

Sumter City-County Zoning Board of Appeals

January 8, 2025

BOA-24-42, 1813 Hwy 15 South (City)

The applicant (Pocalla Crossing Co., LLC) is requesting Special Exception approval in accordance with *Article 3, Exhibit 5: Permitted Uses in All Zoning Districts; Article 5.b.2: Enumeration of Certain Hazardous and/or Potential Disruptive Land Development Activities; and Article 5.b.3.o: Liquor Stores* of the Sumter County Zoning & Development Standards Ordinance (the "Ordinance") **in order to establish a Liquor Store Use** within an individual tenant space apart of a larger commercial multi-tenant development. The property is located at 1813 US Hwy 15 S, is zoned General Commercial (GC), and is identified as TMS# 225-00-03-018.



Appeals - Variance - Special Exception

Sumter City-County Zoning Board of Appeals

January 8, 2025

BOA-24-42, 1813 Hwy 15 South. (City)

I. THE REQUEST

Applicant: Pocalla Crossing, Co., LLC c/o Reliance Realty Advisors, LLC

Status of the Applicant: Property Owner/Authorized Agent

Request: The applicant) is requesting special exception approval in order to establish a liquor store use on the property.

County Council District District 6

Location: 1813 Hwy 15 South

Present Use/Zoning: Shopping Center / General Commercial (GC)

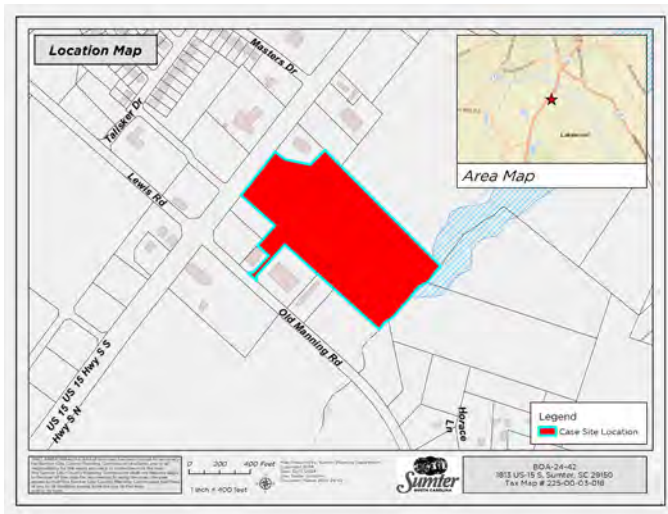
Tax Map Reference: 225-00-03-018

II. BACKGROUND

The applicant is requesting special exception approval to establish a liquor store use (NAICS 44532) on property located at 1813 Hwy 15 South.

The subject property is located at the intersection of US-15 South and Old Manning Rd., and is otherwise known as the Pocalla Crossing Shopping Center (marked in red on the map on the right).

The applicant is proposing to utilize one of the existing retail spaces in the shopping center for a liquor store use. The defined liquor store space serves as the boundary for determining compliance with any required separation standards.



