

Sumter City-County Zoning Board of Appeals

March 12, 2025

BOA-25-05, 241 Manning Ave. (City)

The applicant (Ivan Sanders) is requesting variances from the front building setback requirements outlined in *Article 3.i.5.b: (GC District) Minimum Yard & Building Setbacks*, the landscape buffering requirements outlined *Article 9.b.1: Landscaping Requirements, Article 9.b.2.: Landscaping Determination, Article 9, Table 9-1 Landscaping Chart, and Article 9.b.4: Landscaping Type Depictions* of the City of Sumter Zoning & Development Standards Ordinance (the "Ordinance"), and any other variances as maybe required to allow for new non-residential development on the property. The property is located along Manning Ave. and E. Bee St. and is within the General Commercial (GC) zoning district.

The subject property consists of multiple Sumter County tax map parcels, as follows: TMS#s 227-04-04-049 (231 Manning Ave.), 227-04-04-051 (235 Manning Ave.), 227-04-04-053, 227-04-04-054 (237 Manning Ave.), 227-04-04-056 (241 Manning Ave.), 227-04-04-057 (107 E. Bee St.), 227-04-04-058 (109 E. Bee St.), & 227-04-04-059 (111 E. Bee St.).



Appeals - Variance - Special Exception

Sumter City-County Zoning Board of Appeals

March 12, 2025

BOA-25-05, 241 Manning Ave. (City)

I. THE REQUEST

Applicant: Ivan Sanders

Status of the Applicant: Property Owner

Request: Variance from front building setback requirements and landscape buffer requirements to facilitate the redevelopment of the property for a community/cultural center.

City Council Ward: Ward 3

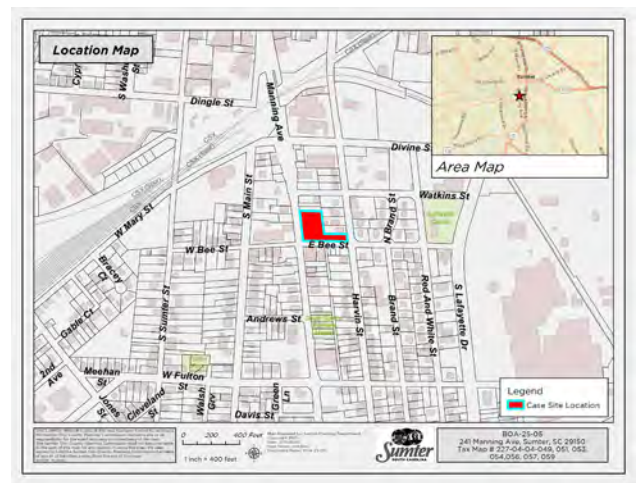
Location: 241 Manning Ave. (multiple tax parcels)

Present Use/Zoning: Residential & Vacant / General Commercial (GC) & Residential-6 (R-6).

Tax Map Reference: 227-04-04-049, 227-04-04-051, 227-04-04-053, 227-04-04-054, 227-04-04-056, 227-04-05-057, 227-04-04-058, & 227-04-04-059

II. BACKGROUND

The applicant is requesting multiple variances related to front building setback requirements and landscape buffer requirements to facilitate the redevelopment of the property for a community/cultural center to include arts programming/studio, job training and placement, and behavioral health support services components. The development will consist of a new community/cultural center building, as well as the reuse of an existing residential structure on the property for a museum/galley.



The property consists of multiple parcels located on the northeast side of the intersection of Manning Ave/E. Bee St. The property is shown in red on the location map above.

There are two main components of this request, as described below:

1. Reuse of a discontinued residential structure for a non-residential purpose. Full compliance with City of Sumter Zoning & Development Standards Ordinance (the “Ordinance”) is required for reuse of this structure based on the amount of investment required to upfit vs. the structure’s market value. The structure currently encroaches +/- 3.9 ft. into the required 20 ft. front setback area applicable to non-residential uses along major arterial roadways where parking is not located in front of the building. Variance approval is required to reuse this structure as planned.
2. Reduction in the required landscape buffer width along the rear of the development site that is adjacent to residential uses. The Ordinance requires a Type B 10 ft. buffer for this scenario, with an option to reduce to 5 ft. if a solid fence is provided. The applicant is proposing a 7 ft. landscape buffer width, with no solid fence being proposed.

Note: This request was advertised for minimum off-street parking variances, in addition to the other requests stated in this report. Minimum off-street parking for Community Center uses is reviewed on an individual case-by-case basis per Article 8, Exhibit 8-12: Off-Street Parking Requirements for Non-Residential Land Uses. As such, variance approval by the Zoning Board of Appeals is not required for minimum off-street parking in this instance.

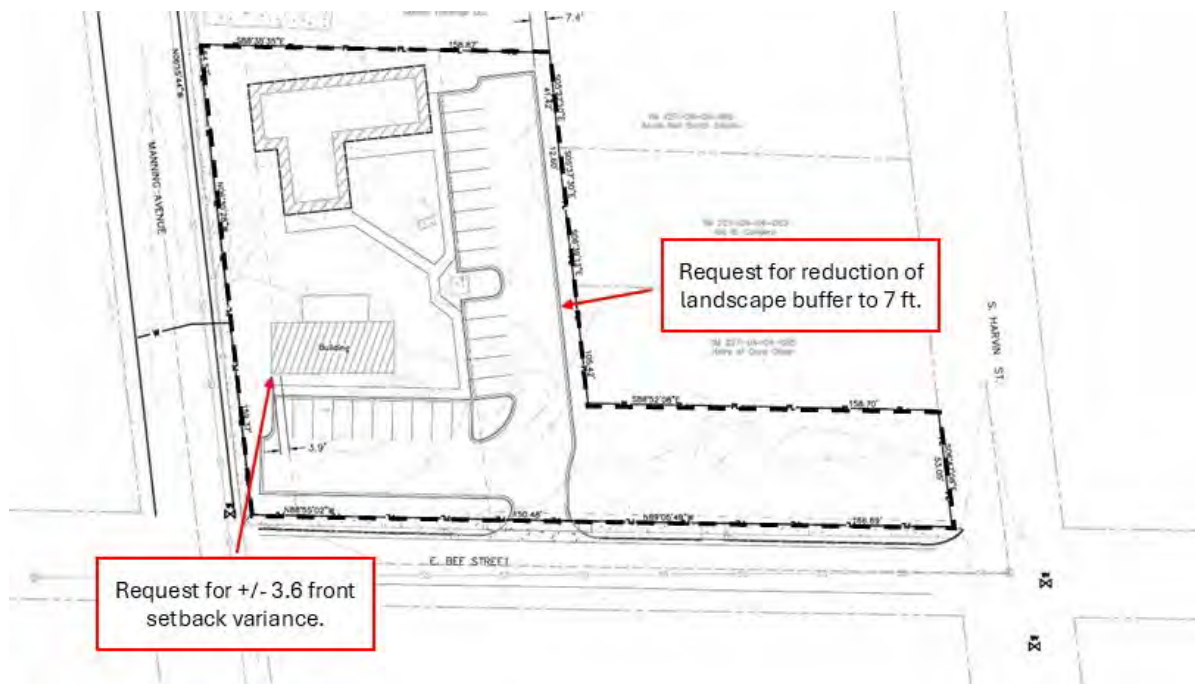


Figure 1: Site Layout & Variances Requested.

The table below outlines exhibits attached to this staff report.

