



ZONING BOARD OF APPEALS

Minutes of the Meeting

July 9, 2025

ATTENDANCE

A regular meeting of the Zoning Board of Appeals was held on Wednesday, July 9, 2025, in the Fourth Floor City Council Chambers of the Sumter Opera House, 21 N. Main Street. Seven board members – Mr. Doc Dunlap, Mr. William Bailey, Mr. Claude Wheeler, Mr. Frank Shuler, Mr. Todd Champion, Mr. Steven Schumpert, Mr. Jason Reddick and Mr. Gene Weston were present. Mr. Frank Shuler and Mr. Clay Smith were absent

Planning staff in attendance: Mr. Jeff Derwort, Mr. Kerlyn Mondesir, Mr. Kyle Kelly and Ms. Kellie Chapman.

The meeting was called to order at 3:00 p.m. by Mr. Steven Schumpert, Chairman.

MINUTES

Mr. William Bailey made a motion to approve the minutes of June 11, 2025, meeting as written. The motion was seconded by Mr. Claude Wheeler and carried a unanimous vote.

NEW BUSINESS

Mr. Todd Champion recused himself from case BOA-25-18

BOA-25-18, 2041 Stadium Rd. (City) was presented by Mr. Jeff Derwort. The Board reviewed the request for a variance from the building setback requirements found in *Article 3, Exhibit 3-1(A) Development Standards for Uses in R-15 District* of the City of Sumter Zoning & Development Standards Ordinance (and any other variances as may be required) in order to construct an addition on the east side of the Stadium Rd. Fire Station Building and a 600 sq. ft. storage building on the west side of the property. The proposed addition will be located +/- 6 ft. from the east side property line and the proposed storage building will be located +/- 1 ft. from the west side property line. The property is located at 2041 Stadium Rd. is zoned Residential-15 (R-15) and is represented by TMS# 207-05-02-031.

Mr. Derwort stated the Zoning Ordinance requires a 50 ft. side building setback for non-residential uses in the R-15 zoning district. The existing structure on the property was established in 1994, prior to the adoption of the current Zoning Ordinance. Based on available GIS data, the existing building sits approximately 40 to 45 ft. from the east side property line and does not conform to current setback requirements.

