

Sumter City-County Zoning Board of Appeals

October 8, 2025

BOA-25-30, 1420 Camden Hwy. (City)

The applicant (Nimisha Patel) is requesting that the Sumter City-County Board of Zoning Appeals grant special exception approval for a Liquor Store pursuant to *Article 1.h.4.c.: Special Exceptions; Article 3, Exhibit 3-5: Permitted Uses in All Zoning Districts; Article 5.b.2. Enumeration of Certain Hazardous and/or Potentially Disruptive Land Development Activities; and Article 5.b.3.m: Liquor Stores* of the City of Sumter Zoning & Development Standards Ordinance (the "Zoning Ordinance"). The applicant (Nimisha Patel) is also requesting a variance from the 300 ft. residential use separation requirement found in *Article 5.b.3.m: Liquor Stores* of the Zoning Ordinance. The property is located at 1420 Camden Hwy., is zoned General Commercial (GC), and is represented by TMS# 203-03-02-047.



Appeals - Variance - Special Exception

Sumter City-County Zoning Board of Appeals

October 8, 2025

BOA-25-30, 1420 Camden Hwy. (City)

I. THE REQUEST

Applicant: Nimisha Patel

Status of the Applicant: Authorized Agent for Property Owner

Request: Request for special exception approval for a Liquor Store pursuant to *Article 1.h.4.c.: Special Exceptions; Article 3, Exhibit 3-5: Permitted Uses in All Zoning Districts; Article 5.b.2. Enumeration of Certain Hazardous and/or Potentially Disruptive Land Development Activities; and Article 5.b.3.m: Liquor Stores of the City of Sumter Zoning & Development Standards Ordinance*. The applicant is also requesting a variance from the 300 ft. residential use separation requirement found in *Article 5.b.3.m: Liquor Stores*.

City Council Ward Ward 1

Location: 1420 Camden Hwy.

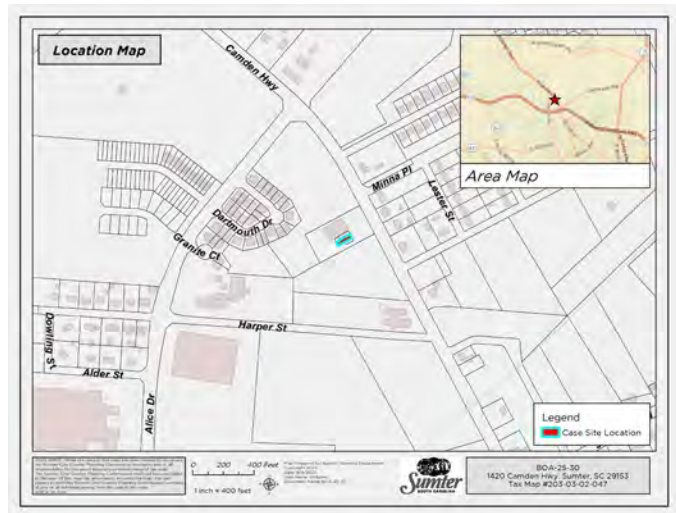
Present Use/Zoning: Commercial Building / General Commercial (GC)

Tax Map Reference: 203-03-02-047

II. BACKGROUND

The applicant is requesting special exception approval to establish a liquor store use (NAICS 44532) on property located at 1420 Camden Hwy.

The applicant is also requesting variance approval from the liquor store special design criteria to establish a liquor store use closer than 300 ft. from a residential use.



The subject property is located on Camden Hwy (US-521) between Linwood St. and Alice Dr., and is marked in red on the map on the first page of this report.

The applicant is proposing to utilize an existing retail space that is part of a multi-tenant shopping center as a liquor store use. The existing building footprint serves as the boundary for determining compliance with required separation standards.



Figure 2: Proposed Liquor Store Location and 300 ft. buffer, with residential structures marked



Figure 3 – Front of commercial building as viewed from Camden Hwy (unit highlighted in yellow)
(Source: Google Streetview, March 2025)



Figure 1 – Camden Hwy in vicinity of site (proposed liquor store on left outlined in yellow, residences within 300 ft. radius outlined in red)
(Source: Google Streetview, March 2025)

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 Board of Zoning Appeals (BOA). Special exception requests for liquor stores are evaluated in accordance with *Article 1.h.4.c.*,

Article 5.b.2: Enumeration of Certain Hazardous and/or Potential Disruptive Land Development Activities; and Article 5.b.3.m: Liquor Stores as contained in the City of Sumter Zoning & Development Standards Ordinance.