Exhibit Reference Table	
Exhibit 1	Manning Ave. Free Studio Description & Mission
Exhibit 2	Existing Conditions Plan Sheet
Exhibit 3	Site Layout Plan Sheet
Exhibit 4	Site Layout Plan Sheet W/ Partial Conceptual Landscaping



Figure 2: 2024 Aerial Photography Map



Figure 3: Site Photo from January 2025 (Source: Google Streetview)

Ordinance Requirements:

Article 3.h.5.b: GC District Minimum Yard & Building Setback Requirements

b. Yard and Building Set Back Requirements (Minimum)

	<u>Front Yard Setback</u>
From Local/Collector Streets	35 ft.

(Note: The front yard setback is 20 feet if the street is an arterial street when off-street parking is provided on the side or rear of a building; 45 feet if the parking is located in front of the building).

	<u>Side Yard Setback</u>
From abutting Residential Districts	30 ft.

(Note: None required when abutting property in non-residential).

	<u>Rear Yard Setback</u>
From all types of abutting Districts	35 ft.

Article 9.b.1: Landscaping Requirements

9.b.1. Landscaping Requirements

a. Required Planting Areas

1. Street landscaping
2. Parking lots
3. Side and rear yards (Referred to as Type A, B, C, and D landscaping).

b. Planting Area Descriptions

1. **Street Landscaping.** A planting area parallel to a public street designed to provide a continuity of vegetation along the right-of-way and a pleasing view from the road.
2. **Parking Lot Landscaping.** The landscaping area within and adjacent to parking areas designed to shade and improve the attractiveness of parking lots and paved areas.
3. **Type A Landscaping.** A peripheral planting strip intended to separate uses, provide vegetation in densely-developed areas and enhance the appearance of individual properties.
4. **Type B Landscaping.** A low-density screen intended to partially block visual contact between uses and create spatial separation.
5. **Type C Landscaping.** A medium-density screen intended to partially block visual contact between uses and create spatial separation.
6. **Type D Landscaping.** A high-density screen intended to substantially block visual contact between adjacent uses and create spatial separation. Type D Landscaping screens views and noise which would otherwise negatively impact adjacent land uses.

Article 9.b.2: Landscaping Determination

9.b.2. Landscaping Determination: Requirements for landscaping yards shall be based on the existing land use of the adjacent parcel(s). The type of landscaping yard required for each zoning classification is outlined in Table 9-1.

Article 9, Table 9-1: Landscaping Chart

Proposed Use	Existing Adjacent Use					
	Agricultural/ Vacant	Residential	Office	Commercial	Light Industrial	Heavy Industrial
Residential ^{1,2}	n/a	n/a	B	C	C	D
Office/Institutional	A	B	A	B	C	D
Commercial	A	C	B	A	B	D
Light Industrial	B	C	C	B	B	D
Heavy Industrial	D	D	D	D	D	D

Article 9.b.4: Landscaping Type Depictions

c. Type B Landscaping

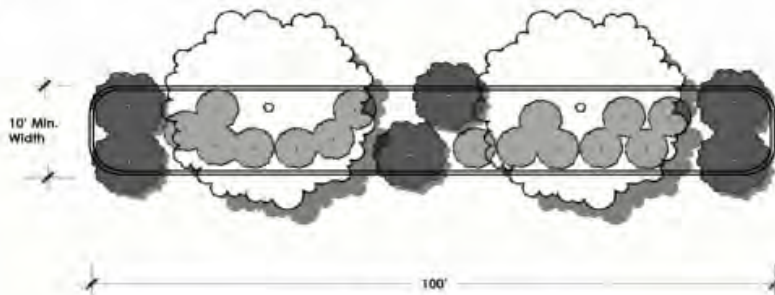
Buffer width: 10 foot minimum buffer width

Plantings: 2 Canopy trees per 100 linear feet on center

6 Evergreen trees per 100 linear feet on center

15 Tall shrubs per 100 linear feet on center

Fencing: Walls and fences, a minimum of 5 feet in height (constructed of masonry, stone, pressure treated lumber, or composite material) may be used to reduce the widths of landscaping by 5 feet.



Type B Landscaping

The Request:

The applicant (Ivan Sanders) is requesting variances from the front building setback requirements outlined in *Article 3.i.5.b: (GC District) Minimum Yard & Building Setbacks*, the landscape buffering requirements outlined *Article 9.b.1: Landscaping Requirements*, *Article 9.b.2.: Landscaping Determination*, *Article 9, Table 9-1 Landscaping Chart*, and *Article 9.b.4: Landscaping Type Depictions* of the City of Sumter Zoning & Development Standards Ordinance (the “Ordinance”), and any other variances as maybe required to allow for new non-residential development on the property.

III. FOUR PART TEST

In order to grant the requested variance, the request must meet all parts of a State-mandated four-part test. When reviewing a variance request, the Board may not grant a variance that would do the following:

- Allow the establishment of a use not otherwise permitted in a zoning district;
- Extend physically a nonconforming use of land;
- Change zoning district boundaries shown on the Sumter City-County Official Zoning Map.

The fact a property may be utilized more profitably should a variance be granted shall not be considered grounds for approving a variance request. In granting a variance, the Board may attach to it such conditions regarding location, character, or other features of the proposed building, structure, or use as the Board may consider advisable to promote the public health, safety, or general welfare.

Staff Review:

1) There are extraordinary and exceptional conditions pertaining to the particular piece of property.

The property consists of multiple parcels that will be combined into a single site to facilitate the development of a community/cultural center in South Sumter. The property is located along Manning Ave., which is classified as a major arterial roadway and supports a mix of both commercial, institutional, and residential uses. The backside of the block is under separate ownership and is used for residential purposes. The proposed development area with frontage along Manning Ave. has a depth of approximately 150 ft. The space available to develop the property to current standards is limited. In addition to limited space, more restrictive requirements are in place due to adjacent uses being residential.

2) These conditions do not generally apply to other property in the vicinity.

Typically, new commercial developments in this area of Manning Ave. encompass an entire block to address the full range of site development issues. The development itself, a small

scale community/cultural center with a mission to benefit the neighborhood and be part of the community fabric, could be considered a unique condition.

- 3) ***Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.***

The application of the ordinance to the particular property would preclude the applicant from carrying out the development in the manner proposed. The development was laid out in the manner proposed to reduce, as much as possible, impacts to adjacent property while at the same time meeting high quality standards.

- 4) ***The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the granting of the variance will not harm the character of the district.***

Reductions to building setback and landscape buffer width requirements should be weighed carefully, as the requirements are in place to ensure compatibility, ensure minimum open space around structure, facilitate safe access, and avoid negatively impacting surrounding properties.

The building setback variance request is required to reuse an established structure that is subject to a discontinuance. This existing structure is culturally significant as it is the location of the original studio of Artist/Sculptor David “Pablo” Sanders. As such, approval of the requested front setback variance to allow for reuse of this structure is not anticipated to be of substantial detriment to adjacent property or the public good. Further, approval is not anticipated to harm the character of the district.

The landscape buffer width reduction is being requested along the rear property line of the development area that fronts Manning Ave. due to the limited space available for compliant non-residential development. While the requested reduction is below Ordinance required minimums, the applicant intends to provide buffer landscape plantings in this area. Details of these plantings can be reviewed during the minor site plan process to ensure that sufficient buffering is being provided, and that the general intent of the planting standards is being upheld. As such, approval of the requested *landscape* buffer width variance is not anticipated to be of substantial detriment to adjacent property or the public good. Further, approval is not anticipated to harm the character of the district.

IV. STAFF RECOMMENDATION

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

V. DRAFT MOTIONS FOR BOA-25-05

1. I move the Zoning Board of Appeals **approve** BOA-25-05, subject to the following findings of fact and conclusions and so stated:

2. I move the Zoning Board of Appeals **deny** BOA-25-05, subject to the findings of fact and conclusions developed by the BZA and so stated:
3. I move the Zoning Board of Appeals enter an alternative motion for BOA-25-05.