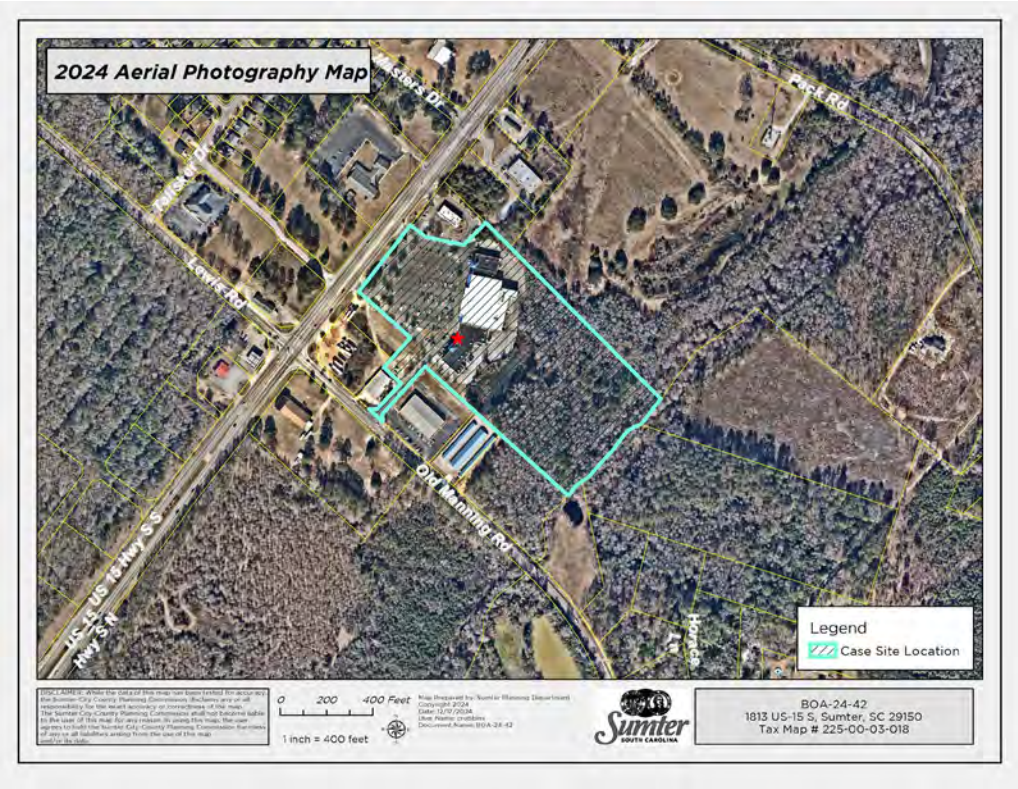


Figure 1: Overall Site Location (aerial imagery)

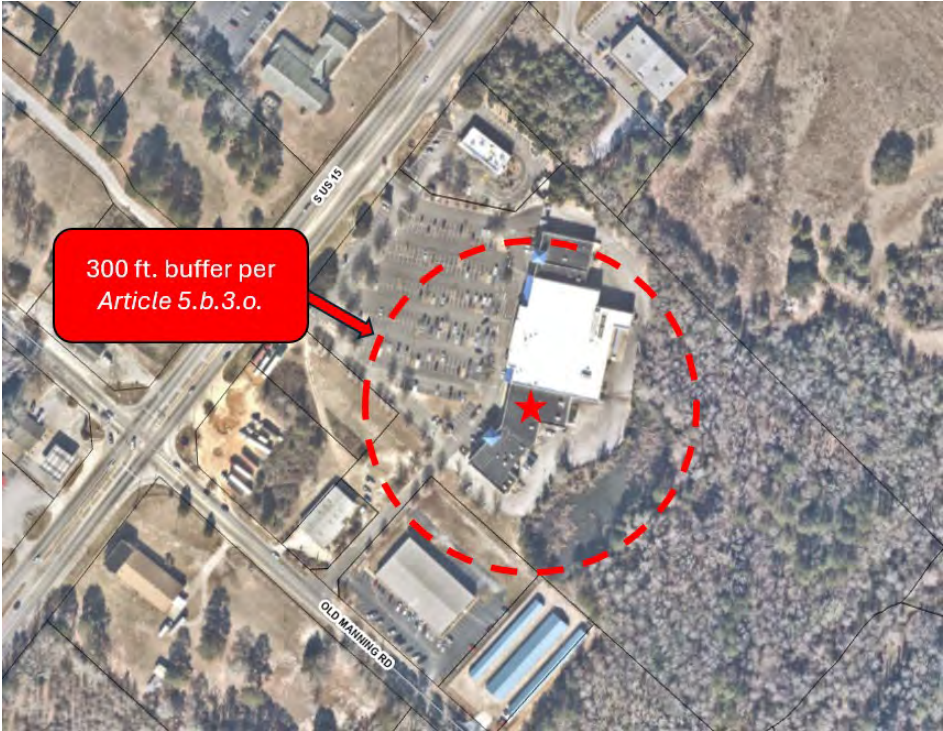


Figure 2: Proposed Liquor Store Location and 300 ft. buffer

The property is located in the General Commercial (GC) zoning district.