Article 1.h.4.c: Special Exceptions

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 proposed liquor store use would be located in an existing commercial building, with no additional site development proposed. Based on staff evaluation, the site meets minimum development standards applicable to the proposed commercial use, not including the special design criteria in *Article 5.b.3.m*.

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

Staff Review: The property is zoned General Commercial (GC) and is located along a roadway corridor intended to support higher intensity commercial uses. However, the commercial uses in the vicinity of the intersection are immediately adjacent to residential neighborhoods to the east and west, with two residences inside the 300 ft. buffer zone located across Camden Hwy. and multiple others immediately outside a 300 ft. distance both across Camden Hwy and to the rear of the site. Thus, potentially disruptive uses requiring special exceptions must be carefully weighed against the uses allowed in the commercial properties on Camden Hwy.

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 is zoned General Commercial (GC), is located along a roadway corridor designed to support higher intensity commercial uses. However, the proximity of a number of residential uses are factors which must be considered as potentially discouraging use of the surrounding property for residential use.

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 liquor store area is within 300 ft. (measured in a straight line from structure to structure) of 3 separate residential structures on separately platted parcels. The closest residence is +/- 253 ft from the building, located to the rear of the structure. Another residence is +/- 289 ft. from the building and another is +/- 290 ft. The existing commercial building on the site has been used to determine the boundary for structure-to-structure measurements.

2. *A six-foot fence that is a visual screen will be installed to separate this use from residential uses.*

Staff Review: There are residential uses directly adjacent to the subject property. As such, a six-foot screening fence is a requirement. The applicant has indicated that they do not intend to construct a fence, and has identified that there are existing fences maintained by the residential lots to the rear of the site, along with another undeveloped commercial tract that separates the subject site from the residences. Those residences that are within 300 ft. of the proposed liquor store use are across a 5-lane highway.

IV. VARIANCE REVIEW CRITERIA

Ordinance Requirements:

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.*
2. *A six-foot fence that is a visual screen will be installed to separate this use from residential uses.*

The Request:

The applicant is requesting variances from the separation criteria from residential uses outlined in *Article 5.b.3.m.* of the *City of Sumter Zoning & Development Standards Ordinance* (the "Ordinance") and from the 6-ft. fence requirement also outlined in *Article 5.b.3.m.* in order to establish a new liquor store use on the property.

V. FOUR PART TEST

In order to grant the requested variance, the request must meet all parts of a State-mandated four-part test. When reviewing a variance request, the Board may not grant a variance that would do the following:

- Allow the establishment of a use not otherwise permitted in a zoning district;
- Extend physically a nonconforming use of land;

- Change zoning district boundaries shown on the Sumter City-County Official Zoning Map.

The fact a property may be utilized more profitably should a variance be granted shall not be considered grounds for approving a variance request. In granting a variance, the Board may attach to it such conditions regarding location, character, or other features of the proposed building, structure, or use as the Board may consider advisable to promote the public health, safety, or general welfare.

Staff Review:

1) There are extraordinary and exceptional conditions pertaining to the particular piece of property.

The site of the proposed liquor store use is in an existing multi-tenant shopping center located across a 5-lane highway from the residences which are closer than 300 ft.

2) These conditions do not generally apply to other property in the vicinity.

The presence of residential development in the vicinity of the site is a condition commonly found in commercial corridors in Sumter, which often have commercial uses along major routes with residential development immediately abutting the commercial property.

3) Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.

The application of the ordinance to the particular property would preclude the applicant from establishing the desired liquor store business on the property via special exception use approval. However, the property may be used for any by-right use allowed in the General Commercial (GC) zoning district, and would also allow consideration of any conditional use subject to *Article 5.b.1.*

Because the liquor store use is identified as an enumerated hazardous and/or potentially disruptive land development activity that requires greater scrutiny under *Article 5.b.2.*, application of the ordinance standards for special exception approval would not be considered an unreasonable restriction on the utilization of the property in general.

