



ZONING BOARD OF APPEALS

Minutes of the Meeting

February 11, 2026

ATTENDANCE	<p>A regular meeting of the Zoning Board of Appeals was held on Wednesday, February 11, 2026, in the First Floor James E. Clyburn Intermodal Transportation Center Santee Wateree Regional Transit Authority (RTA) Building Meeting Room, 129 South Harvin St., Sumter, South Carolina. Five board members –Mr. Frank Shuler, Mr. Jason Reddick, Mr. Todd Champion, Mr. Doc Dunlap, and Mr. Gene Weston were present. Mr. Claude Wheeler, Mr. William Bailey, Mr. Clay Smith, and Mr. Steven Schumpert were absent.</p> <p>Planning staff in attendance: Ms. Helen Roodman, Mr. Jeff Derwort, Mr. Kerlyn Mondesir, Mr. Kyle Kellie and Ms. Kellie Chapman.</p> <p>The meeting was called to order at 3:00 p.m. by Mr. Frank Shuler.</p>
MINUTES	<p>Mr. Jason Reddick made a motion to approve the minutes of January 14, 2026, meeting as written. The motion was seconded by Mr. Doc Dunlap and carried a unanimous vote.</p>
ELECTION OF OFFICERS FOR 2026	<p>Mr. Todd Champion made a motion to nominate Mr. Clay Smith for Chair. The motion was seconded by Mr. Jason Reddick and carried a unanimous vote.</p> <p>Mr. Todd Champion made a motion to nominate Mr. Jason Reddick for Vice-Chair. The motion was seconded by Mr. Frank Shuler and carried a unanimous vote.</p>
NEW BUSINESS	<p>BOA-26-01,3880 Patriot Parkway (City) was presented by Mr. Kerlyn Modesir. The Board reviewed the request for a Special Exception approval in accordance with <i>Article 3, Exhibit 3-5: Permitted Uses in All Zoning Districts</i>, <i>Article 5.b.2: Enumeration of Certain Hazardous and/or Potential Disruptive Land Development Activities</i>, and <i>Article 5.b.3.n: Liquor Stores</i> of the City of Sumter Zoning & Development Standards Ordinance in order to establish an Liquor Store on the property. The property is located at 3880 Patriot Pkwy., is zoned Limited Commercial (LC), and is represented by TMS# 184-00-01-018.</p>

Mr. Mondesir stated the subject property is located at the corner of Patriot Parkway and Deschamps Rd.

Mr. Mondesir added the applicant is proposing to utilize an existing tenant space in a convenience store/gas station store. The building footprint serves as the boundary for determining compliance with required separation standards.

Ms. Audrey Keys was present to speak against the request.

Mr. Dave Patel was present to speak on behalf of the request.

After a brief discussion, Mr. Frank Shuler made a motion to approve this request subject to the following:

1. The proposed liquor store would be located in an existing commercial tenant space.

The site meets minimum development standards applicable to the proposed commercial use.

2. The property is zoned Limited Commercial (LC), located at the corner of two minor arterial roadways intended to support higher intensity commercial uses.

There are no residential uses within 300 ft. as measured from structure to structure.

3. The Sumter West Planned Development, the Stafford Meadows Subdivision, and the Patriot Palms Apartment Development are in close proximity but are not directly adjacent and not within the 300 ft. separation area.

The proposed liquor store use will be located within a separate tenant space that is part of a larger gas station/convenience store development.

The motion was seconded by Mr. Gene Weston and carried a unanimous vote.

BOA-26-02, 912 Haynsworth St. (City) was presented by Mr. Kyle Kelly. The Board reviewed the request for a variance from the requirements of *City of Sumter Zoning & Development Standards Ordinance*, as follows: (1) nonresidential building setback requirements found in *Article 3, Exhibit 3-1(B): Development Standards for Uses in R-9 District*, and (2) any other variances as required to subdivide a +/- 0.33-acre parcel land from the larger parcel containing the main church building. The property is located at 912 Haynsworth St., is zoned Residential-9 (R-9), and is represented by TMS# 228-09-02-001.

Mr. Kelly stated the parent tract sits on Haynsworth St. between Bland Ave. and Robbins Ave., with the proposed subdivision in the southeast quadrant of the parcel, fronting Robbins Ave.

Mr. Kelly added the applicant is requesting a side setback variance to complete a proposed subdivision and sell the subdivided +/- 0.33-acre lot containing the former youth building.