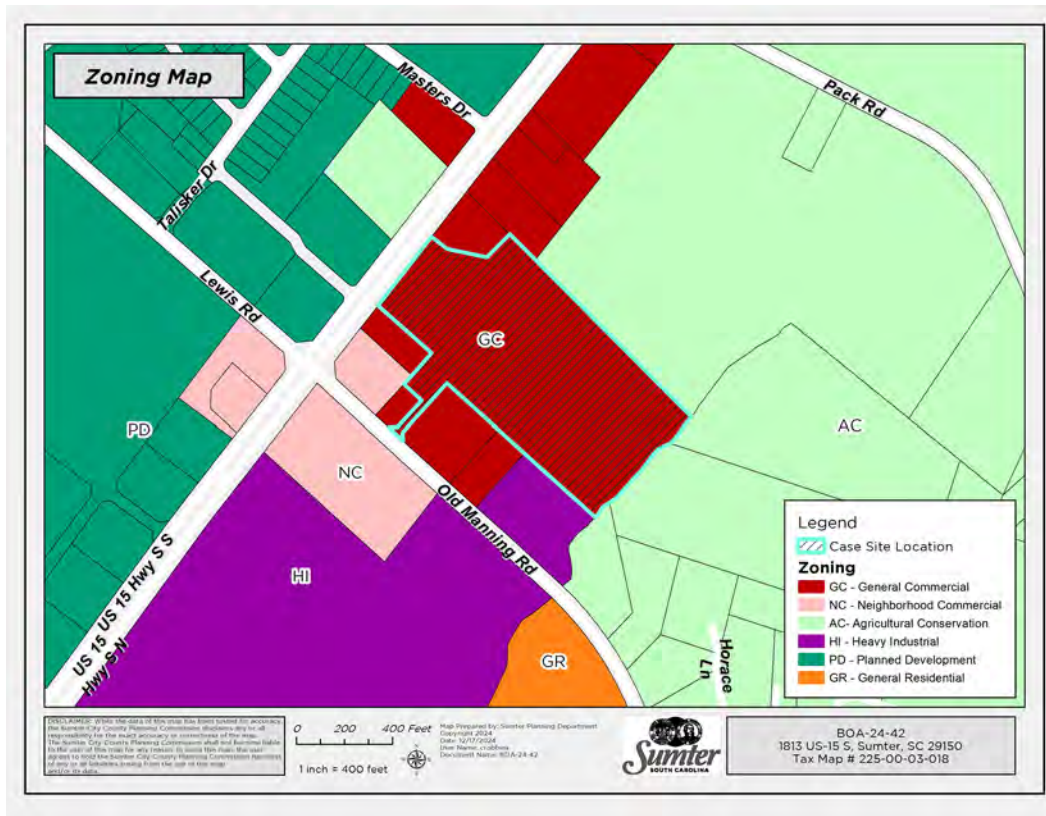


Figure 3: Zoning Map

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 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.o: Liquor Stores* of the *Sumter County Zoning & Development Standards Ordinance*.

Article 1.h.4.c: Special Exceptions

1. *Special exceptions are subject to the terms and conditions for the use set forth for such uses in the Zoning Ordinance.*
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 is located in an existing developed shopping center, and no additional site development is proposed. Based on staff evaluation, the site meets development standards that are applicable to the space proposed for the use.

- 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), is located along a roadway corridor designed to support higher intensity commercial uses and is in a location suitable for the establishment of a broad range of commercial uses.

- 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 and is in a location suitable for the establishment of a broad range of commercial uses. The liquor store is part of a larger shopping center development and there is no indication that the proposed use will discourage or negate the use of surrounding property for uses(s) permitted by right.

Article 5.b.3.o. 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 separate liquor store area is not within 300 ft. (measured in a straight line from structure to structure) of any residential use, church, school or public playground on a separately platted parcel. The enclosed area of the liquor store space is 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 no residential uses directly adjacent to the subject property. As such, a six-foot screening fence is not requirement. Please note that “*Directly Adjacent*” is interpreted to mean a shared property line and does not include property on the opposite side of a street right-of-way.

