



BOARD OF ZONING APPEALS

Minutes of the Meeting

May 11, 2022

ATTENDANCE

A regular meeting of the Zoning Board of Appeals was held on Wednesday, May 11, 2022, in the Fourth Floor City Chambers of the Sumter Opera House, 21 N. Main Street. Seven board members – Mr. Louis Tisdale, Mr. Warren Curtis, Mr. Sam Lowery, Mr. Jason Reddick, Mr. Leslie Alessandro, Mr. Steven Schumpert were present. Ms. Cleo Klopfleisch and Mr. L.C. Fredrick was absent.

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

The meeting was called to order at 3:05 p.m. by Mr. Leslie Alessandro, Chair.

MINUTES

Mr. Steven Schumpert made a motion to approve the minutes of the April 13, 2022, meeting as written. The motion was seconded by Mr. Sam Lowery and carried a unanimous vote.

NEW BUSINESS

Jason Reddick recused himself from case BOA-22-05.

BOA-22-05, 1126 Shoreland Dr. (County) was presented by Mr. Jeff Derwort. The Board reviewed a request for variance approval from requirements outlined in Article 4, Section 4.f.8: Height, Fencing Materials, and Proximity Regulations for Fences Allowed in Required Yards of the Sumter County Zoning & Development Standards Ordinance in order to permit the finished side of a wooden privacy fence to face inward in the front yard setback area. The property is located at 1126 Shoreland Dr., is zoned Residential-15 (R-15), and is represented by TMS # 207-09-02-025.

Mr. Derwort stated that this request was deferred from the April BOA meeting. Mr. Derwort stated that no new information is available, and that the applicant has not formerly withdrawn the application. Mr. Derwort stated the BOA must take action at this meeting or the request is automatically approved per Ordinance provisions related to variance requests.

After a brief discussion, Mr. Louis Tisdale made a motion to deny this request subject to the following findings of fact and conclusions.

1. The subject property is 0.42 acres in size, and the lot's characteristics are similar to those of the other properties in the vicinity, all of which are part of the Twin Lakes Subdivision.

This site does not have any extraordinary or exceptional conditions.

The applicant has indicated that the reason the fence was installed with the finished side facing inward was to avoid the fence contractor from having to access the property of the adjacent owner to construct the fence. An adversarial relationship exists between these two property owners.

2. The shape and size of the lot at 1126 Shoreland Dr. is typical of lots in the Twin Lakes Subdivision. Under the Sumter County Zoning and Development Standards Ordinance, all properties are required to abide by the fencing regulations contained in Article 4.

3. Under the current Ordinance, the applicant can construct a fence up to 6 ft. in height on the property line, as long as there are no structures on the adjoining lot closer to the property line than 6 ft. The only element of the Ordinance regulations regarding fencing that is impacted by this request is that the finished side of the fence must face outward. Thus, the property owner is permitted under the Ordinance to have a privacy fence, they are simply required to construct the fence such that the finished side faces the neighbor instead of the side with rails and posts showing, which is a generally accepted standard for fence construction. In the alternative, the property owner could construct a double-sided privacy fence via "sandwich construction," with finished sides facing in both directions, which would also be Ordinance compliant.

4. The purpose of regulating the size, location, and visual appearance of fencing is to ensure consistency, compatibility, and avoid negative impacts to surrounding properties.

The authorization of this variance request could be of substantial determinant to adjacent property and to the public good by establishing a precedent for alternative configurations of fencing. Further, the granting of the

	<p>variance could harm the character of the R-15 zoning district in which the property is located by allowing inconsistent fencing styles.</p> <p>The motion was seconded by Mr. Steven Schumpert 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 3:20 p.m. The motion was seconded by Mr. Warren Curtis and carried a unanimous vote.</p> <p>The next regularly scheduled meeting is scheduled for June 8, 2022.</p>
	<p>Respectfully submitted, <i>Kellie K. Chapman</i> Kellie K. Chapman, Board Secretary</p>