VI. BOARD OF APPEALS – March 12, 2025

Exhibit 1

Manning Avenue Free Studio *Re Defining Possibilities*

Ivan T. Sanders, Director

March 21, 2023

From: Ivan T. Sanders, Executive Director and Beverly A. Montgomery, Chairperson – Board of Directors

Re: The Manning Avenue Free Studio Project (MAFS)

The Vision: The vision of The Manning Avenue Free Studio (MAFS) Art Project is to create an inclusive, safe haven for Artists, at risk Children, Youth and Adults to learn, value and create Art as a means to heal, inspire, challenge and build equity in the South Sumter Community and surrounding areas.

The Mission: The Manning Avenue Free Studio (MAFS) Art Project has a two-fold mission:

- To educate and build a lifelong appreciation for Art, Creativity and Craftsmanship.
- To provide person centered Art Programs, Job Training and Placement and Behavioral Health Support within a Cultural Center housing a legacy of work by renowned Artist/Sculptor, David “Pablo” Sanders.

The Concept: “Art and culture are essential for building a community, supporting development, nurturing health and well-being, and contributing to economic opportunity. Collectively, art and culture enable understanding of the past and envisioning of a shared, more equitable future. In disinvested communities, art and culture act as tools for community development, shaping infrastructure...and other core amenities. In communities of color and low-income communities, art and culture contribute to strengthening cultural identity, healing trauma, and fostering a shared vision for community.” (PolicyLink.org - a national research and action institute advancing economic and social equity). Across the United States, growing movements are focusing on equitable development, and community-centered art and culture are uniting to strengthen the equity impact of their work. The Manning Avenue Free Studio (MAFS) in Sumter, South Carolina is aligned with this concept and designed program goals that will build a bridge between Art and Culture, Workforce Development and Behavioral Health Supports needed and required in a community whose growth has been stunted by poverty, crime, substance misuse, unemployment/under-employment and neglect.

241 Manning Avenue, Sumter South Carolina 29150 * Correspondence: PO Box 423, Dalzell South Carolina 29040

Voice: 803.464.8453 * Email: mafs766@yahoo.com * Website: www.manningfreestudio.org



Re Defining Possibilities

Manning Avenue Free Studio
Re Defining Possibilities

Ivan T. Sanders, Director

Community Benefit: MAFS has a goal to reduce societal, familial and judicial risk factors, while increasing protective factors such as opportunities for personal growth, economic development and skilled employment training and placement. MAFS programming is designed to give its participants the foundational support needed to revitalize a disenfranchised community that, by no fault of their own, have not had full access, or the systematic support required to achieve success. By utilizing Best Practices established by successful Community Art Programs across the country with similar demographics, the Manning Avenue Free Studio Art Project recognizes that Art is a vehicle that can be used to engage Children, Youth and Adults in activities that will increase their self-esteem, deter crime, strengthen families and communities, foster self-awareness, manage behavior and substance misuse, increase opportunities for employment and better wages, and restore economic prosperity where the breakdown of poverty along racial lines is particularly striking. MAFS Program design, goals and benefits to the community include Art Classes and Programs for at risk children, youth and adults, Skilled Job Training/Job Development to prepare participants age 16-24 for opportunities to obtain competitive employment as outlined in the Workforce Innovation and Opportunity Act (WIOA) and Behavioral Health Services to address psycho-social factors that present barriers to success.

Historic Significance: While researching models of community centered Art Programs that bridge Art and Culture, Workforce Development and Behavioral Health Supports with similar demographic and geographic makeup as South Sumter, and tracing GIS data provided by the local tax assessor's office, the Manning Avenue Free Studio Team identified that the intact Gallery edifice was built in or around 1950 and housed the first Black-owned shoe store in Sumter, which holds great significance in our community on a historical level. Further research revealed that 241 Manning Avenue, Sumter, SC is documented in a City of Sumter Historic Resources Survey through a grant from the National Park Service and administered by the South Carolina Department of Archives and History conducted in 2010 by Principal Investigator/Project Manager Mary B. Reed (deceased) and a team of Surveyors, Historians and Co-Authors affiliated with New South Associates of Stone Mountain, Georgia – a firm that provides cultural resource management services, archaeology, history, architectural history, historic preservation planning, public interpretation of heritage sites, and geophysical surveys.

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Manning Avenue Free Studio

Manning Avenue Free Studio
Re Defining Possibilities

Ivan T. Sanders, Director

Per the Survey, “in order to organize the fieldwork for the dense project area, the city was divided into nine survey areas. Through discussions the team from SCDAH, the nine areas were prioritized by need and amount of previously recorded information. Since little information about the development and architectural makeup of the predominantly African American communities existed, these residential areas were given priority.” As a result of these discoveries, the Manning Avenue Free Studio Team reached out to the National Register of Historic Places (NRHP), the official list of the nation's historic places worthy of preservation. The Gallery Building of the Manning Avenue Free Studio which remains intact yet in need of restoration, meets the criteria for the NRHP and we are planning to apply for the credentialing process to preserve this building as a historical landmark in the city/county of Sumter.

Our Needs: From an operational perspective, the Gallery Building is not sufficient in size, space or structure to meet the full vision and mission for MAFS. Our Team has met with officials from the city, county and Economic Development and engaged a Surveyor and Architect to discuss our needs, seek support and guidance on adding an additional structure to the Manning Avenue Free Studio property which will include a 5k square foot picturesque, multi-functional Creative Space that will house the MAFS Art Project, Job Training Program, Behavioral Health Support Services, Artists Safe Haven and the first Cultural Center located in the heart of an Opportunity Zone in South Sumter. The estimated funding needed for this project is \$1.5M. Please find attachments at the end of this memo to review the architectural designs and front elevations.

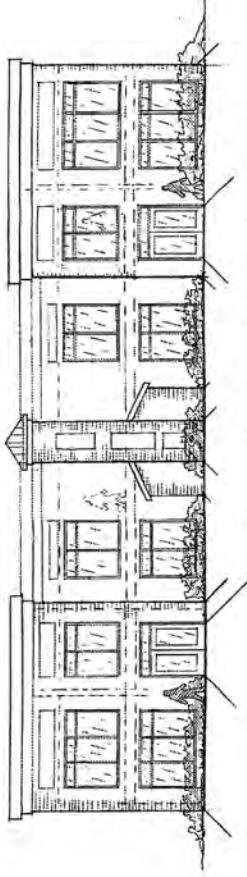
In Closing: As a leader in the South Carolina Senate and a Community Stakeholder, I know you understand the challenges organizations face each day. Our organization, the Manning Avenue Free Studio, a 501c3, non-profit organization is actively trying to create solutions and solve problems that our community is facing in South Sumter and the surrounding areas. But our efforts to restore our community, create jobs and uplift citizenry won't reach maximum effectiveness unless we have the support of concerned community leaders like you!

Thank you for your unwavering support.