IV. STAFF RECOMMENDATION

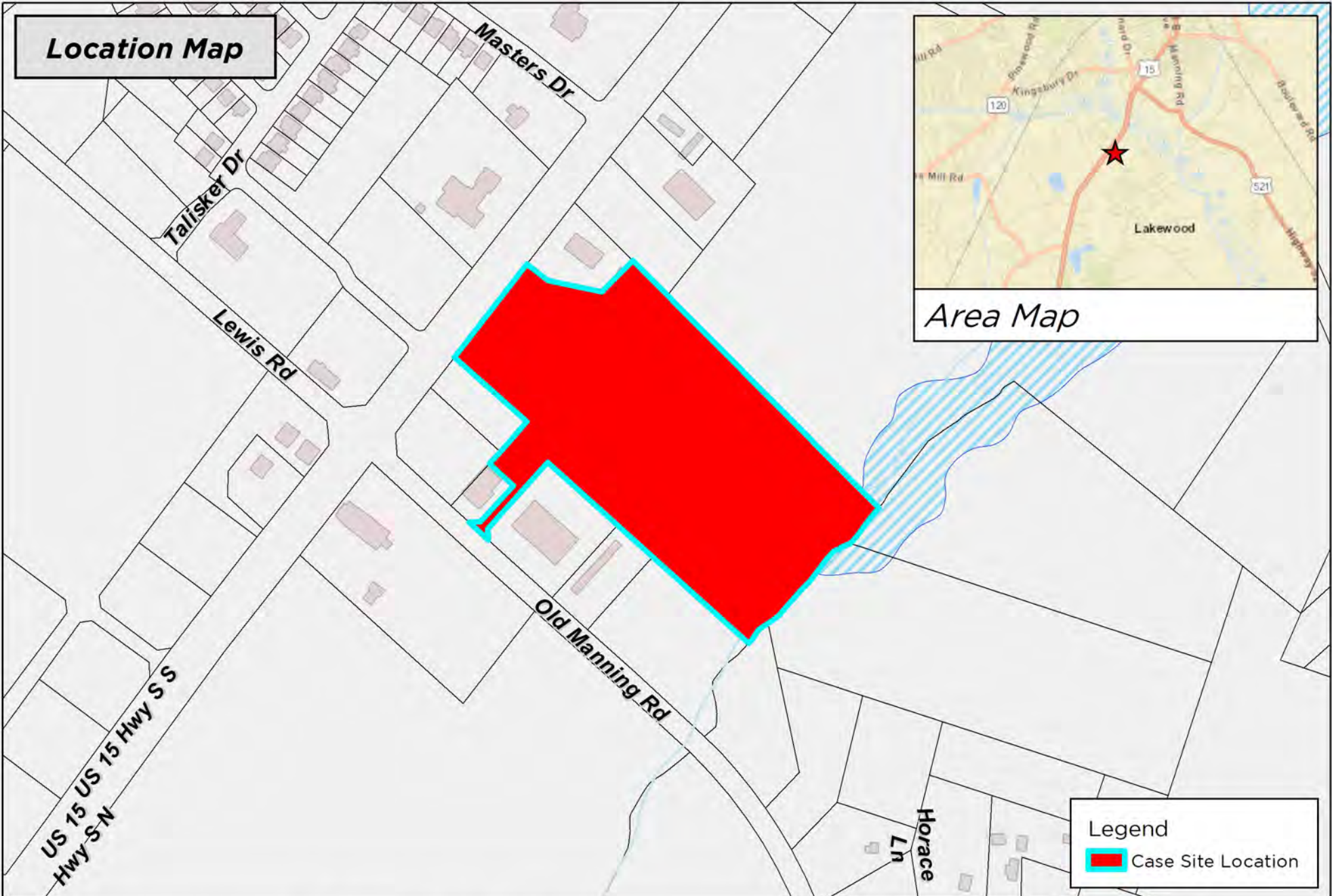
Staff recommends no additional conditions of approval if the Board makes the necessary findings to approve this request.

V. DRAFT MOTIONS for BOA-24-42


- A. I move the Zoning Board of Appeals **approve** BOA-24-42, 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-24-42, subject to the following findings of fact and conclusions:
- C. I move the Zoning Board of Appeals enter an alternative motion for BOA-24-42.

VI. BOARD OF APPEALS – January 8, 2025

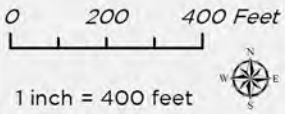
Location Map



Area Map

Legend
 Case Site Location

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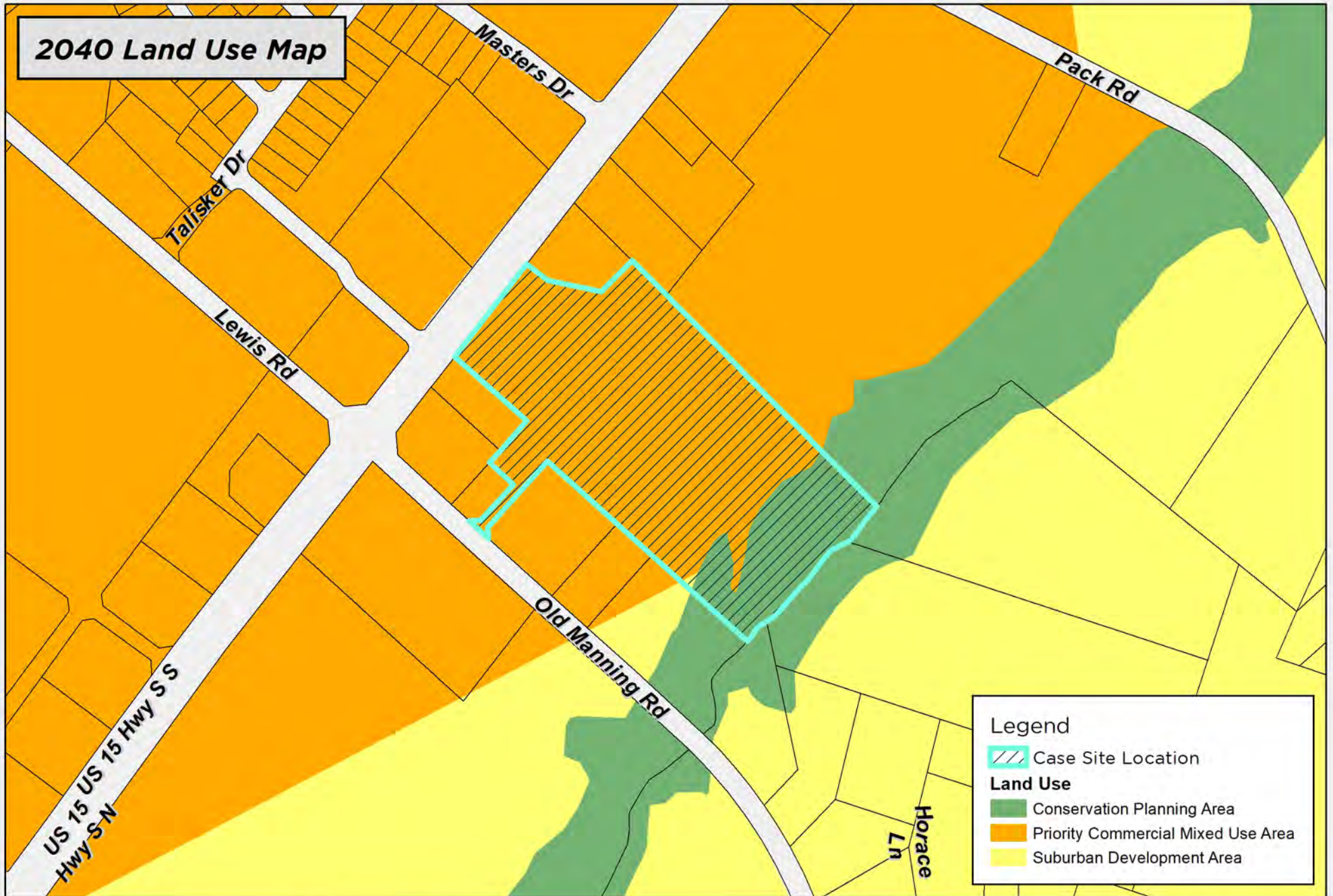


