET):	22.5 FT
INTERIOR SIDE (LOWE'S):	0 FT
REAR:	20 FT
LANDSCAPE SETBACK:	
STREET:	10 FT
TYPE A:	5 FT

PROPOSED PARKING: **474 SPACES** (TOTAL)

STANDARD	456 SPACES
HANDICAP	10 SPACES
CURBSIDE PICKUP	8 SPACES

SITE NOTES:

1. THE PROPOSED BUILDING INFORMATION SHOWN HEREON IS FROM AN ELECTRONIC FILE PROVIDED BY CORE STATES GROUP, DATED 07/18/2024 AND IS FOR ILLUSTRATIVE PURPOSES ONLY. CONTRACTOR SHALL REFERENCE ARCHITECTURAL PLANS FOR EXACT BUILDING INFORMATION.
2. EXISTING CONDITIONS SHOWN HEREON ARE FROM A SURVEY FILE PROVIDED BY GLENN ASSOCIATES SURVEYING, INC., DATED 09/05/2024.
3. ALL DIMENSIONS ARE FROM FACE OF CURB TO FACE OF CURB UNLESS OTHERWISE NOTED.
4. SIDEWALK INSTALLED AGAINST BACK OF CURB SHALL BE INSTALLED PER THE PLAN AS MEASURED FROM THE BACK OF CURB.
5. ALL SIGNAGE AND STRIPING MUST MEET THE LATEST REQUIREMENTS SET FORTH BY MUTCD, SCDOT, AND SOUTH CAROLINA STATE CODE.
6. REFERENCE LANDSCAPE PLANS FOR ALL HARDSCAPE AND LANDSCAPE DETAILS AND SPECIFICATIONS.

SITE PLAN LEGEND:

- PROPERTY LINE
- BUILDING SETBACK LINE
- LANDSCAPE BUFFER LINE
- HEAVY DUTY ASPHALT PAVEMENT
- STANDARD DUTY ASPHALT PAVEMENT
- HEAVY DUTY CONCRETE PAVEMENT
- STANDARD DUTY CONCRETE SIDEWALK
- (10) PARKING COUNT
- HANDICAP ACCESSIBLE PARKING SYMBOL

NORTH

GRAPHIC SCALE IN FEET
0 30 60 120

No.	REVISIONS	DATE	BY
1	BID SET	11-01-2024	SMW
0	MAJOR SITE PLAN SUBMITTAL	09-30-2024	SMW

Kimley»Horn

© 2024 KIMLEY-HORN AND ASSOCIATES, INC.
802 GERVAIS STREET, SUITE 201
COLUMBIA, SOUTH CAROLINA 29201
PHONE (803) 403-3558
WWW.KIMLEY-HORN.COM

SOUTH CAROLINA CERTIFICATE OF AUTHORIZATION
KIMLEY-HORN AND ASSOCIATES, INC
No. C00166

SCALE:	AS SHOWN
DRAWN BY:	SAH
DESIGNED BY:	SMW
CHECKED BY:	SMW

CLIENT: WHOLESALE MEMBERSHIP CLUB
SUMTER, SC

PROJECT: WHOLESALE MEMBERSHIP CLUB
SUMTER, SC

TITLE: SPECIAL EXCEPTION SITE PLAN EXHIBIT

DATE 11/01/2024

PROJECT NO. 017967001

SHEET NUMBER EX-1

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Location Map

Area Map

Legend

Case Site Location

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0 200 400 Feet

1 inch = 400 feet

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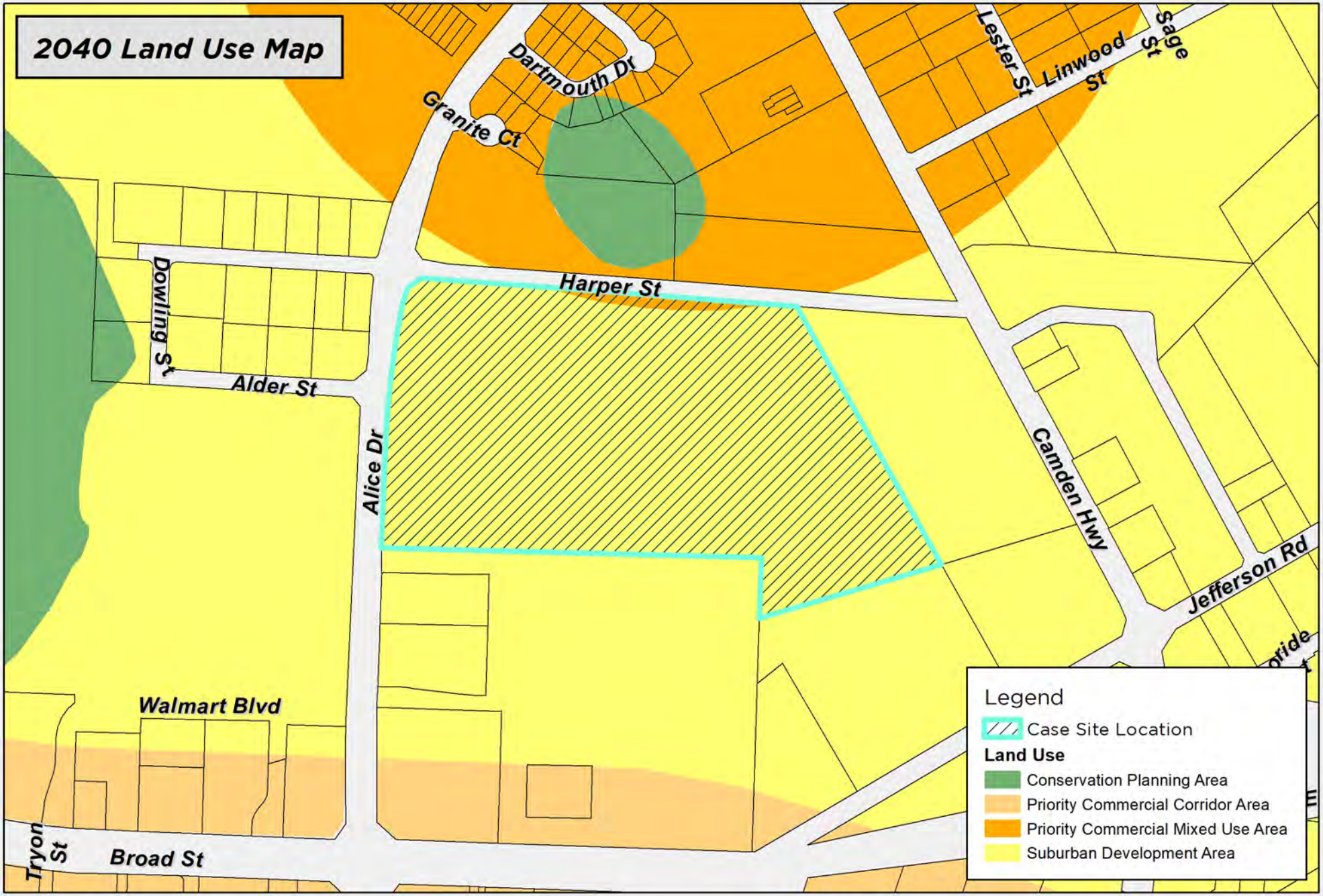
Date: 11/20/2024
User Name: crobbins
Document Name: BOA-24-39