241 Manning Avenue, Sumter South Carolina 29150 * Correspondence: PO Box 423, Dalzell South Carolina 29040

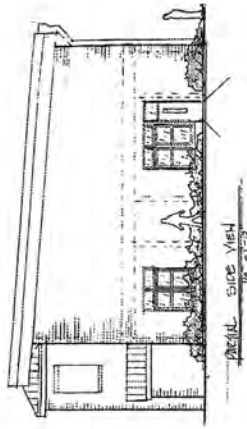
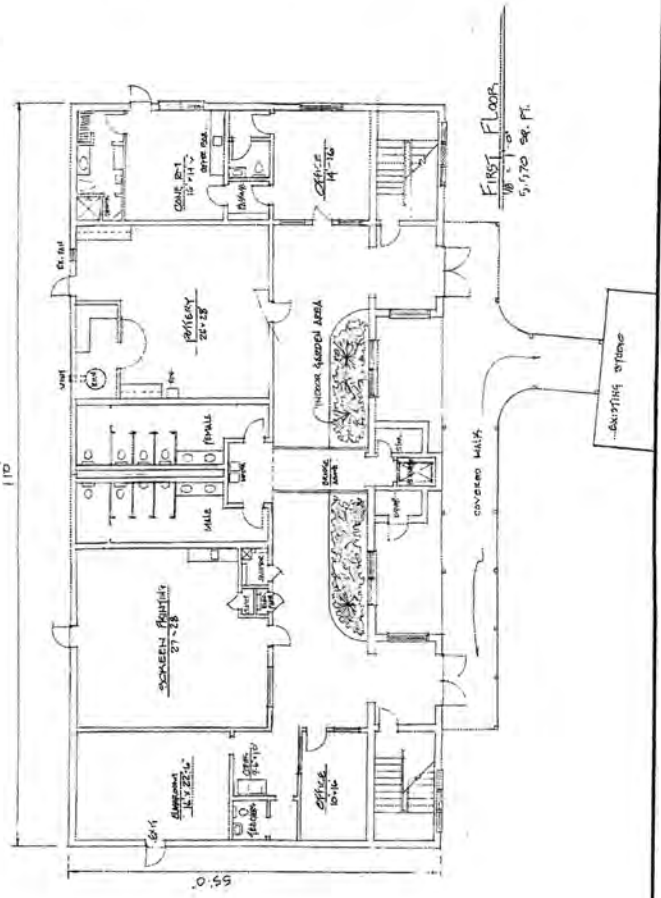
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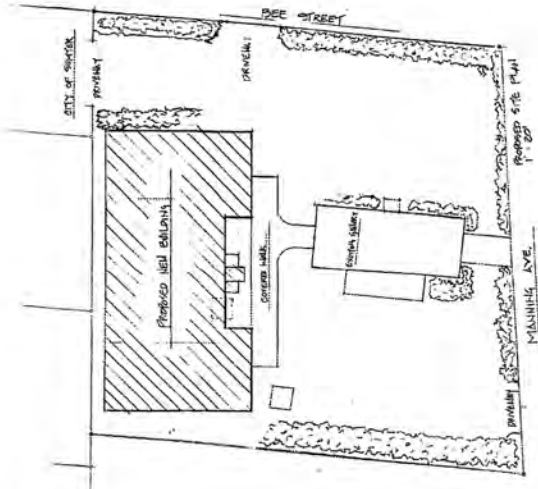


FRONT ELEVATION - MANNING AVE.

FOR REVIEW ONLY



DETAIL SIDE VIEW



FOR REVIEW ONLY

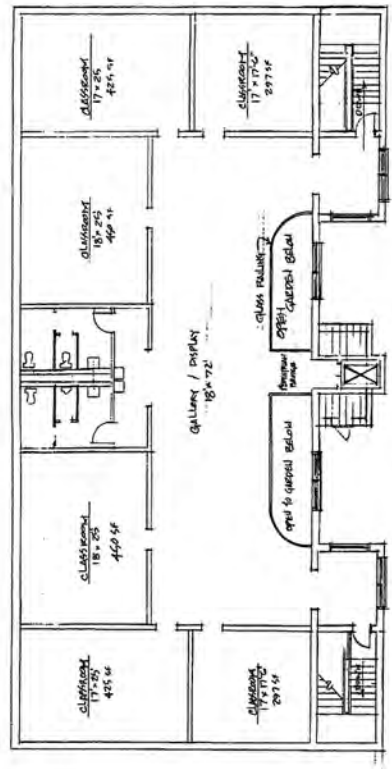
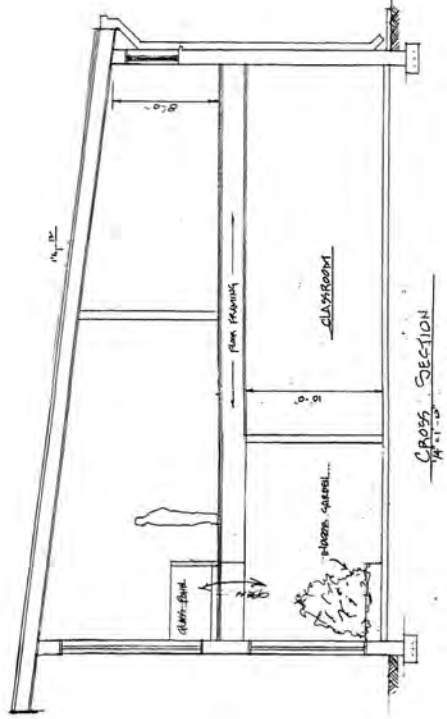
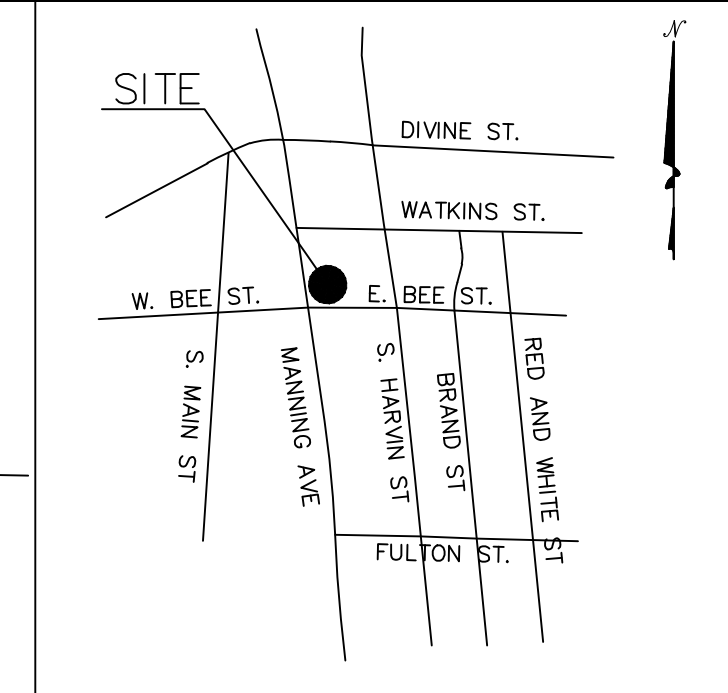


Exhibit 2



Champion Designs, LLC
 2730 Mohican DR.
 Sumter, SC 29150
 Ph: 803-934-6256

SEALS:

PROJECT:
 MANNING AVENUE
 FREE STUDIO
 241 MANNING AVE
 SUMTER, SC

REVISION

DATE

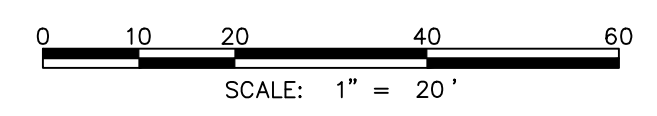
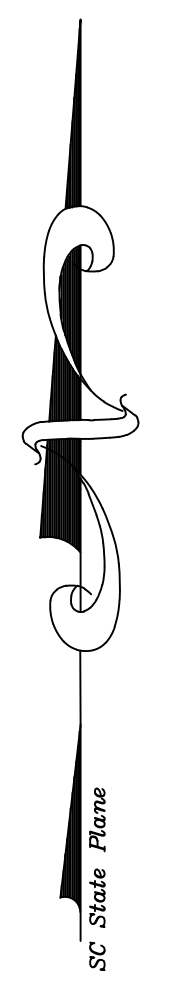
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DATE: 02/17/25
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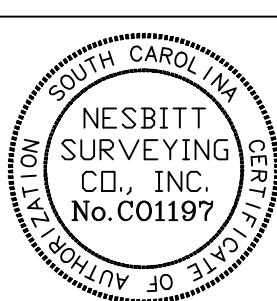
- ⊙ Storm MH
- ⊙ Sanitary Sewer MH
- WV Water Valve
- W — Water Line
- G — Under Ground Gas
- SS — Sanitary Sewer
- SD — Storm Drainage
- ⊕ Power Pole



I HEREBY STATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN. ALSO THERE ARE NO ENCROACHMENTS, PROJECTIONS, OR SETBACKS AFFECTING THE PROPERTY OTHER THAN THOSE SHOWN. THIS PARCEL DOES NOT LIE WITHIN A DESIGNATED FLOOD PRONE AREA. ALSO I HAVE CONSULTED THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD MAP 45085C0312E, EFFECTIVE October 27, 2022 AND FOUND THE SUBJECT PROPERTY NOT TO BE IN A FLOOD ZONE, UNLESS NOTED HEREON THIS MAP DOES NOT ADDRESS ENVIRONMENTAL CONCERNS OR SUBSURFACE INVESTIGATION.