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BOA-24-42
1813 US-15 S, Sumter, SC 29150
Tax Map # 225-00-03-018

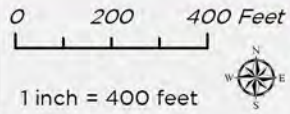
2040 Land Use Map



Legend

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

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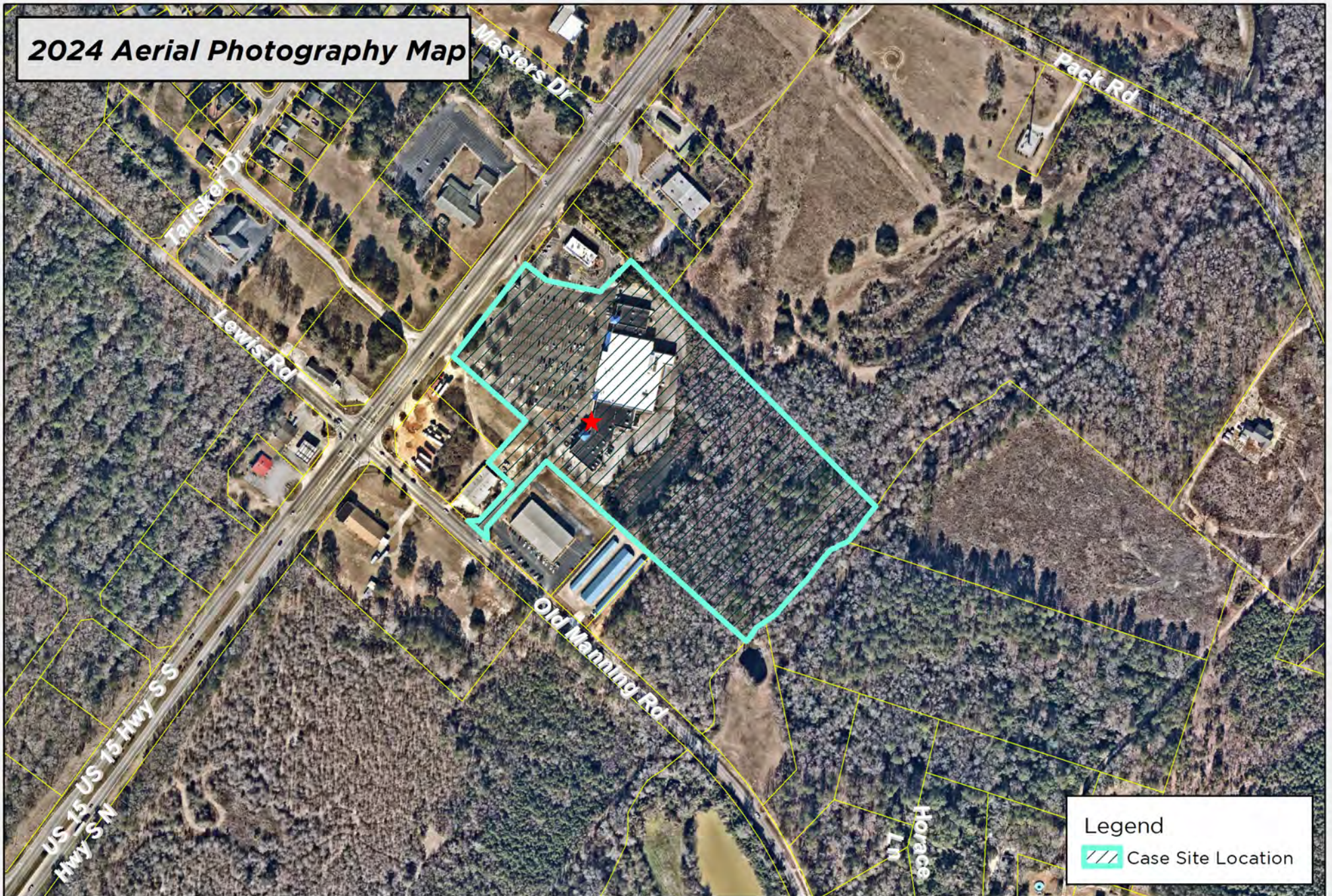