	<p>Mr. Derwort mentioned the applicant is proposing to construct a 9,500 sq. ft. building addition that will serve as an additional fire truck bay on the east side of the existing fire station building and a 600 sq. ft. storage building on the west side of the property behind the principal building. These improvements are part of a project that will add additional capacity to the Stadium Road Fire Station. In addition to these stated improvements, the project will also include the construction of a new parking area to the rear of the building, a new fire access to Stadium Rd., stormwater improvements, and a small living quarters addition on the west side of the existing building. These additional improvements do not require variance approval by the Zoning Board of Appeals.</p> <p>The building addition on the east side of the structure is proposed to extend up to +/- 6 ft. from the east side property line. The 600 sq. ft. storage building is proposed to extended up to 15 ft. from the west side property line. Zoning Board of Appeals approval is required for both of these items, as the proposed addition and storage building encroach into the required non-residential use side back area applicable to property in the R-15 zoning district and the storage building. It is noted that the 600 sq. ft. storage building is subject to R-15 principal building setbacks pursuant to the requirement of Article 4.g.3: Commercial Accessory Structures of the Zoning Ordinance. This provision states that all commercial accessory structures over 200 sq. ft. in size shall be treated as principal structures for zoning regulation purposes.</p> <p>Mr. Karl Ford was present to speak in favor of the request.</p> <p>There was no opposition.</p> <p>After a brief discussion, Mr. Jason Reddick made a motion to approve this request subject to the following:</p> <ol style="list-style-type: none"> 1. The property is the location of the Stadium Road Fire Station, owned and operated by the City of Sumter. The existing structure was constructed prior to the adoption of current Zoning Ordinance requirements and is considered non-conforming. <p>The adjacent property to the east, the Memorial Stadium site, is owned and maintained by the Sumter School District. The subject property is already connected to the Memorial Stadium site via an established cross access driveway.</p> <p>The larger project includes stormwater improvements to handle additional runoff created by the increase in the impervious surface area created by the new building area and parking lot improvements. The area has been designed to be at the rear of the proposed expanded parking area in line with</p>
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	<p>the topographic conditions of the property. The factor limits placement of the proposed storage building within the 50 ft. setback area on the property.</p> <ol style="list-style-type: none"> 2. These conditions are unique and do not apply to other property in the immediate vicinity. Both the subject property and the adjacent property to the east are sites used for government purposes with existing cross access drives in place. 3. The strict application of the Ordinance in this situation would prohibit the expansion of the City-County Fire Department to add needed capacity for a growing area. The proposed placement of the addition on the east side of the building is logical given the layout of the existing building with living quarters and administration areas already located on the west side. 4. The east side of the property is directly adjacent to Memorial Stadium, which is owned and operated by the Sumter School District. In fact, the driveway of the subject property is already connected to a driveway on the Memorial Stadium site that runs parallel to the subject property's eastern property line. This factor alleviates any side property access concerns typically associated with setback reduction requests. <p>The western side of the property is largely wooded in the area between the closest adjacent residential use located at 7 Golfair Ct. and the proposed building location. Additionally, there is a 25 ft. easement area located just off-site that runs parallel with the western property line. The proposed storage building will be accessed directly from the parking area to the east, with no other building accesses or windows on any other side of the property. The storage building will be constructed of brick to match the existing Fire Station building and will also have a roof to match the fire station building.</p> <p>Subject to the following conditions:</p> <ul style="list-style-type: none"> • In addition to required buffering, the 600 sq. ft. storage building shall be screened from the adjacent property to the west by a row of five (5) evergreen trees (or staff approved alternate screening method) planted to the west of the structure. <p>The motion was seconded by Mr. Gene Weston and carried by a unanimous vote.</p> <p>BOA-25-19, 200 Miller Rd. (City) was presented by Mr. Kerlyn Mondesir. The Board reviewed the request for a variance from</p>
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	<p>the City of Sumter Zoning & Development Standards Ordinance requirements: 1) building setback requirements found in Article 3, Exhibit 3-1(A) Development Standards for Uses in R-15 District and 2) principal building separation requirements found in Article 4.f.3.b: Yards Located On Located With More Than One Principal Building (and any other variances as may be required) in order to construct an and outdoor pavilion with roof that will be located +/- 8 ft. from a side property line and that will located closer to an adjacent principal building than is permitted. The applicable side building setback for non-residential structures in the R-15 zoning district is 50 ft. and principal buildings must be separated by a distance equal to or greater than the height of the tallest building. The property is located at 200 Miller Rd., is zoned Residential-15 (R-15), and is represented by TMS#s 204-13-01-006 & 204-13-01-009.</p> <p>Mr. Mondesir stated the proposed pavilion does not meet the required 50-foot building setback for non-residential uses in the R-15 zoning district, as it is located approximately 8 feet from the property line.</p> <p>Mr. Mondesir mentioned the proposed structure will be approximately 6.5 feet from an adjacent principal building, which does not meet the required minimum separation equal to the height of the taller structure, should be 16 ft.</p> <p>There was no opposition.</p> <p>After a brief discussion, Mr. Claude Wheeler made a motion to approve this request subject to the following:</p> <ol style="list-style-type: none"> 1. The property is part of the USC Sumter campus, which spans multiple parcels owned by different entities but functions as a unified educational space, with students and faculty regularly moving between parcels. <p>The proposed pavilion will support educational activities across both parcels, despite legal property lines that exist due to ownership.</p> <p>The request to vary from principal building separation standards is reasonable, as the requirement is considered outdated, fire and building codes address life safety, the pavilion has no walls, and the unique campus conditions support the variance.</p> <ol style="list-style-type: none"> 2. These conditions do not generally apply to other properties in the vicinity. In this case, both parcels comprise the USC Sumter campus but were purchased by two separate agencies at different times – one by the Mid-Carolina Commission of Higher Education and the other by USC.