4) The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the granting of the variance will not harm the character of the district.

Because liquor store uses are identified as enumerated hazardous and/or potentially disruptive land development activity that requires greater scrutiny under *Article 5.b.2.*, authorization of a variance to the criteria found in *Article 5.b.2.m.* could be considered a detriment to adjacent property, and granting of variances could harm the character of the district.

VI. STAFF RECOMMENDATION

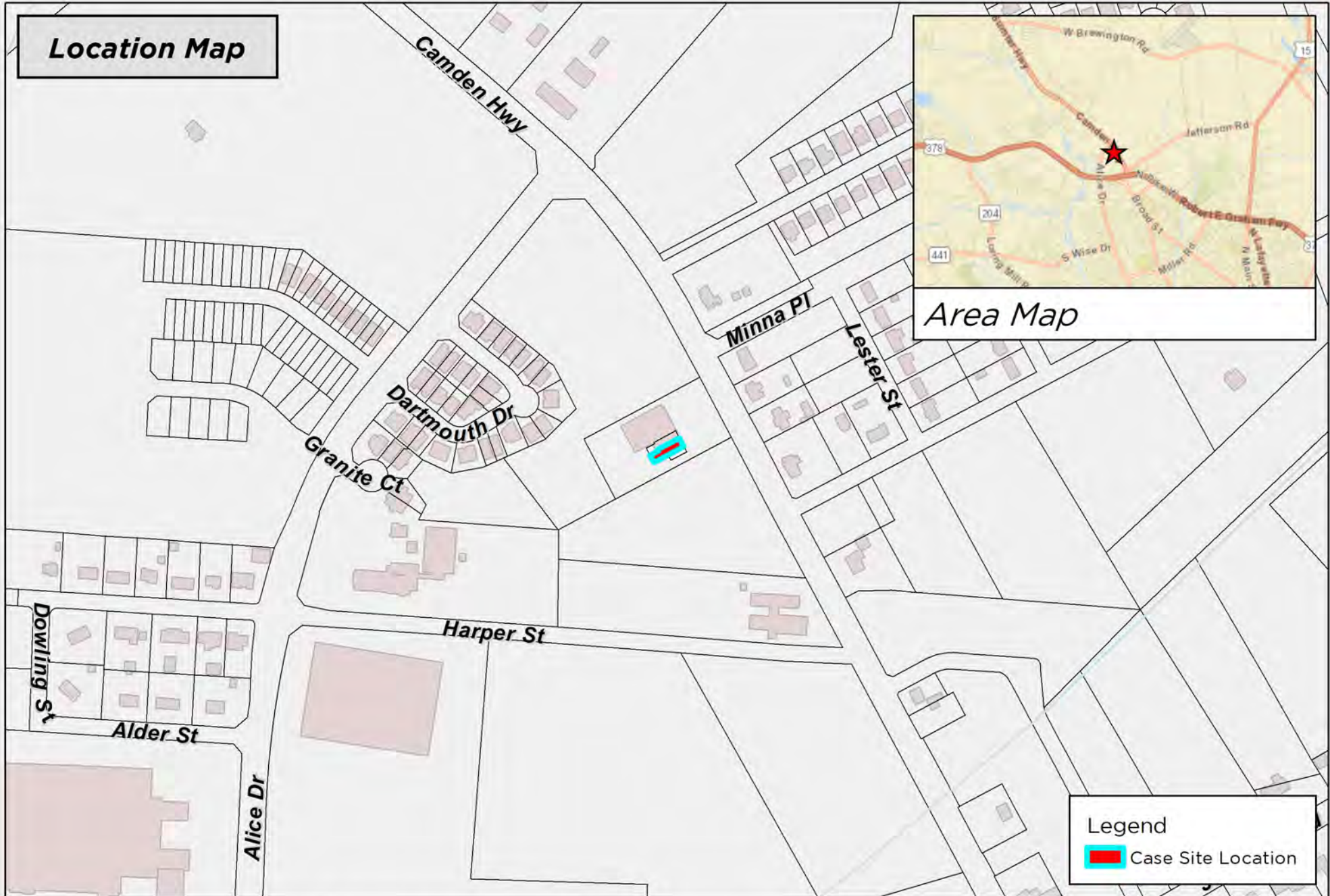
Staff recommends no additional conditions of approval *if* the Board makes the necessary findings to approve this request.

