



ZONING BOARD OF APPEALS

Minutes of the Meeting

September 13, 2023

ATTENDANCE

A regular meeting of the Zoning Board of Appeals was held on Wednesday, September 13, 2023, in the Fourth Floor City Chambers of the Sumter Opera House, 21 N. Main Street. Six board members – Mr. Leslie Alessandro, Mr. Frank Shuler, Mr. Claude Wheeler, Mr. Todd Champion, Mr. Jason Reddick, Mr. Steven Schumpert, and Mr. Clay Smith were present. Mr. William Bailey and Mr. Louis Tisdale were absent.

Planning staff in attendance: Mr. Jeff Derwort, Mr. Quint Klopfleisch, and Ms. Kellie Chapman.

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

MINUTES

Mr. Steven Schumpert made a motion to approve the minutes of the August 9, 2023, meeting as written. The motion was seconded by Mr. Clay Smith and carried a unanimous vote.

Prior to starting to the meeting, Mr. Alessandro expressed his sentiments regarding the passing of LC Frederick, highlighting Mr. Frederick's long-term contributions to the Board of Appeals and offered his condolences to Mr. Frederick's family.

NEW BUSINESS

BOA-23-21, 3033 Queen Chapel Rd. (County) was presented by Mr. Quint Klopfleisch. The Board reviewed this request for a variance to the residential accessory structure maximum size requirements outlined in *Article 4.g.2.b.6: Residential Accessory Structure Maximum Size* and *Article 4, Exhibit 8A: Maximum Square Footage of Residential Accessory Structures Based on Gross Acreage* of the Sumter County Zoning & Development Standards Ordinance in order to permit the establishment of +/- 1,440 sq. ft. of total residential accessory structure area on the property. The property is +/- 0.70 acres in size and the maximum amount of residential accessory structure area permitted is 1,250 sq. ft. The property is located at 3033 Queen Chapel Rd., is zoned Agricultural Conservation (AC), and is represented by TMS# 233-81-01-005.

Mr. Klopfleisch stated the applicant is requesting a variance to permit the establishment of +/- 1,440 sq. ft. of total residential accessory structure area.

Mr. Klopfleisch added the property is +/- 0.70-acres in size and the maximum amount of residential accessory structure area permitted is 1,250 sq. ft. As of April 2023, the property contained a single-family dwelling and one 1,200 sq. ft. accessory building.

Mr. Klopfleisch mentioned that a 240 sq. ft. residential accessory structure was established without permits. The new building is +/- 240 sq. ft. in size, a total of +/- 190 sq. ft. more area than permitted.

After a brief discussion, Mr. Steven Schumpert made a motion to deny this request subject to the following approval conditions:

1. The property is +/- 0.7-acres in size and is located within the unincorporated party of Sumter County.

The lot is located on the east side of Queen Chapel Rd. in a subdivision with similar lots of the same shape and size to the east and south.

Larger residential and agricultural lots are located to the west and north.

The lots in the subdivision were established prior to the current Ordinance which requires a minimum land area of 1.0 acres.

2. The lots in the subdivision were divided prior to current AC zoning district development standards.

The lot is similar in shape and size to other lots in vicinity.

3. The conditions restrict the applicant from obtaining permit approval for the 240 sq. ft. detached residential accessory structure.

4. The authorization of this specific variance is not likely to result in substantial detriment to adjacent property and the public good, as it represents only a small increase in residential accessory structure are above the maximum requirement.

All residential property within the AC zoning district below 5 acres in size are subject to the sliding scale maximum area requirements as outlined in Article 4, Exhibit 8A of the Ordinance.

Exceeding these established requirements without demonstrating a true hardship on the whole could be considered detrimental.

The motion was seconded by Mr. Frank Shuler and carried by a unanimous vote.

Mr. Clay Smith recused himself for BOA-23-22

BOA-23-22, 3110 Widman Dr. (County) was presented by Mr. Quint Klopfleisch. The Board reviewed this request for variance to the residential accessory structure maximum size requirements outlined in *Article 4.g.2.b.6: Residential Accessory Structure Maximum Size* and *Article 4, Exhibit 8A: Maximum Square Footage of Residential Accessory Structures Based on Gross Acreage* of the Sumter County Zoning & Development Standards Ordinance in order to permit the establishment of +/- 3,160 sq. ft. of total residential accessory structure area on the property. The property is +/- 2.00 acres in size and the maximum amount of residential accessory structure area permitted is 1,750 sq. ft. The property is located at 3110 Widman Dr., is zoned Agricultural Conservation (AC), and is represented by TMS# 182-00-02-019.

Mr. Klopfleisch stated the applicant is proposing to construct a +/- 3,000 sq. ft. residential accessory structure. If approved, the total residential accessory structure area established on the property will be 3,160 sq. ft.

Mr. Klopfleisch added the property is +/- 2.00 acres in size and the maximum amount of residential accessory structure area permitted is 1,750 sq. ft.

Mr. Klopfleisch mentioned the property contains a single-family dwelling and 3 residential accessory structures that are 160 sq. ft., 816 sq. ft., and 80 sq. ft. in size. The applicant is proposing to demolish the existing 816 sq. ft. structure. The existing 80 sq. ft. structure is below the size threshold that counts toward the maximum total size requirements.

Mr. Michael Parker was present to speak on behalf of the request.

After a brief discussion, Mr. Claude Wheeler made a motion to deny this request subject to the following:

1. The subject property is +/- 2.00-acres in size and is located within the unincorporated part of Sumter County.

The lot is located on the east side of Widman Rd. with the neighboring lots being the same size or larger.

	<p>Several of the neighboring lots have built larger accessory structures. These structures were either permitted in compliance with current Ordinance requirements or were constructed prior to the adoption of the current Ordinance and are considered a non-conforming site feature.</p> <ol style="list-style-type: none"> 2. A majority of the residential lots in the immediate vicinity area vary between 2.5 to 5 acres in size and are similar in shape and layout as compared to the subject property. 3. The conditions restrict the applicant from constructing a second accessory building of the size and dimension requested. <p>However, a 1,590 sq. ft. detached accessory structure could be built without a variance.</p> <ol style="list-style-type: none"> 4. The authorization of this specific variance is not likely to result in substantial detriment to adjacent property and the public good, due to location. <p>All residential property within the AC zoning district below 5 acres in size are subject to the sliding scale maximum area requirements as outlined in Article 4, Exhibit 8A of the Ordinance.</p> <p>Exceeding these established requirements without demonstrating a true hardship on the whole could be considered detrimental.</p> <p>The motion was seconded by Mr. Frank Shuler and carried by a four (Champion, Shuler, Wheeler, Schumpeter) in favor and one (Reddick) in opposition. The motion carried.</p>
OTHER BUSINESS	<p>Mr. Jeff Derwort informed the Board training dates will be emailed shortly.</p>
	<p>There being no further business, Mr. Frank Shuler made a motion to adjourn the meeting at 3:38 p.m. The motion was seconded by Mr. Steven Schumpert and carried a unanimous vote.</p> <p>The next regularly scheduled meeting is scheduled for November 8, 2023</p>
	<p>Respectfully submitted, <i>Kellie K. Chapman</i> Kellie K. Chapman, Board Secretary</p>