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	<p>This has resulted in a unique ownership and use arrangement that does not commonly occur with surrounding properties, which are typically under single ownership and managed completely differently from adjacent properties.</p> <p>3. Because of these conditions, the strict application of the ordinance would unreasonably restrict the utilization of the property. No improvements or structures can be constructed where the property lines meet, even if such development would serve the best interest of the campus as a whole.</p> <p>This restriction limits the ability to make functional and cohesive enhancements to the USC Sumter campus, despite the fact that both parcels operate together as a unified educational facility.</p> <p>4. The approval of this request is not anticipated to result in substantial detriment to adjacent property or the public good. Further, it is not anticipated that approval of the request will harm the character of the district. The property is a college campus, and the proposed improvements will be located in between existing buildings on the campus.</p> <p>The motion was seconded by Mr. Doc Dunlap and carried by a unanimous vote.</p> <p>BOA-25-20, 5560 Catchall Rd. (County) was presented by Mr. Kyle Kelly. The Board reviewed the request for a variance from the <i>Sumter County Zoning & Development Standards Ordinance</i> requirements: 1) minimum lot size requirements found in <i>Article 3.n.5.a. (AC District) Minimum Lot Requirements</i>; 2) minimum public street frontage requirements found in <i>Article 8.e.13.a. and Article 8.e.13.c.</i>; 3) minimum AC district supplemental lot width requirements found in <i>Article 8.e.13.g.</i>, & 4) maximum square footage of residential accessory structures based on gross acreage found in <i>Article 4, Exhibit 8A</i> to subdivide the property to create 2 new lots that do not meet minimum lot size requirements, and do not have public road frontage. The property is located at 5560 Catchall Rd., is zoned Agricultural Conservation (AC), and is represented by TMS# 135-00-01-024.</p> <p>Mr. Kelly stated property is +/- 4.72-acres in size and located on the south side of Catchall Rd. +/- 2,700 ft. west of the intersection of Catchall Rd. and Peach Orchard Rd.</p> <p>Mr. Kelly mentioned based on deed history and disposition of heir's property right, the applicant (Andrea Loney, sister to Bernadette Barno and Jerome Loney) owns a 3.4-acre portion of the tract at 5560 Catchall Rd., Bernadette Barno owns a 0.61-acre portion of the tract, and the 3 heirs of Jerome Loney together own a 0.61-acre portion of the tract.</p>
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	<p>Ms. Andrea Loney was present to speak on behalf of the request.</p> <p>There was no opposition.</p> <p>After a brief discussion, Mr. Jason Reddick made a motion to approve this request subject to the following:</p> <ol style="list-style-type: none"> 1. The property currently conforms to AC district minimum lot size requirements. <p>A condition that applies to this property that could be considered exceptional and extraordinary is the deed history associated with the ownership of the property by the Loney family between 2002 and present.</p> <ol style="list-style-type: none"> 2. While the subject tract is generally consistent in terms of size and layout with other lots of record in the immediate vicinity, there are 21 lots within a 0.5-mile radius that are non-conforming lots of record smaller than 1.0-acre. <p>None of these nonconforming lots of record lack sufficient public road frontage.</p> <ol style="list-style-type: none"> 3. The ordinance prevents the applicant from dividing the property so that the family members who each own a share of the property have clear title to their inherited portion. 4. The purpose of regulating minimum lot size and street frontage is to control the density/intensity of development withing a respective zoning district to meet the expressed goals and purposes of the zoning district. <p>There are ~21 non-conforming lots of records in vicinity of the property. The area's character already includes single-family residence on lots smaller than 10.-acre.</p> <p>The motion was seconded by Mr. Claude Wheeler and carried by a unanimous vote.</p> <p>BOA-25-21, 1475 Boots Branch Rd. (County) was presented by Mr. Kerlyn Mondesir. The Board reviewed the request for a variance to the residential accessory structure location requirements outlined in Article 4.g.2.b.3: (Residential Accessory Structure) Location Requirements of the Sumter County Zoning & Development Standards Ordinance (and any other variances as may be required) in order to place a new shop building in front of the dwelling on the property. Per applicable requirements, detached garages shall only be located in the side or rear yard no further forward than the principal structure (dwelling) and storage buildings shall be located in the rear yard only. The property is located at 1475 Boots Branch Rd., is zoned</p>
