



ZONING BOARD OF APPEALS

Minutes of the Meeting

March 11, 2026

ATTENDANCE

A regular meeting of the Zoning Board of Appeals was held on Wednesday, March 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. Seven board members –Mr. Frank Shuler, Mr. Todd Champion, Mr. Doc Dunlap, Mr. William Bailey, Mr. Clay Smith, Mr. Steven Schumper and Mr. Gene Weston were present. Mr. Claude Wheeler and Mr. Jason Reddick were absent.

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

The meeting was called to order at 3:01 p.m. by Mr. Clay Smith.

MINUTES

Mr. Steven Schumpter made a motion to approve the minutes of February 11, 2026, meeting as written. The motion was seconded by Mr. Frank Shuler and carried a unanimous vote.

NEW BUSINESS

BOA-26-04, 440 Theatre Dr. (City) was presented by Mr. Kyle Kelly. The Board reviewed the request for variance(s) from the requirements of the *City of Sumter Zoning & Development Standards Ordinance*, as follows: (1) nonresidential building setback requirements found in *Article 3, Exhibit 3-1(A): Development Standards for Uses in R-15 District*, and (2) any other variances as required in order to construct baseball field renovations, including the construction of associated structures within 50 ft. of the property lined. The property is located at 440 Theater Dr., is zoned Residential-15 (R-15), and is represented by TMS# 204-00-03-001.

Mr. Kelly stated request for variances to non-residential building side setback requirements to complete renovations to the Bobby Richardson Sportsplex at Palmetto Park.

Mr. Kelly added the property is a 13.69-acre parcel located at the southwest corner of the intersection of Wise Dr. and Palmetto Parkway/Theatre Dr.

Mr. Kelly mentioned the site is currently developed with 6 ballfields varying in size between 180 ft. and 200 ft. (measured from home plate to centerfield).

Mr. Kelly added the renovated site would feature 5 larger ballfields of 220 ft. (measured from home plate to centerfield) to increase playability to a wider range of ages.

Additionally, the new fields are oriented for optimal solar orientation to provide the best player experience and to cement the park as a tournament-level facility.

The proposed complex would feature dugout structures associated with each field that would need to be located:

- as close as 5 ft. to rear property line (between Sumter Tennis Center and Bobby Richardson Park), and
- as close as 16 ft. to side property line (between Eggs Up Grill, Bright Beginnings Daycare, and Lake Alice Drive).

Ms. Jenny Latour asked for clarification on the case.

There was no opposition.

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

1. The property is +/- 13.58-acres in size and located at the intersection of Palmetto Parkway/Theatre Dr. and Wise Dr.

The property is considered a conforming lot of record based on its dimensions.

The property is part of a multi-parcel sports and recreation complex that includes the Sumter Tennis Center, Lake Alice Drive, and the Eggs Up Grill, all of which are owned by the City of Sumter, its affiliated not-for-profit corporations, or in partnership with Sumter County.

2. Location of parcel boundaries and separate public ownership (City of Sumter, Sumter City and County, Sumter Housing and Economic Development Corp.) of property that functions as a single public park space is a unique condition not found in the vicinity.

3. Application of the ordinance restricts the applicant's ability to construct the desired park renovations and enhancements without approval of variances or adjustments to the stie plan which would sacrifice operational efficiency and value to the public.

The applicant has indicated that complying with the stated Ordinance setback requirement would reduce the number of ballfields from five to one.

4. The property boundaries impacted by the proposed request are primarily publicly owned spaces which function together as a single park complex.

Those adjacent developments that are not publicly owned are commercial sites which would not be detrimentally impacted by the proximity of recreational spaces.

The motion was seconded by Mr. Doc Dunlap and carried a unanimous vote.

BOA-26-05, 404 N. Purdy St. (City) was presented by Mr. Kyle Kelly. The Board reviewed the request for variance(s) from the requirements of *City of Sumter Zoning & Development Standards Ordinance*, as follows: (1) residential 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 construct an attached carport on the southside of the existing home. The property is located at 404 N. Purdy St., is zoned Residential-9 (R-9), and is represented by TMS# 228-03-01-013.

Mr. Kelly mentioned the request for variance to principal building side setback requirements to construct a +/- 528 sq. ft. attached carport at 404 N. Purdy St.

Mr. Kelly added the property is 0.39-acres and is on the west side of N. Purdy St. between Mason Croft Dr. and Frank Clarke St.

Mr. Kelly stated the applicant seeks to construct a carport (+/- 528 sq. ft.) attached to the existing residential structure on the property.

Mr. Kelly added due to an irregular property line in which the boundary between the subject property and 3 Frank Clarke St. extends 10 ft. further than the boundary between the subject property at 1 Frank Clarke St., the setback for the rear corner of the carport would be only 4.5 ft. from the property line.

Dr. Stewart Rawson 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 +/- 0.39-acres in size and is located on N. Purdy St. in the City of Sumter.

The property is considered a conforming lot of record based on its dimensions, however it is an irregular shape. The southern property line of the subject property and 3 Frank Clarke St. extend 10ft. further south than the boundary between the subject property and 1 Frank Clarke St. This results in an immediate 10 ft. narrowing of the lot at the back corner of the proposed structure.

2. Multiple properties in the area are similar in total size to the subject property.

The Mason Croft neighborhood was developed in the mid 20th century and since that time there has been significant infill lot creation and small boundary changes over time.