VII. DRAFT MOTIONS for BOA-25-30

- A. I move the Zoning Board of Appeals **approve** BOA-25-30, 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-25-30, subject to the following findings of fact and conclusions:
- C. I move the Zoning Board of Appeals enter an alternative motion for BOA-25-30.

VIII. BOARD OF APPEALS – October 8, 2025

Location Map

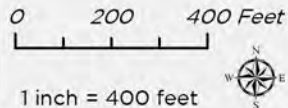


Area Map

Legend

 Case Site Location

DISCLAIMER: While the data of this map has been tested for accuracy, the Sumter-City County Planning Commission disclaims any or all responsibility for the exact accuracy or correctness of the map. The Sumter-City-County Planning Commission shall not become liable to the user of this map for any reason. In using this map, the user agrees to hold the Sumter-City-County Planning Commission harmless of any or all liabilities arising from the use of this map and/or its data.

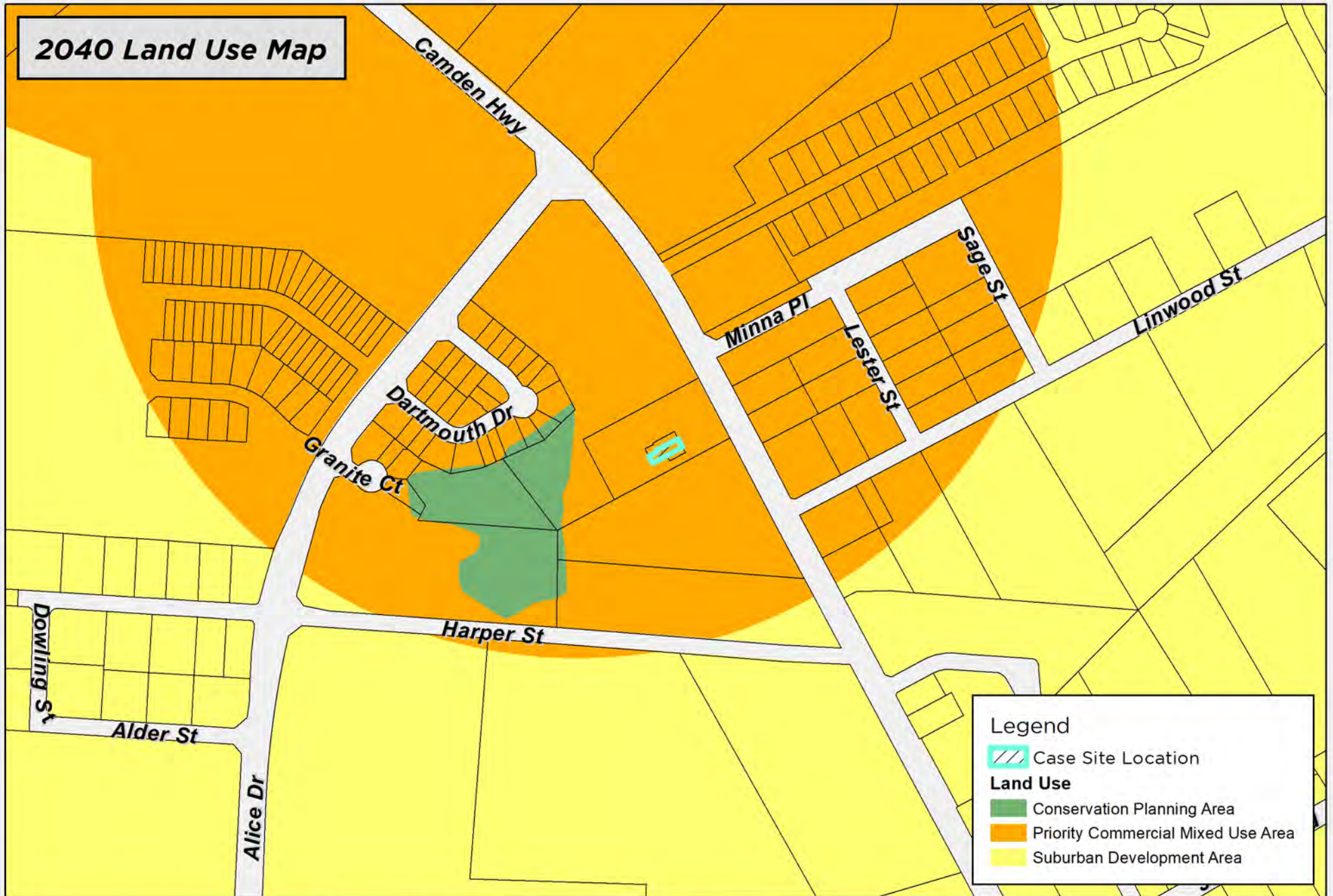


Map Prepared by: Sumter Planning Department
Copyright 2025
Date: 9/8/2025
User Name: crobbins
Document Name: BOA-25-30



BOA-25-30
1420 Camden Hwy, Sumter, SC 29153
Tax Map #203-03-02-047

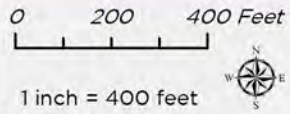
2040 Land Use Map



Legend

-  Case Site Location
- Land Use**
-  Conservation Planning Area
-  Priority Commercial Mixed Use Area
-  Suburban Development Area