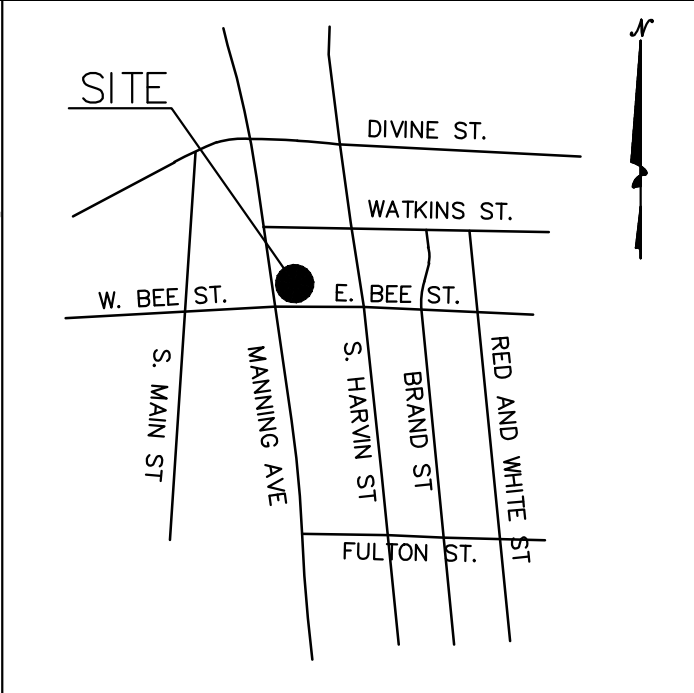
NESBITT SURVEYING CO., INC.
 4340 ALLIGATOR ROAD
 U.S. HIGHWAY 76 & ALLIGATOR ROAD
 TIMMONSVILLE, S.C. 29161
 PHONE (843) 346-3302
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 email davidn@nesbittsurveying.com

DAVID A. NESBITT RLS NO. 7623



DATE: September 24, 2024
 JOB NO: 24980
 FLD BK:
 PAGE:
 REF JOB#:
 TAX MAP #:

Exhibit 3



Champion Designs, LLC
 2730 Mohican DR.
 Sumter, SC 29150
 Ph: 803-934-6256

SEALS:

VICINITY MAP

**MANNING AVENUE
 FREE STUDIO
 241 MANNING AVE
 SUMTER, SC**

PROJECT:

REVISION

DATE

SHEET TITLE:

UTILITY AND STAKING PLAN

DATE: 02/17/25
 DRAWN BY: TC
 FILE NUMBER:

SHEET NO.:

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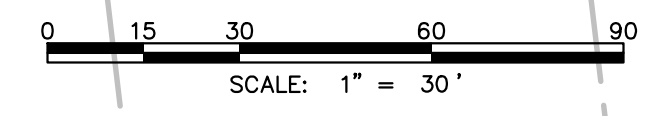
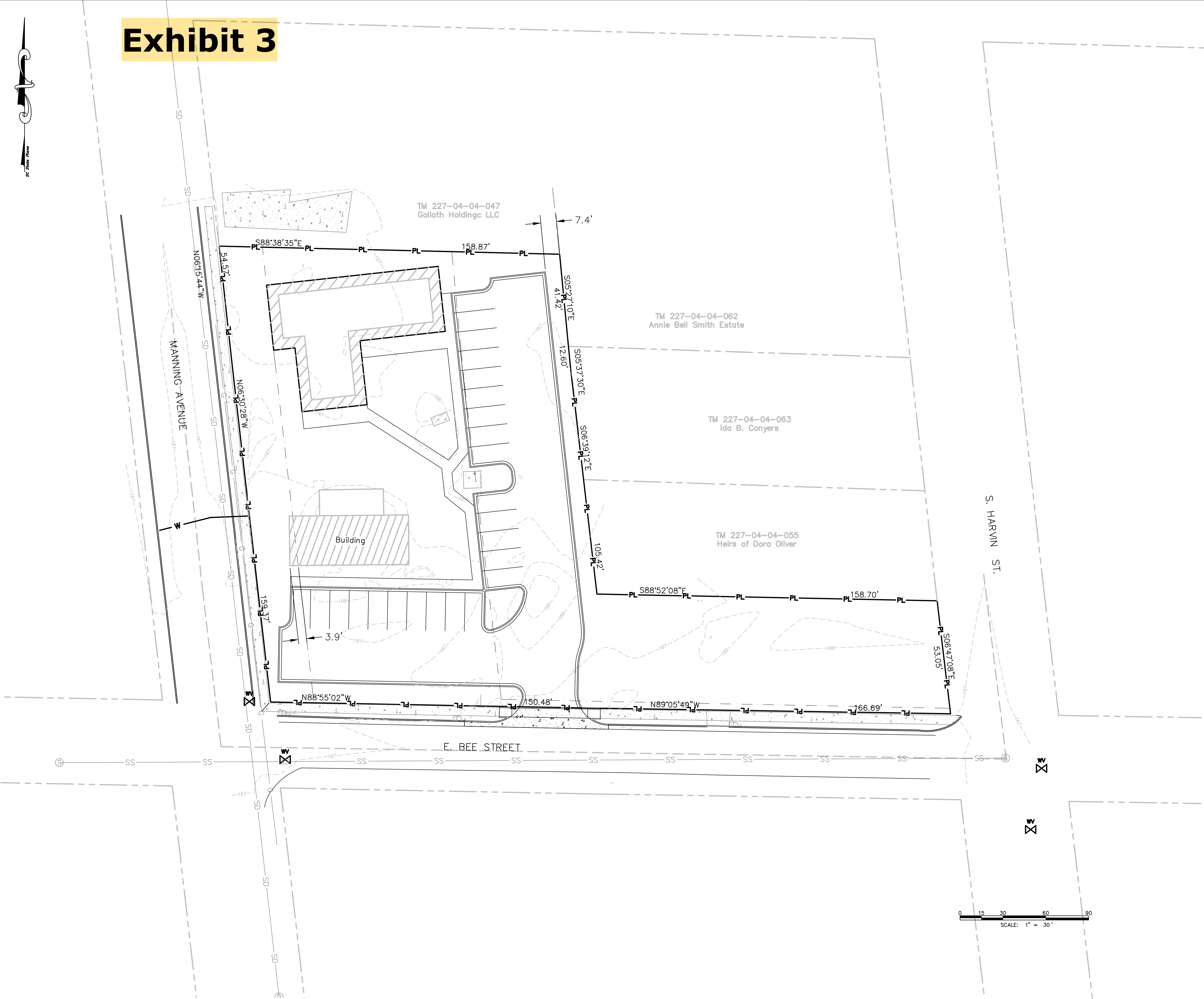
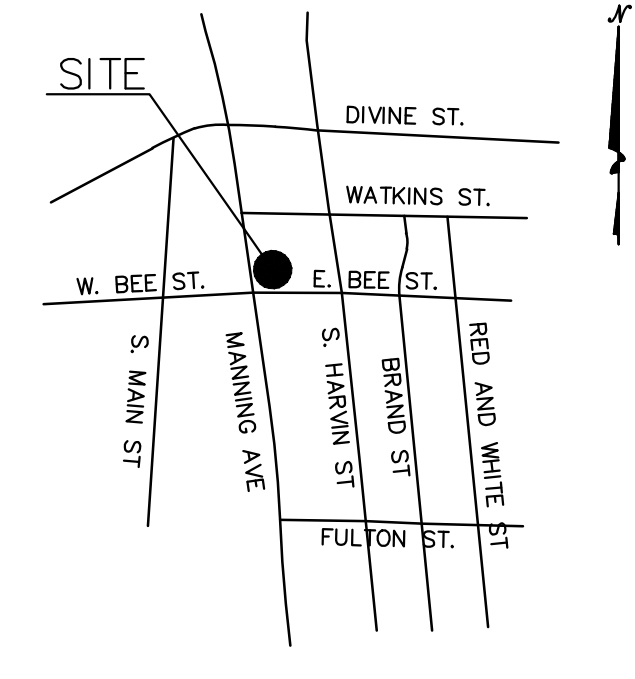