Multiple lots in the surrounding area have irregular shapes, and there are a wide variety of housing styles that correspond to varying lot boundaries.

Multiple residences in the immediate area (within 300 ft.) are closer to their side property lines than the current development standards (R-9 or R-6).

3. Application of the ordinance restricts the applicant's ability to construct the desired carport addition to the residence on the property without either approval of variances or adjustment to the building plans.

4. The proposed addition is consistent with the existing style of the residence at 404 N. Purdy St.

Effective spacing of residential structures will be consistent with the pattern of development already established in the area.

The carport's height and width will allow access to the rear yard to avoid encroachment onto adjacent property owner or emergency personnel.

The motion was seconded by Mr. Steven Schumpert and carried a unanimous vote.

BOA-26-06, 713 Cardinal St. (City) was presented by Mr. Kerlyn Mondesir. The Board reviewed the request for variance(s) from the requirements of City of Sumter Zoning & Development Standards Ordinance, as follows: (1) residential

structure location requirements found in *Article 4.g.2.b.3: Location Requirements*, and (2) any other variances as required to construct/establish a detached carport in front of the dwelling unit. The property is located at 713 Cardinal St., is zoned Residential-15 (R-15), and is represented by TMS# 205-06-03-045.

Mr. Mondesir mentioned the applicant acquired the property in May 2025 through a survivorship deed.

Mr. Mondesir added the applicant seeks permission to place a residential detached garage, measuring approximately 480 square feet, in the front yard due to site constraints.

Mr. Mondesir stated per applicable requirements, detached garage 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.

The board asked Mr. Mondesir questions pertaining to the case. Mr. Mondesir and Ms. Helen Roodman responded.

Mr. Robert Fabbri and Mrs. Lori Fabbri were present to speak in favor of the request. Mr. Robert and Mrs. Lori Fabbri introduced an example picture of the proposed car port structure into the record.

Mr. Philip Marlow spoke in opposition of the request (Note: Mr. Marlow, after receiving additional information, withdrew his opposition).

After discussion, Mr. Frank Shuler made a motion to approve subject to the following approval condition:

1. The structure built shall substantially match that of the example picture shown to the board and traduced into the record.

The motion was seconded by Mr. Doc Dunlap.

The board discussed the motion, including the concern that approval will set a precedent. The board asked additional questions of staff and of the applicants (Robert & Lori Fabbri) and received responses.

Mr. Gene Weston introduced an alternative motion to approve subject to the following additional approval condition:

1. The structure shall be removed once it is no longer needed to address specific issues facing the applicants.

The motion was seconded by Mr. Steven Schumpert.

Mr. Clay Smith (Board Chairman) called a vote to accept the amendment to the original motion. The vote carried unanimously.

Mr. Clay Smith (Board Chairman) called a vote on the initial motion for approval as amended, subject to the following approval conditions:

1. The structure built shall substantially match that of the example picture shown to the board and introduced into the record.
2. The structure shall be removed once it is no longer needed to address the specific issues facing the applicants.

The vote carried unanimously.

Mr. Frank Shuler and Mr. Doc Dunlap recused themselves from BOA-26-07.

BOA-26-07, 595 Curlew Circle (City) was presented by Mr. Kerlyn Mondesir. The Board reviewed the request for variance(s) 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 construct a +/- 90 sq. ft. bus shelter on property owned by the Heritage Bay Development Company, LLC. The property is located at 595 Curlew Cir., is zoned Residential-9 (R-9), and is represented by TMS# 184-00-03-001.

Mr. Mondesir mentioned the property is owned and maintained by the Heritage Bay Development Co.

Mr. Mondesir added as a non-residential structure proposed within a residential zoning district, the bus shelter is subject to the applicable non-residential setback requirements.

Mr. Mondesir stated the proposed location does not comply with the required setbacks for such structures in this district.

Mr. Sam Avins, Mr. Buddy Wescott, and Mr. Jeff Quick were present to speak in favor of the request.

There was no opposition.

	<p>After a brief discussion, Mr. Steven Schumpert made a motion to approve this request subject to the following findings of fact and conclusions:</p> <ol style="list-style-type: none"> 1. This site is a portion of a larger unsubdivided tract, which is used for access to storm water pond at the rear and is part of the community open space. The lot's dimensions and configuration at this frontage creates practical difficulties in complying with current zoning standards, whether the use is residential or non-residential. 2. Majority of the lots in the lots within the Heritage Bay Subdivision are utilized as residential. A covered bus shelter can be seen as accessory to the development. There are no other non-residential support structures located within the Heritage Bay subdivision. 3. The bus shelter is inherently intended to serve passengers boarding and exiting buses at the curb, relocating it farther from the street would render it nonfunctional and impractical for its intended use. There is a fire hydrant along this lot frontage. Clearance from and access to the fire hydrant must be maintained for public safety. 4. The proposed structure consists of approximately 90 square feet in area. The bus shelter is proposed to be located directly opposite the entrance to the subdivision, providing a centralized and visible location. The bus shelter will be privately owned by the neighborhood and utilized by children riding school buses. <p>The motion was seconded by Mr. Gene Weston and carried a unanimous vote.</p>
OTHER BUSINESS	NONE
	<p>There being no further business, Mr. Steven Schumpert made a motion to adjourn the meeting at 4:16 p.m. The motion was seconded by Mr. Gene Weston and carried a unanimous vote.</p> <p>The next regularly scheduled meeting is scheduled for March 11, 2026.</p>

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