DISCLAIMER: While the data of this map has been tested for accuracy, the Sumter-City County Planning Commission disclaims any or all responsibility for the exact accuracy or correctness of the map. The Sumter-City-County Planning Commission shall not become liable to the user of this map for any reason. In using this map, the user agrees to hold the Sumter-City-County Planning Commission harmless of any or all liabilities arising from the use of this map and/or its data.



Map Prepared by: Sumter Planning Department
 Copyright 2025
 Date: 9/8/2025
 User Name: crobbins
 Document Name: BOA-25-30

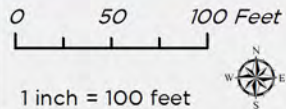


BOA-25-30
 1420 Camden Hwy, Sumter, SC 29153
 Tax Map #203-03-02-047

2025 Aerial Photography Map



DISCLAIMER: While the data of this map has been tested for accuracy, the Sumter-City County Planning Commission disclaims any or all responsibility for the exact accuracy or correctness of the map. The Sumter City-County Planning Commission shall not become liable to the user of this map for any reason. In using this map, the user agrees to hold the Sumter City-County Planning Commission harmless of any or all liabilities arising from the use of this map and/or its data.



Map Prepared by: Sumter Planning Department
Copyright 2025
Date: 9/8/2025
User Name: crobbins
Document Name: BOA-25-30