Exhibit 4



VICINITY MAP

**Champion
Designs, LLC**

2730 Mohican DR.
Sumter, SC 29150
Ph: 803-934-6256

SEALS:

**MANNING AVENUE
FREE STUDIO
241 MANNING AVE
SUMTER, SC**

PROJECT:

REVISION

DATE

SHEET TITLE:

**LANDSCAPING
PLAN**

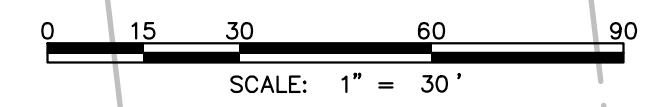
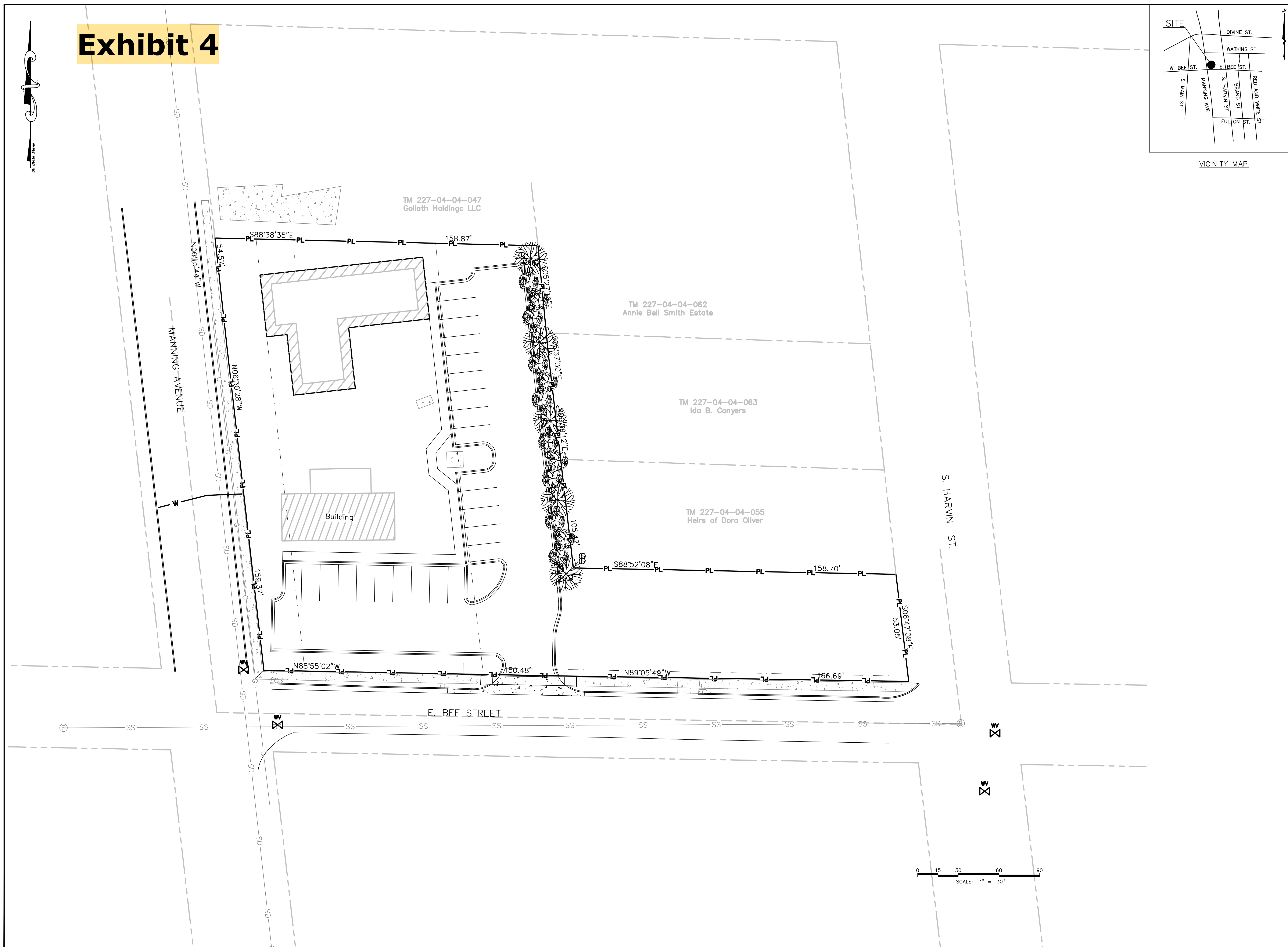
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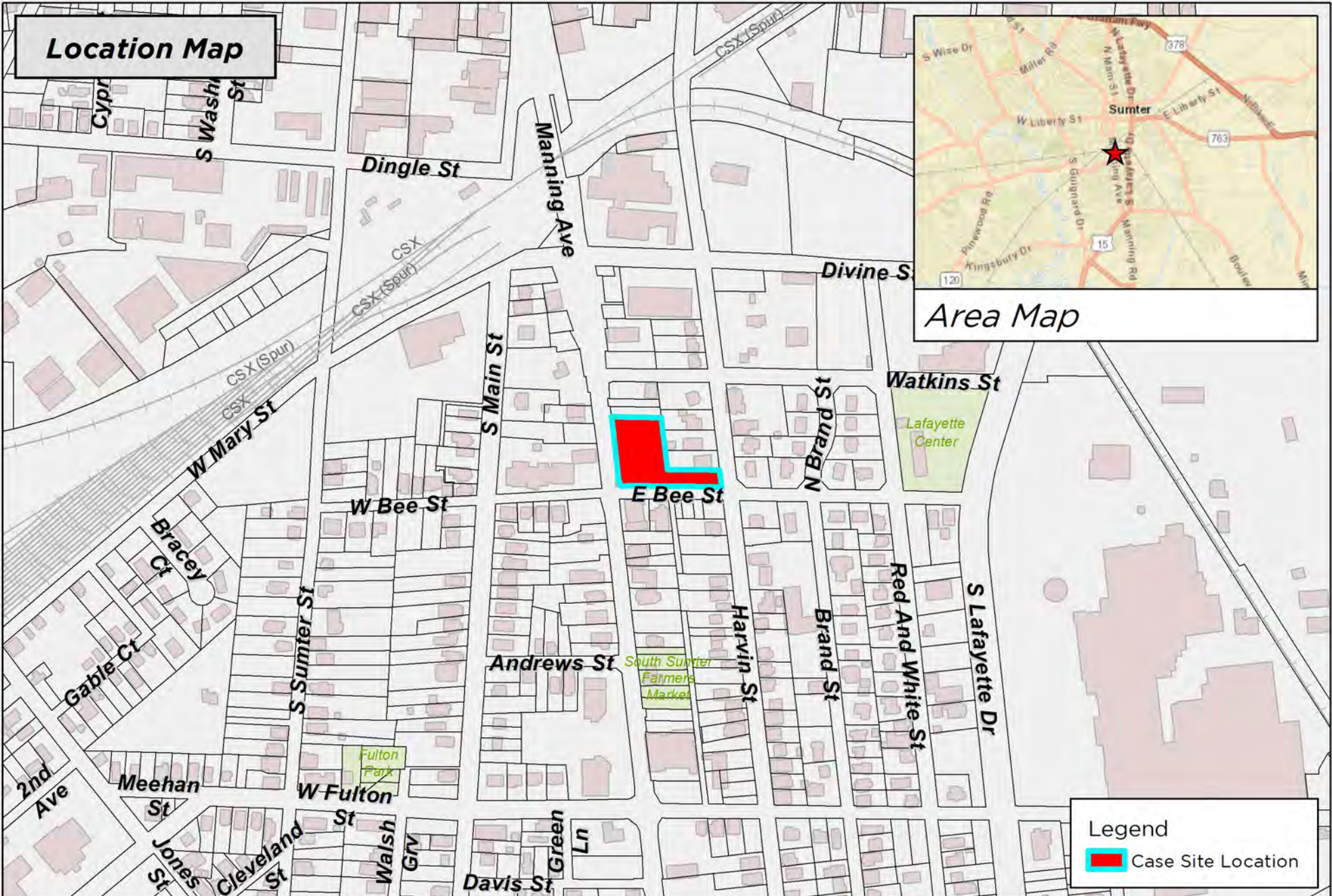
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Location Map