Mr. Kelly mentioned the proposed property line will be located 26.27 ft. from the sanctuary of the church, which does not meet the minimum 50 ft. setback requirements stipulated in Article 3, Exhibit 3-1(B) for a non-residential use in the R-9 district.

Mr. Richard Halterty was present to speak in favor of the request.

There was no opposition.

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

1. The property is +/- 1.52-acres and on Haynsworth St. in the City of Sumter.

Church is considered a non-conforming site not subject to discontinuance with regard to present development standards for a non-residential use.

Church is the only non-residential use in the vicinity.

2. Properties in the vicinity of the site are single-family residential lots generally meeting the development standards of the City's R-9 zoning district.

No properties in the vicinity zoned R-9 are used for a non-residential purpose, with exception of the city-owned Swan Lake-Iris Gardens municipal park.

3. Application of the ordinance restricts the applicant's ability to subdivide their former youth building from the parent tract as a separate lot for conversion to residential use and sale to a new buyer.

4. The proposed new lot is similar in size to the lots in the surrounding residential neighborhood.

The parent tract and proposed subdivided lot would remain subject to existing R-9 use restrictions, and to all other development standards in the R-9 zoning district save for the building setback variance sought in this request.

The motion was seconded by Mr. Gene Weston and carried a unanimous vote.

BOA-26-03, 2 ½ Bush Ct. (County) was presented by Mr. Kyle Kelly. The Board reviewed the request for a variance from the requirements of *Sumter County Zoning & Development Standards Ordinance*, as follows: (1) rear building setback requirements for the AC district provided for in *Article 3.n.5.b.: (AC District) Minimum Yard & building Setback Requirements*, and (2) any other variances required to construct a new dwelling up to 40 ft. from the rear property line. The minimum rear setback requirement in the AC zoning district is 50 ft. The property is located at 2 ½ Bush Ct., is zoned Agricultural Conservation (AC) and is represented by TMS# 190-15-01-040.

Mr. Kelly mentioned the property is at the end of the Bush Ct, cul-de-sac in the McLaughlin Estates subdivision.

Mr. Kelly added applicant has a contract to purchase the property from the current owner, who acquired the property in July 2019.

Mr. Kelly stated the applicant is requesting to establish a new residential structure on the property 40 feet from the rear property line, which does not meet the minimum 50-foot rear yard setback requirement stipulated in the AC District regulations.

Mr. Jay Linginfelter was present to speak in favor of the request.

There was no opposition.

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

1. The property is +/- 0.43-acres in size and is on Bush Ct. in Dalzell.

The property is considered a non-conforming lot of record based on size, which is less than the 1.0-acre minimum threshold for the applicable zoning district.

The property is in the McLaughlin Estate Subdivision.

2. Multiple properties in the area are similar in total size to the subject property, however, none are impacted by the location of the cul-de-sac right-of-way to a similar degree.

	<p>3. Application of the ordinance restricts the applicant's ability to construct a residence on the property without either approval of variances or adjustment to the building plans.</p> <p>4. The proposed new residence is similar in size and architectural style to the homes in the McLaughlin Estates subdivision.</p> <p>Effective spacing of residential structures will be consistent with the pattern of development already established in the subdivision.</p> <p>The motion was seconded by Mr. Gene Weston and carried a unanimous vote.</p>
<p>OTHER BUSINESS</p>	<p><i>Mr. Todd Champion and Mr. Doc Dunlap recused themselves from BOA-25-45.</i></p> <p>BOA-25-45, 187 S. Lafayette Dr. (City) The Board reviewed the request for Special Exception approval in accordance with <i>Article 3, Exhibit 3-5: Permitted Uses in All Zoning Districts</i>, <i>Article 5.b.2: Enumeration of Certain Hazardous and/or Potential Disruptive Land Development Activities</i>, and <i>Article 5.b.3.b: Used Motor Vehicle Parts Merchant Wholesalers, Junkyards</i> of the City of Sumter Zoning & Development Standards Ordinance in order to establish an Automotive Salvage Yard on a portion of the property that is <u>located east of the railroad right-of-way</u>. The property is located at 187 S. Lafayette Dr., is within the Heavy Industrial (HI), Light-Industrial-Warehouse (LI-W), and General Commercial (GC) zoning districts, and is represented by TMS# 250-00-01-001. Board action on this request was deferred at the January 14, 2026 meeting.</p> <p>Mr. Jason Reddick (Board Vicechair) asked staff to confirm that the public hearing was closed at the January 14, 2026 meeting and that only continued Board deliberation and action is to occur at the meeting.</p> <p>Mr. Derwort confirmed that the public hearing was closed at the January 14, 2026 meeting.</p> <p>Mr. Derwort presented a brief synopsis of the request.</p> <p>Mr. Derwort clarified that any approval conditions must be applied to the proposed salvage yard area and entrances to this area only.</p> <p>Mr. Weston questioned staff concerning pest control as a potential approval condition.</p> <p>Danny Crowe (Board Attorney) responded to this question.</p>

Mr. Gene Weston made a motion to approve this request subject to the following findings of fact and conclusions as stated in staff report documents.