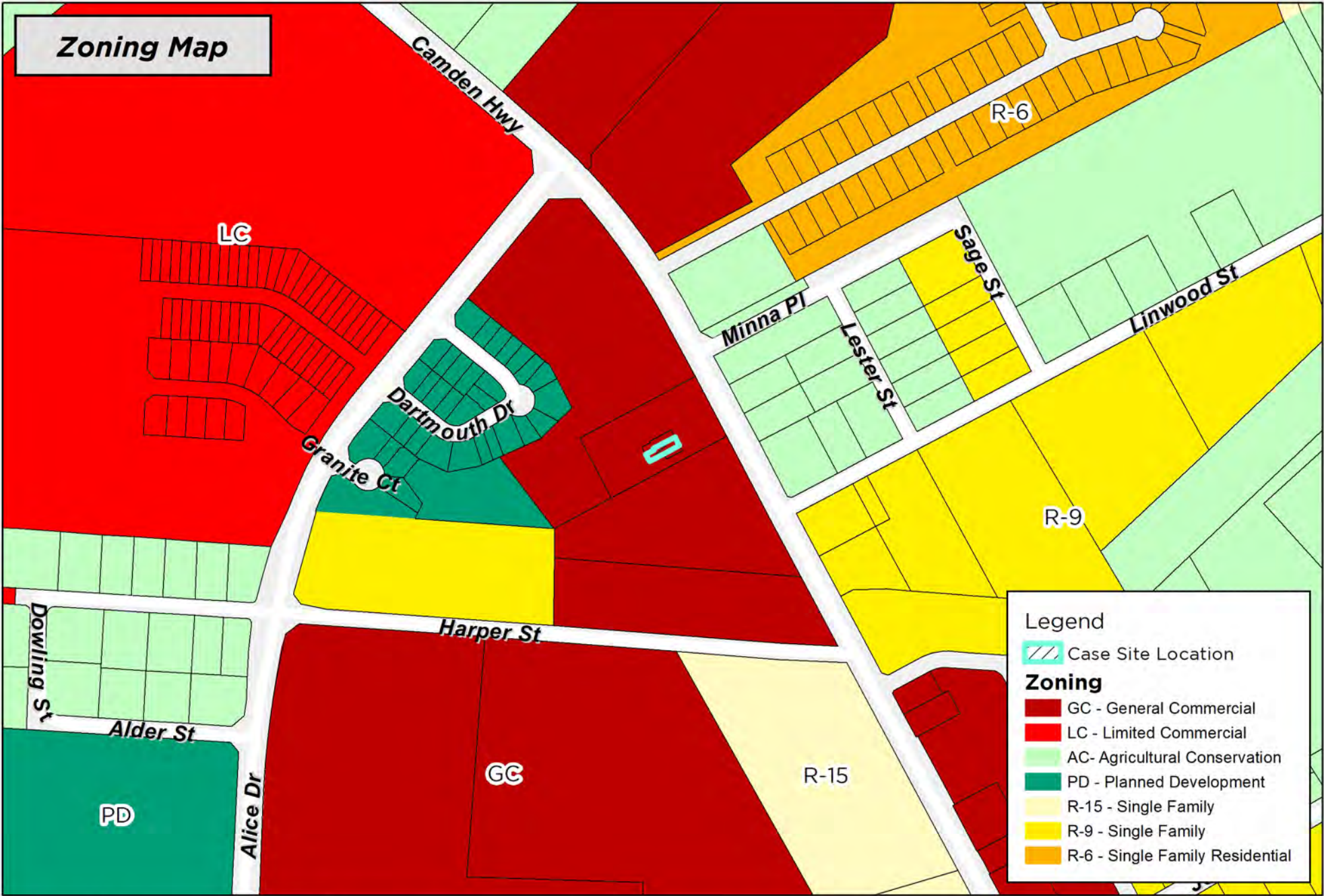


Legend

 Case Site Location

BOA-25-30
1420 Camden Hwy, Sumter, SC 29153
Tax Map #203-03-02-047

Zoning Map



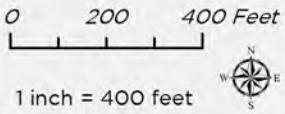
Legend

- Case Site Location

Zoning

- GC - General Commercial
- LC - Limited Commercial
- AC - Agricultural Conservation
- PD - Planned Development
- R-15 - Single Family
- R-9 - Single Family
- R-6 - Single Family Residential

DISCLAIMER: While the data of this map has been tested for accuracy, the Sumter-City County Planning Commission disclaims any or all responsibility for the exact accuracy or correctness of the map. The Sumter-City-County Planning Commission shall not become liable to the user of this map for any reason. In using this map, the user agrees to hold the Sumter-City-County Planning Commission harmless of any or all liabilities arising from the use of this map and/or its data.