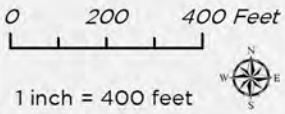


Area Map

Legend

 Case Site Location

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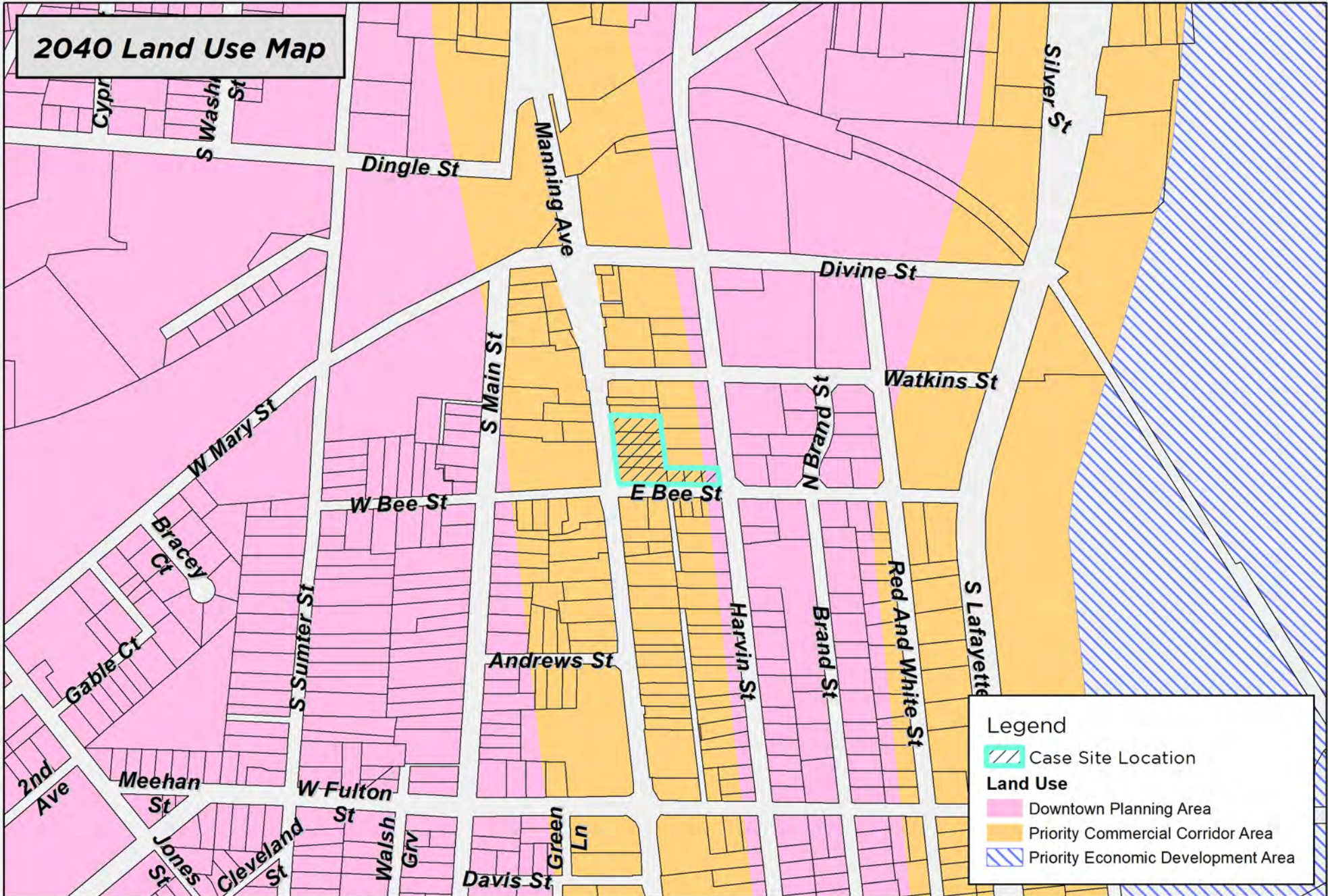


Map Prepared by: Sumter Planning Department
 Copyright 2025
 Date: 2/19/2025
 User Name: crobbins
 Document Name: BOA-25-05



BOA-25-05
 241 Manning Ave, Sumter, SC 29150
 Tax Map # 227-04-04-049, 051, 053,
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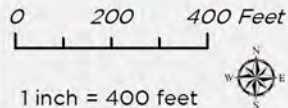
2040 Land Use Map



Legend

-  Case Site Location
- Land Use**
-  Downtown Planning Area
-  Priority Commercial Corridor Area
-  Priority Economic Development Area

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
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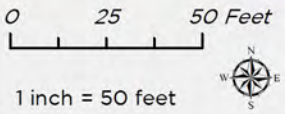
BOA-25-05
 241 Manning Ave, Sumter, SC 29150
 Tax Map # 227-04-04-049, 051, 053,
 054,056, 057, 059