Sumter SOUTH CAROLINA

BOA-24-39
1475 Alice Dr, Sumter, SC 29153
Tax Map # 203-00-03-001



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2024 Aerial Photography Map

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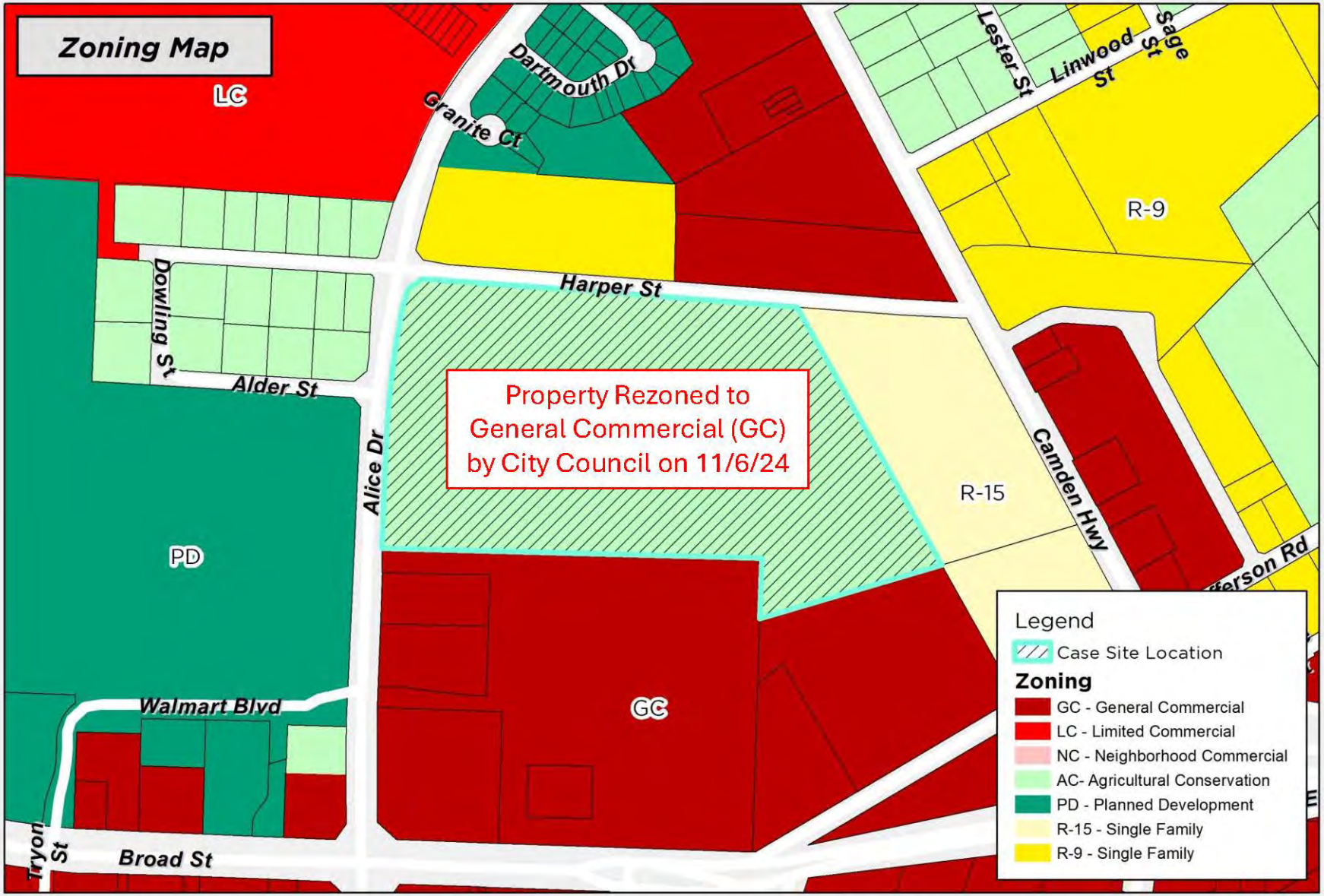

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