



# ZONING BOARD OF APPEALS

## Minutes of the Meeting

March 13, 2024

### ATTENDANCE

A regular meeting of the Zoning Board of Appeals was held on Wednesday, March 13, 2024, in the Fourth Floor City Chambers of the Sumter Opera House, 21 N. Main Street. Six board members –Mr. Frank Shuler, Mr. Jason Reddick, Mr. Clay Smith, Mr. Claude Wheeler, Mr. Steven Schumpert, and Mr. Louis Tisdale were present. Mr. Leslie Alessandro, Mr. William Bailey, and Mr. Todd Champion 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. Louis Tisdale, Chairman.

### MINUTES

Mr. Frank Shuler made a motion to approve the minutes of the January 10, 2024, meeting as written. The motion was seconded by Mr. William Bailey and carried a unanimous vote.

### NEW BUSINESS

*Mr. Frank Shuler recused himself from BOA-24-06*

**BOA-24-06, 9 S, Main St. (City)** was presented by Mr. Quint Klopfleisch. The Board reviewed this request for Special Exception approval in accordance with 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.l: Drinking Places/Bottle Clubs/Night Clubs of the City of Sumter Zoning & Development Standards Ordinance in order to establish a Drinking Place (NAICS 7224) use on the property. The property is located at 9 S. Main St., is zoned Central Business District (CBD), and is represented by TMS# 228-13-07-041.

Mr. Klopfleisch stated the building is +/- 3,254 sq. ft. in size. The applicant is proposing to use +/- 2,400 sq. ft. of the building for a Romance Bookstore with on-site beer and wine service and consumption. The serving and consumption of alcoholic beverages meet criteria of a drinking place under (NAICS 7224). Thus, special exception approval by the Sumter City-County Zoning Board of Appeals is required.

Ms. Sharlene Shuler was present to speak on behalf of the request.

	<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> <p>In relation to the request for special exception approval to establish a drinking place use at property located at 9 S. Main St.:</p> <p>The Special Exception complies with all applicable standards contained elsewhere in this Ordinance, including landscaping and bufferyards, off-street parking, and dimensional requirements.</p> <ol style="list-style-type: none"> <li>1. The site conforms with landscaping, parking, and buffering requirements. There are no building setbacks, minimum off-street parking, or landscaping requirements applicable in the CBD.</li> </ol> <p>That the Special Exception will be in substantial harmony with the area in which it is located.</p> <ol style="list-style-type: none"> <li>2. The area primarily consists of businesses, office space, restaurants, and other drinking place type uses. No concerns regarding substantial harmony based on the existing characteristics of the area the use would be located in.</li> </ol> <p>That the Special Exception will not discourage or negate the use of surrounding property for use(s) permitted by right.</p> <ol style="list-style-type: none"> <li>3. The area primarily consists of businesses, office space, restaurants, and other drinking place type uses. No indication that the proposed use will discourage or negate the use of surrounding property for use(s) permitted by right.</li> </ol> <p>That the location of the request is within the portion of the Central Business District (CBD) exempted from residential use separation requirements and is not within 300 ft. of a church, school, or public playground on a separately platted parcel.</p> <p>That there are no adjacent residential uses, and thus a six-foot opaque fence providing a visual screen is not required,</p> <p>The motion was seconded by Mr. Jason Reddick and carried a unanimous vote.</p>
<b>OTHER BUSINESS</b>	<b>NONE</b>
	<p>There being no further business, Mr. Clay Smith made a motion to adjourn the meeting at 3:14 p.m. The motion was seconded by Mr. Frank Shuler and carried by a unanimous vote.</p>

	The next regularly scheduled meeting is scheduled for April 10, 2024.
	Respectfully submitted, <i>Kellie K. Chapman</i> Kellie K. Chapman, Board Secretary