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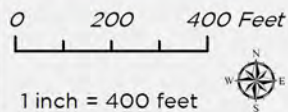


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Tax Map # 225-00-03-018

2024 Aerial Photography Map




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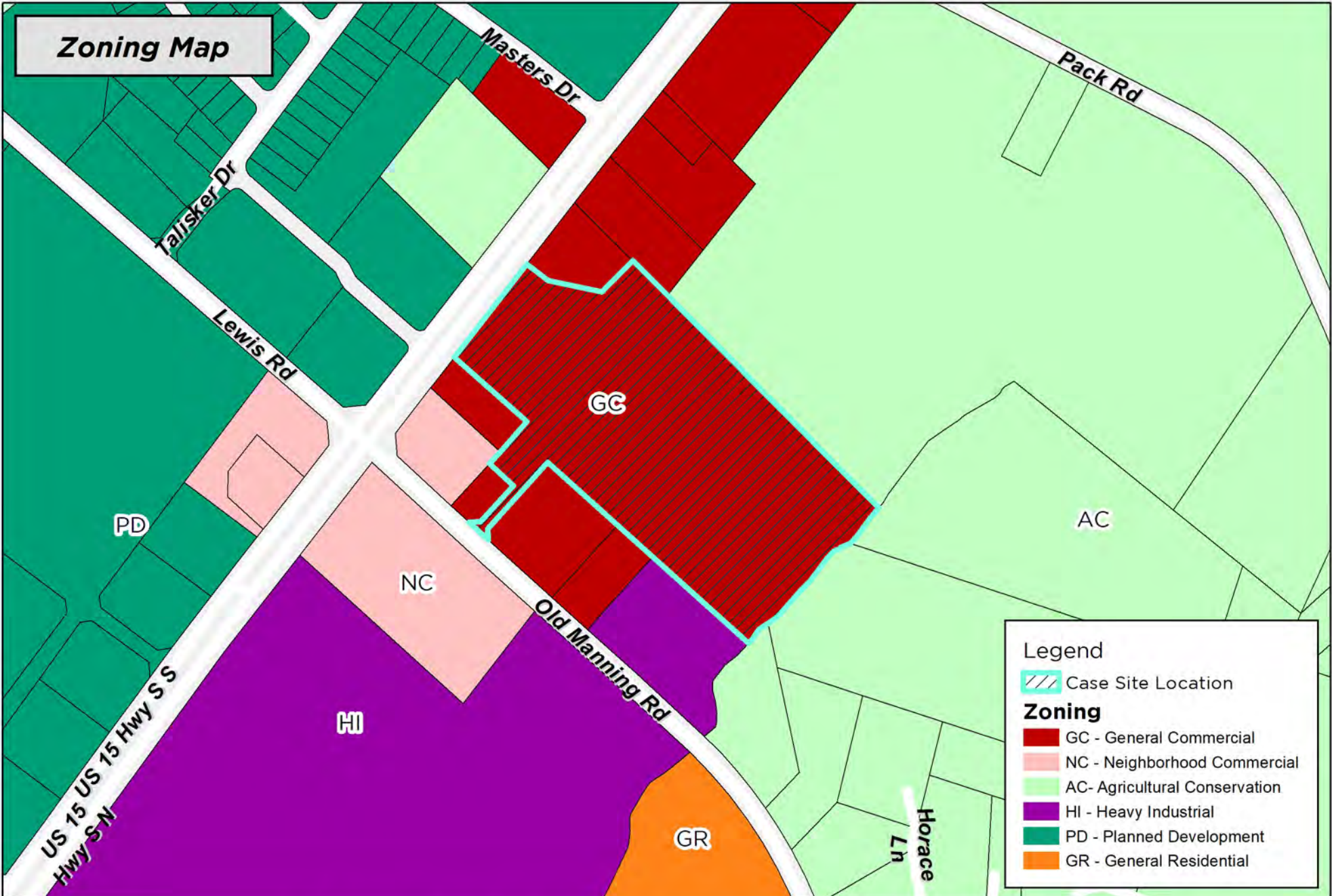
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Legend
 Case Site Location