The referenced findings of fact and conclusions are as follows:

1. The property is considered a nonconforming site with regard to parking lot configuration, bufferyard landscaping standards, and building setbacks as contained *Articles 8 and 9 of the City of Sumter Zoning & Development Standards Ordinance*. These conditions have not been discontinued under the nonconforming site provisions in *Article 6.a.2.b.2 of the City of Sumter Zoning & Development Standards Ordinance* and the site can be reused in compliance with the Ordinance without bringing the entire site into conformance with all Ordinance requirements.
2. The automobile salvage yard area will be completely within the HI zoning district.
3. The purpose of the HI zoning district is to concentrate heavy industrial uses in areas where they will flourish without adversely affecting less intensive uses, and to preserve prime industrial lands for future development.
4. The applicant is proposing a mixture of Type D landscaping, existing wood lines, and existing buildings on the ownership of the applicant to screen the automobile storage yard area.
5. The automobile salvage yard area is adjacent to other industrial uses on all sides, with most of these adjacent uses being under the ownership of the applicant.
6. The automobile salvage yard area will not be closer than 500 ft. to any residential use, church, school, historical place or public park.
7. The applicant commits to complying with the requirement that no material because it is discarded and incapable of being re-used in some form shall be placed in open storage.
8. The applicant commits to complying with the requirement that no material shall be placed in open storage in such a manner that it is capable of being transported by wind, water, or other causes.

9. The applicant commits to complying with the requirements that all paper, rags, cloth and other fibers, and activities involving the same materials, other than loading and unloading, shall be within fully enclosed buildings.
10. The proposed salvage yard area is enclosed by an existing chain link fence.
11. A fenced gate to the property exists off the primary entrance to the proposed automobile salvage yard off of Brooklyn St.

Subject to the following conditions:

1. The project shall be developed in substantial conformance within the conceptual plan submitted by the applicant and included in Exhibit 2 of the BOA-25-45 staff report.
2. A major site plan must be submitted and approved by the Sumter City-County Planning Department prior to receiving business license approval for the establishment of an automobile salvage yard on the property.
3. Customer parking must meet parking lot design requirements found in Article 8 of the Ordinance.
4. Any fence line that has fallen down or is in disrepair must be repaired/corrected prior to receiving business license approval for the establishment of an automobile salvage yard on the property.
5. All required improvements under approved plans must be completed prior to receiving business license approval for the establishment of an automobile salvage yard on the property.
6. If an existing building being used to provide screening for the automobile salvage yard is demolished, then a Type D buffer providing the same level of screening as the building shall be installed.
7. All wooded areas used to provide screening for the automobile salvage yard shall be not be removed.
8. No material because it is discarded and incapable of being reused in some form shall be placed in open storage.

	<p>9. No material shall be placed in open storage in such a manner that it is capable of being transported by wind, water, or other causes.</p> <p>10. Any and all paper, rags, cloth and other fibers, and activities involving the same materials, other than loading and unloading, shall be within fully enclosed buildings.</p> <p>11. Automobile crushing and/or shredding activities shall occur between the hours of 8:00 a.m. to 6:00 p.m., Monday through Friday only.</p> <p>12. The stacking of automobiles on top of one another for any purpose is not permitted on this property.</p> <p>After some discussion, including 1) a point of clarification that Board action/decision must occur or the request will be automatically approved pursuant to <i>Article 1.i.6</i> and 2) a statement from the applicant (Mr. Charles Hodge) that he is unwilling to voluntarily defer the request for another month, Mr. Jason Reddick seconded this motion. The motion carried with 2 in favor (Weston, Reddick) and 1 in opposition (Shuler).</p>
	<p>There being no further business, Mr. Gene Weston made a motion to adjourn the meeting at 3:49 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 March 11, 2026.</p>
	<p>Respectfully submitted, <i>Kellie K. Chapman</i> Kellie K. Chapman, Board Secretary</p>