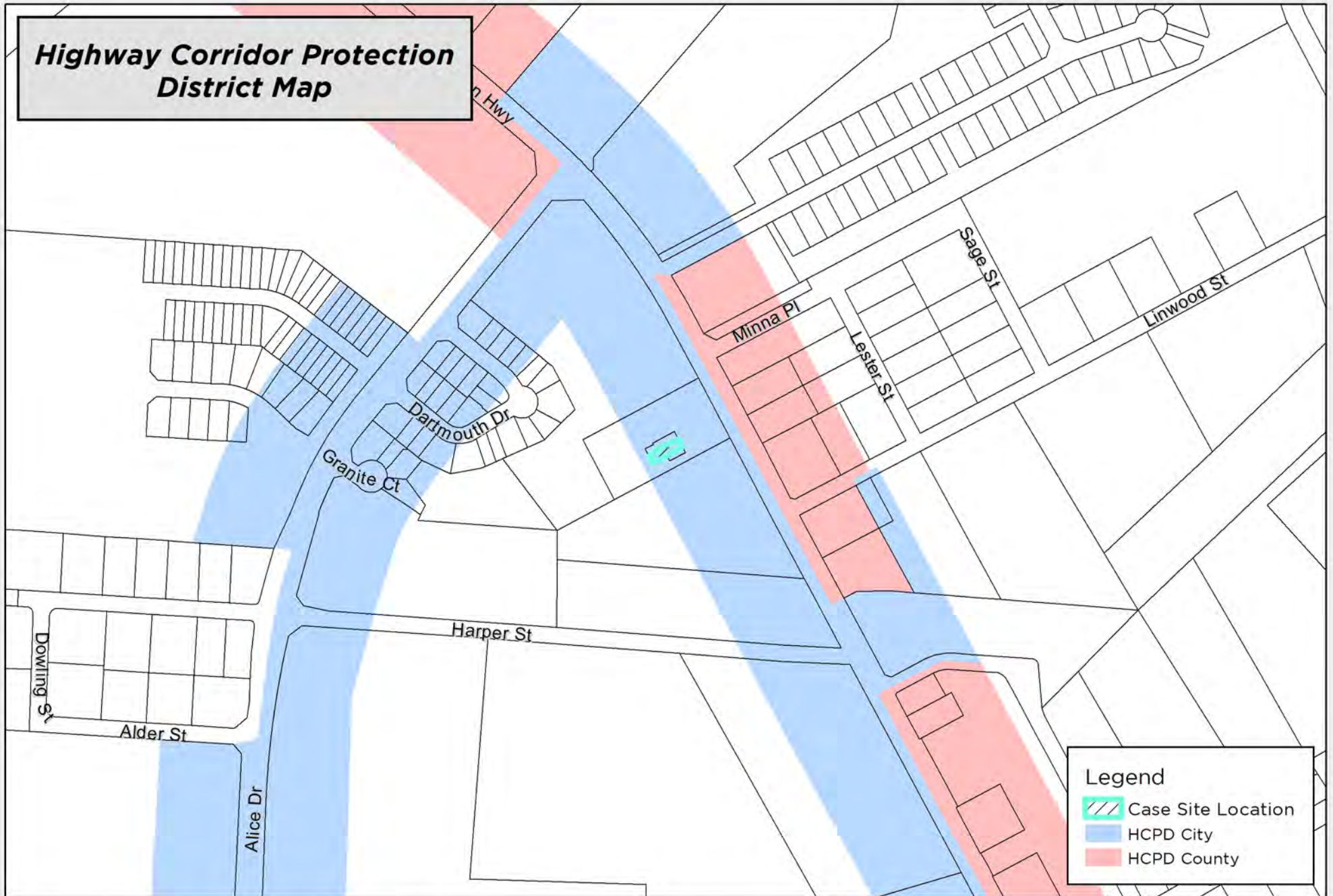


Map Prepared by: Sumter Planning Department
 Copyright 2025
 Date: 9/8/2025
 User Name: crobbins
 Document Name: BOA-25-30





BOA-25-30
 1420 Camden Hwy, Sumter, SC 29153
 Tax Map #203-03-02-047

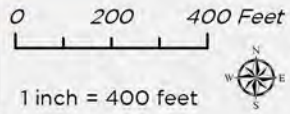
Highway Corridor Protection District Map



Legend

-  Case Site Location
-  HCPD City
-  HCPD County

DISCLAIMER: While the data of this map has been tested for accuracy, the Sumter-City County Planning Commission disclaims any or all responsibility for the exact accuracy or correctness of the map. The Sumter-City-County Planning Commission shall not become liable to the user of this map for any reason. In using this map, the user agrees to hold the Sumter-City-County Planning Commission harmless of any or all liabilities arising from the use of this map and/or its data.



Map Prepared by: Sumter Planning Department
Copyright 2025
Date: 9/8/2025
User Name: crobbins
Document Name: BOA-25-30



BOA-25-30
1420 Camden Hwy, Sumter, SC 29153
Tax Map #203-03-02-047