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	<p>Agricultural Conservation (AC), and is represented by TMS# 297-00-01-029.</p> <p>Mr. Mondesir stated per applicable requirements, detached garages shall only be located in rear or side yards no further forward than the principal structure (dwelling) and storage buildings shall be located in the rear yard only.</p> <p>There was no opposition.</p> <p>After a brief discussion, Mr. Claude Wheeler made a motion to approve this request subject to the following:</p> <ol style="list-style-type: none"> 1. There are site constraints that limit available area for accessory structure placement. Overhead power lines are located along the left side of the existing structure, while a septic tank and leach field occupy the right side, existing trees are located throughout the rear yard that appear to be associated with agricultural uses on the adjacent parcel. 2. The identified conditions do not generally apply to other property in the vicinity due to the combination of the shape of the property, the location of the developable area to the rear of an existing house on another lot, and the placement of the septic system and overhead power line infrastructure on the property. 3. The conditions prevent the applicant from placing their accessory structure in a compliant location on the property. 4. It is not anticipated that the granting of the requested variance will result in substantial detriment to adjacent properties, the public good, or the overall character of the district. The developable area of the property is set back +/- 465 ft. from the road, and is screened from view by another developed residential property with direct frontage onto Boots Branch Rd. <p>The motion was seconded by Mr. William Bailey and carried by a unanimous vote.</p> <p>BOA-25-22, 1475 Alice Dr. (City) was presented by Mr. Jeff Derwort. The Board reviewed the request for a variance from the sign requirements found in <i>Article 8, Exhibit 8-8: Permanent Sign Development Standards by Zoning District</i> of the <i>City of Sumter Zoning & Development Standards Ordinance</i> in order to construct 1 free-standing sign up to 40 ft. in height along Alice Dr. on TMS# 203-00-03-025 The maximum height of free-standing signs in the GC zoning district is 30 ft. The property is located at 1475 Alice Dr., is zoned General Commercial, and is represented by TMS# 203-00-03-025.</p>
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	<p>Mr. Derwort stated the combined property is 43.12 acres and included 3 parcels zoned General Commercial (GC) and 1 parcel zoned Residential-15 (R-15).</p> <p>Mr. Derwort mentioned the request was originally advertised for sign-height variances for a proposed 50 ft. tall free-standing sign on Alice Dr. and proposed 50 ft. tall free-standing sign on Camden Hwy. The applicant withdrew the request for the sign on Camden Highway and has agreed to request a 40 ft. maximum sign height vs. a 50 ft. maximum sign height. As such, this report is tailored for a single 40 ft. tall freestanding sign on Alice Dr. only.</p> <p>The undeveloped parcels associated with the larger property are anticipated to develop into an internally connected commercial center over time. Any new signage on Camden Hwy. or on other road frontages will be tailored toward a branded commercial center development and will be designed as plans for the remaining parcel developments come into focus.</p> <p>Mr. Jay Davis and Mr. Frankie Bullentine were present to speak in favor of the request.</p> <p>Ms. Karen Watts was present to speak against the request.</p> <p>After a brief discussion, Mr. Claude Wheeler made a motion to approve this request subject to the following:</p> <ol style="list-style-type: none"> 1. The property at 1475 Alice Dr. is currently being developed for a warehouse club retail use (BJs) with a co-located gas station. Prior to this development, the property was used for row-crop farming. The property is located along Alice Dr., which is a state-owned and maintained street functionally classified as a minor arterial roadway. The site is located off of the primary Broad St. corridor behind other big box development. The applicant has stated concerns with sign visibility from the major traffic generators, Camden Hwy. and Broad St. if constructed in accordance with current 30 ft. sign height requirements for the GC zoning district. 2. 1475 Alice Dr. is adjacent to two other large retail outlets to the west and south (Wal-Mart and Lowes) that have direct signs onto Broad St. The BJ's site only has direct frontage on Alice Dr. Additional commercial/retail development is expected on the vacant land to the east in the near future. 3. Application of the ordinance to this particular piece of property requires the property owner to comply with he
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	<p>maximum dimensions outlined in Article 8.h of the Ordinance. The Ordinance prevents the applicant from constructing the sign at the height proposed.</p> <p>4. BJ's Wholesale Warehouse will be one of the anchor tenants of the larger commercial development anticipated for the property. Other planned free-standing signs for the larger property will be designed to be uniform in appearance with direct advertising of the larger shopping center included in the design. It is noted that the proposed sign will be directly across Alice Dr. from the Wal-Mart site and not immediately across from the adjacent residential development north of the Wal-Mart site.</p> <p>Subject to the following conditions:</p> <ul style="list-style-type: none"> • Additional primary free-standing sign for the parcels TMS# 203-00-03-001, 203-00-03-002, 203-00-03-014 & 203-00-03-013, that constitute the intended larger commercial center area, must be of uniform design and be used to brand the larger commercial center concept, in addition to sign area for individual tenants. This applies to proposed new free-standing signs on Camden Hwy., Jefferson Rd., & Harper St. road frontages. <p>The motion was seconded by Mr. Doc Dunlap and carried a five (Wheeler, Dunlap, Weston, Bailey, Reddick) in favor and one (Champion) in opposition. The motion carried.</p>
EXECUTIVE SESSION	<p>Chairman Steven Schumpert requested a motion to enter executive session to discuss contractual matters, and/or to receive legal advise relating to matters covered by attorney-client privilege, if necessary, in accordance with Section 30-4-70 of the South Carolina Code of Laws.</p> <p>Mr. Jason Reddick made a motion to enter executive session. The motion was seconded by Mr. Claude Wheeler and carried a unanimous vote.</p> <p><i>Zoning Board of Appeals entered executive session.</i></p> <p>Mr. Gene Weston made a motion to exit executive session. The motion was seconded by Mr. Jason Reddick and carried a unanimous vote.</p> <p>Chairman Steven Schumpert requested a motion to allow the Zoning Board of Appeals Chairman and the Zoning Administrator (Jeff Derwort) to sign conflict waivers for Sumter</p>

	<p>County Attorney Johnathan Bryan and Andre F. Lindemann, Lindeman Law Firm, PA.</p> <p>Mr. Claude Wheeler made the motion for Zoning Board of Appeals Chairman and the Zoning Administrator to sign said conflict waivers. Mr. Gene Weston seconded the motion and it carried a unanimous vote.</p>
	<p>There being no further business, Mr. Gene Weston made a motion to adjourn the meeting at 4:46 p.m. The motion was seconded by Mr. Jason Reddick and carried a unanimous vote.</p> <p>The next regularly scheduled meeting is scheduled for August 13, 2025.</p>
	<p>Respectfully submitted,</p> <p><i>Kellie K. Chapman</i></p> <p>Kellie K. Chapman, Board Secretary</p>