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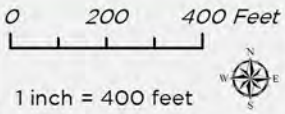
Zoning Map



Legend

- Case Site Location
- Zoning**
- GC - General Commercial
- NC - Neighborhood Commercial
- AC- Agricultural Conservation
- HI - Heavy Industrial
- PD - Planned Development
- GR - General Residential

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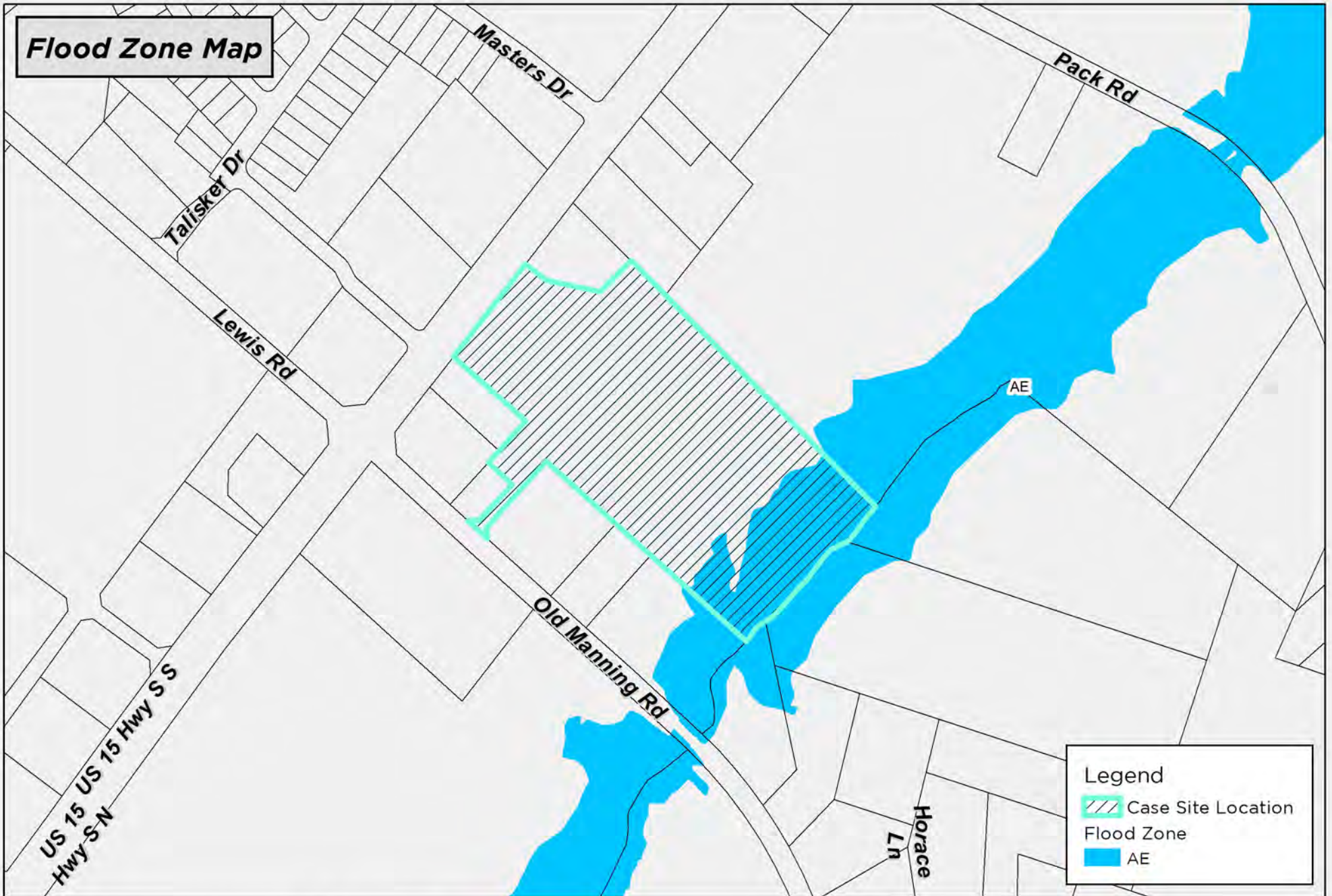