2024 Aerial Photography Map



Legend
 Case Site Location

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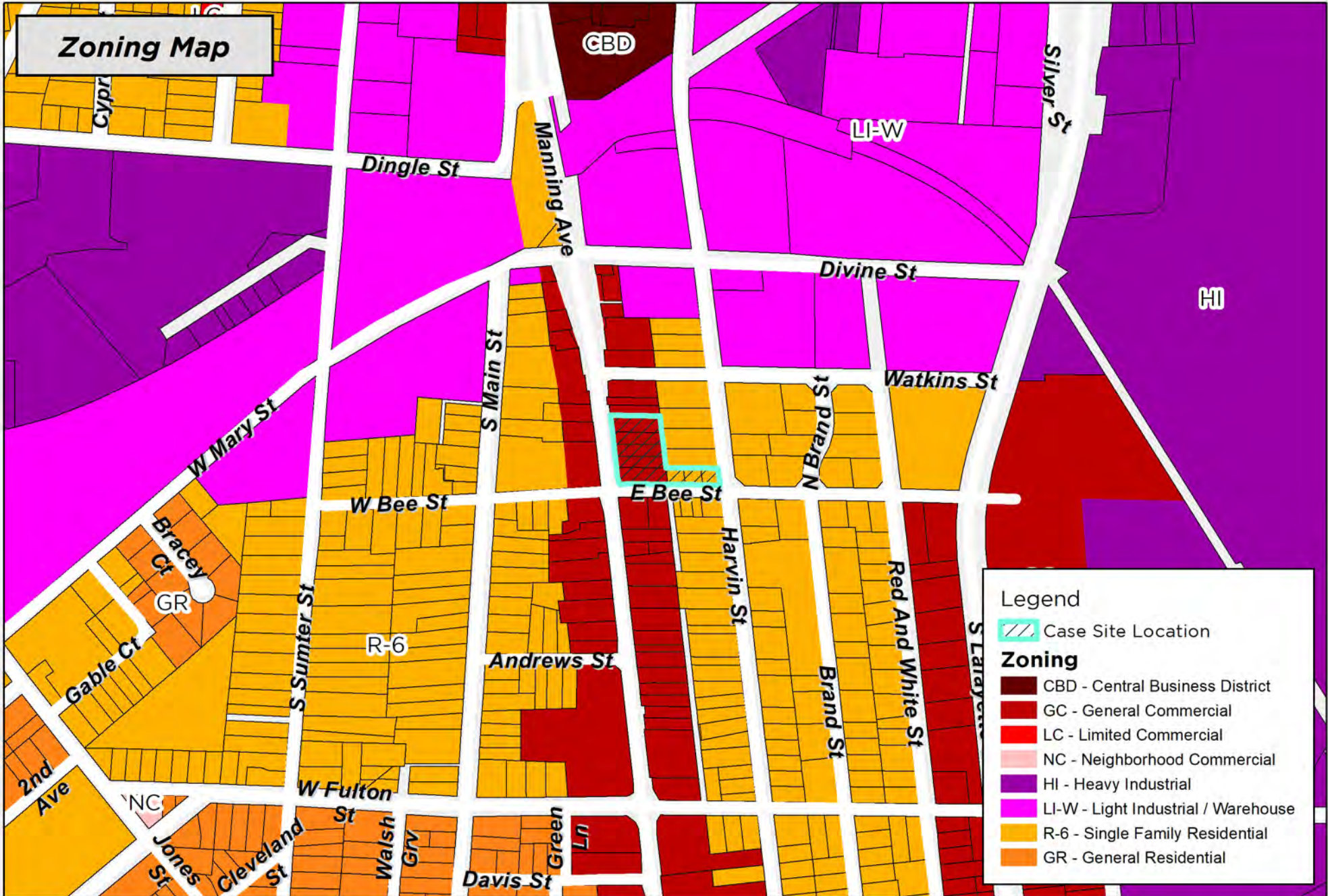


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Zoning Map



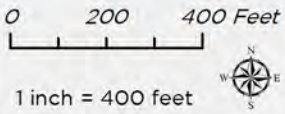
Legend

Case Site Location

Zoning

- CBD - Central Business District
- GC - General Commercial
- LC - Limited Commercial
- NC - Neighborhood Commercial
- HI - Heavy Industrial
- LI-W - Light Industrial / Warehouse
- R-6 - Single Family Residential
- GR - General Residential

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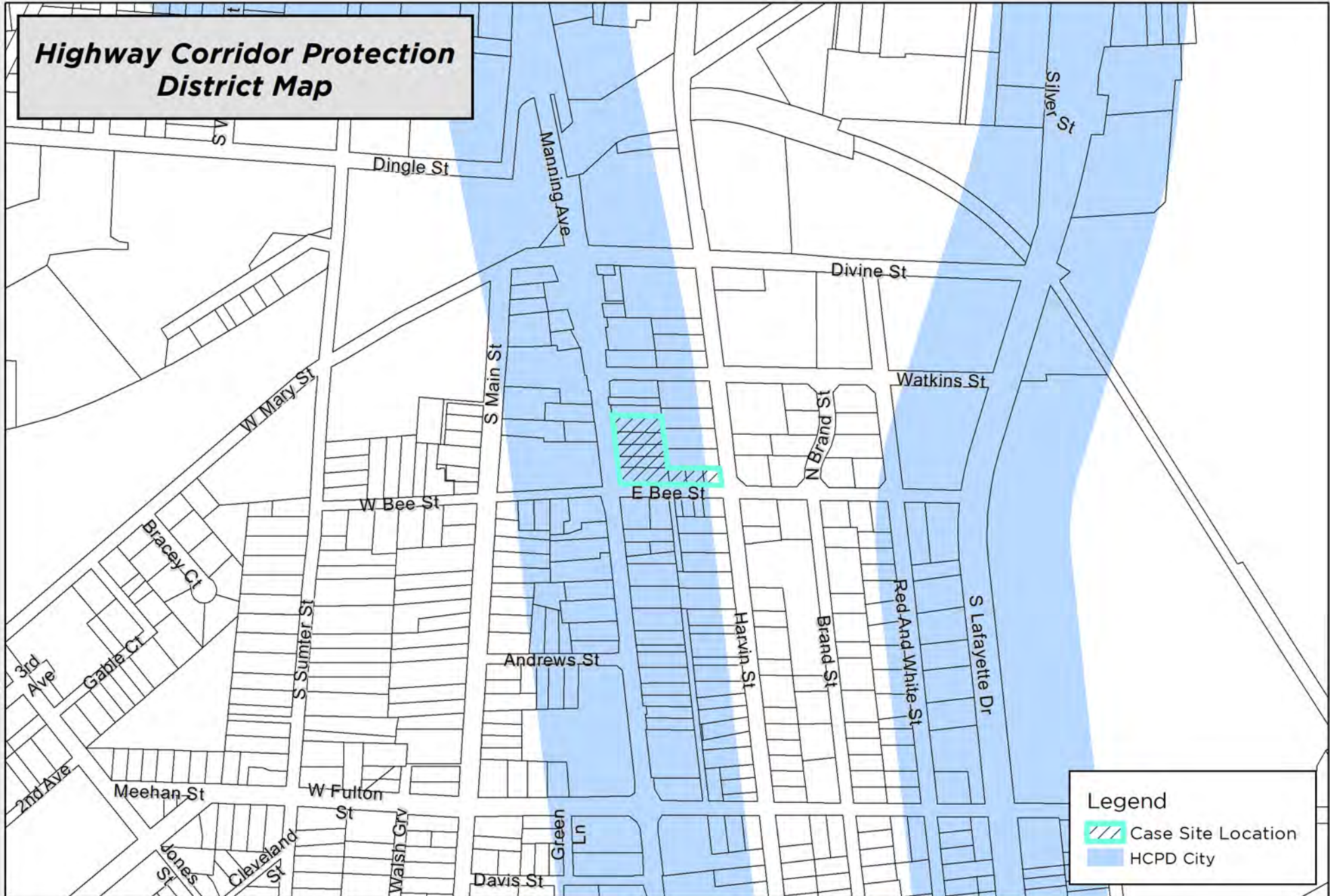


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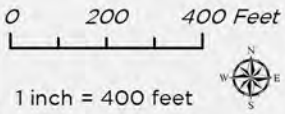
Highway Corridor Protection District Map



Legend

- Case Site Location
- HCPD City

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