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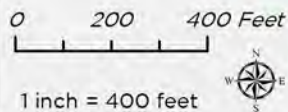
Flood Zone Map



Legend

- Case Site Location
- Flood Zone
- AE

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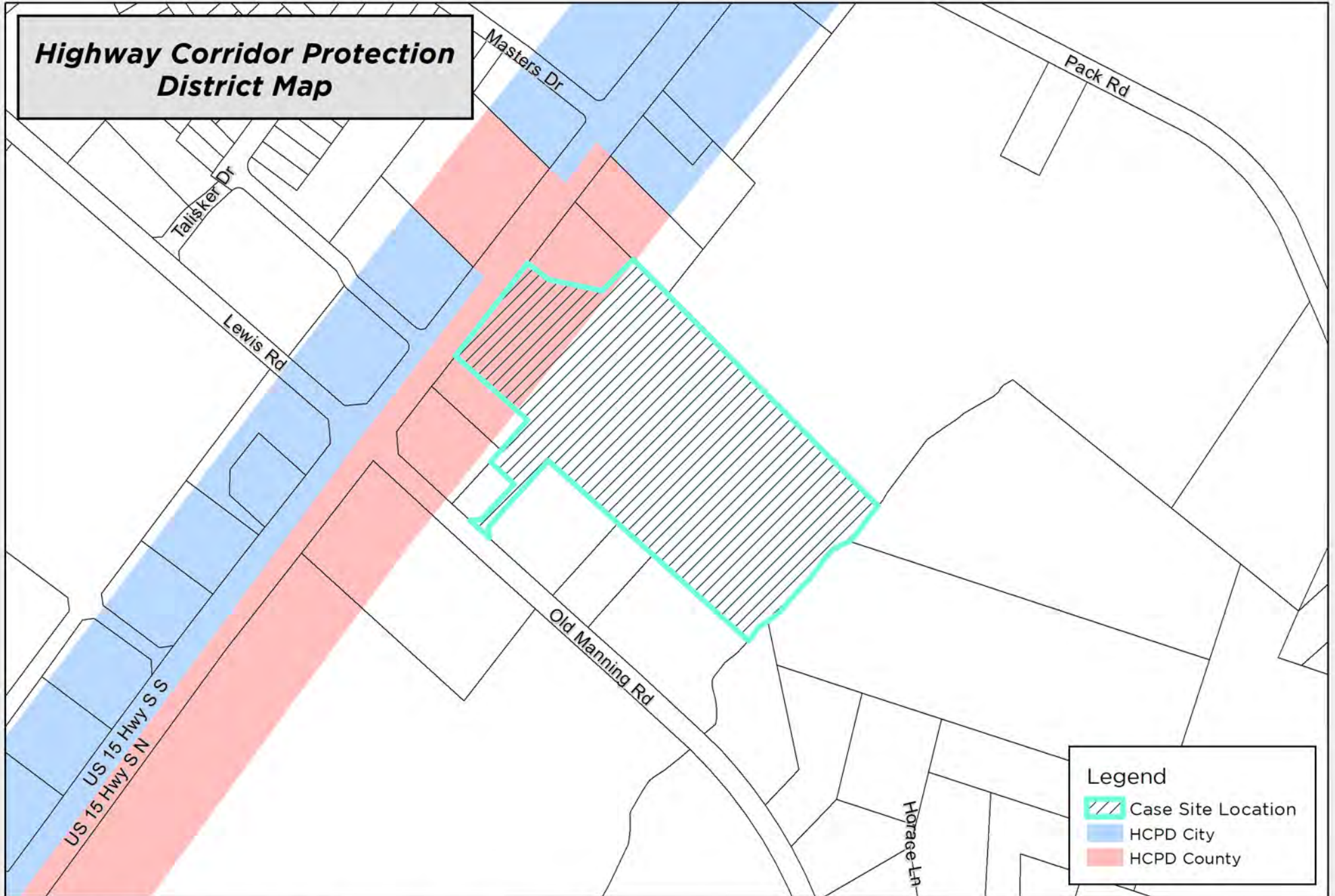


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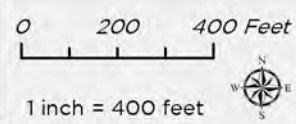
Highway Corridor Protection District Map



Legend

- Case Site Location
- HCPD City
- HCPD County

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