

**CITY OF MANNING
BOARD OF APPEALS**

MINUTES

**Tuesday, January 29, 2008
6:30 p.m.**

**Breedin Assembly Room
Pansy Ridgeway Admin. Bldg.**

Members Present:

Levy Young
Ted Gardner

Members Absent- Excused (E):

Thomas James- E
Larry Williamson- E

Staff Members Present:

Rebecca V. Rhodes- Administrator
Daun Davis- Administrative Services Coordinator

I. Welcome/Introductory Remarks: Mr. Young, Vice-Chairman.

II. Invocation: Mr. Gardner.

III. Approval of Minutes

Minutes of the Regular Meeting of August 27, 2007. A **motion** was made by Mr. Gardner and was seconded by Mr. Young to accept the minutes as presented. There was no discussion. All favored the motion.

IV. Election of Officers

The Election of Officers was tabled until the next meeting.

V. Request No. E-2008-01 to be allowed a special exception to operate an adult day care at 461 West Boyce Street, Tax Map No. 169-10-01004-00, General Commercial (GC).

Proponent:

Mr. Ryan Way, 307 S. Meadow Drive, Manning, SC

Mr. Way stated that he had spoken to representatives at Clarendon Memorial Hospital and several doctors and they had indicated that there is still a need for adult day care facilities. In addition, Mr. Way indicated that he would like to begin caring for approximately thirteen people.

Mr. Gardner asked where the business would be located.

Mr. Way stated that the business would be located in the former Wal-Mart shopping center in the space where the American General business had operated and that the space was approximately 5,700 square feet.

Mr. Gardner asked the number of adults his business would be able to take care of.

Mr. Way stated that the maximum number of adults would be thirteen people.

A **motion** was made by Mr. Gardner and was seconded by Mr. Young to approve the request for a special exception. There was no discussion. All favored the motion.

Mr. Levy asked Mr. Way to follow the guidelines and to see Mrs. Rhodes for additional information.

Opponent:

None.

- VI. Request No. E-2008-02 to be allowed a special exception to operate a community outreach ministry on Dickson Street, Tax Map No. 187-01-03-024-00, Residential-6 (RS-6).**

Proponent:

Rev. Henry McCray, 700 Branchview Drive, Manning, SC

Rev. McCray stated that the organization, Manning Outreach Ministries, would like to have a community outreach center at 113 Dickson Street.

Rev. McCray stated that the purpose of the center is to work with the youth and various groups within the community to overcome various issues such as drug addiction and begin an over comer's outreach.

Mr. Young asked what would be done within the community.

Rev. McCray stated that there are a lot of issues within the community that the churches are not addressing and that Manning Outreach Ministries will work with the individuals to help them improve themselves.

Mr. Young asked if the outreach center would address problems with the youth or the adults.

Rev. McCray stated that the center would be working with the youth and parents who are incarcerated to help them work together as a support unit for each other, working with individuals who are evicted illegally, and working with those who are losing their homes and informing them of their rights on various issues.

Mr. Gardner asked if there was a committee working at the center.

Rev. McCray stated that they would have counselors for the youth and the adults in the over comer's outreach program, Ministers volunteering to work within the groups and people trained in different areas. In addition, Rev. McCray stated that his organization has partnered with Santee-Lynches Workforce Development in helping individuals to find employment within the community.

Mr. Gardner stated that there was a business identification sign on the property and asked Rev. McCray if he is currently doing outreach at that location.

Rev. McCray stated that he was not aware of the city's procedures and ceased operating once he was notified of what needed to be done.

Rev. McCray stated that the building would be renovated for office space and a classroom that has space for 20 people. In addition, Rev. McCray stated that the owner of the adjacent lot had given them permission to use it for outdoor activities.

Rev. McCray stated that his organization has their 501-3-C designation which is used to apply for grants to finance their programs.

A **motion** was made by Mr. Gardner and was seconded by Mr. Levy to approve the special exception. There was no discussion. All favored the motion.

Mr. Young asked Rev. McCray to follow the guidelines and to see Mrs. Rhodes for additional information.

Opponent:

None.

VII. Request No. E-2008-03 to be allowed a special exception to operate a church at 15 N. Brooks Street, Tax Map No. 169-15-06-020-00, Core Commercial (CC).

Proponent:

Rev. George Harper, 71 Woodpine Ct., Columbia, SC

Rev. Harper stated that he would like to operate a church that has a membership of approximately 35 people. Rev. Harper stated that worship services would be held within the hours of 10 a.m. to approximately 1:30 p.m. and would generate very little noise. In addition, Rev. Harper stated that there would be no interference with any other businesses.

Mr. Ardis White, 3490 Mallet Road, Manning, SC

Mr. White stated that there may be opposition to this request due to an existing church located in the area and possible parking problems. Mr. White stated that there is a business currently operating within the same building of the proposed church and that parking would be needed for those customers.

In addition, Mr. White re-iterated that the church would only be operating on Sundays.

Mr. Gardner asked who owned the building.

Mr. White stated that Mr. Harry Metropol is the owner.

Mrs. Rhodes stated that there have been concerns that have been raised concerning the lack of available parking due to the increase in the number of events held at the existing church in the downtown area.

Mrs. Rhodes asked Rev. Harper if they were given an approval to their request would they be willing to operate only on Sundays.

Rev. Harper stated that he would accept the approval for the church. However, they have another business currently operating in the same building and operating everyday.

Opponents:

Frank Windham, owner of Easy Rent To Own, 35 N. Brooks Street, Manning

Mr. Windham stated that although his business is not open on Sunday, parking is a problem on Sundays and cars are parked all the way down to his store.

Mrs. Jane Redmon, 312 Sunset Drive, co-owner of The French Hens, 5 W. Boyce Street, Manning

Mrs. Redmon stated that there is a distinct problem with parking downtown. Mrs. Redmon asked what is Council's vision for revitalizing the downtown area and would operating a church at that location allow them to be tax exempt? In addition, Mrs. Redmon asked the Board to seriously consider bringing other businesses downtown instead of churches.

Mrs. Joanne Corbett, 5205 Silver Road, co-owner of The French Hens, 5 W. Boyce Street, Manning

Mrs. Corbett stated that she leases a building on W. Boyce Street and that there are problems with parking on the front and back of the building.

Mrs. Corbett stated that her business prepares food on Sunday afternoons and that she is unable to find available parking on W. Boyce Street nor in the back of the building.

Cleve Dowell, 9 Oak Street, Manning

Mr. Dowell stated that he is in a partnership that owns buildings at 3 W. Boyce Street, next the proposed property, 6, 8, and 10 N. Brooks Street, which are located across from the proposed property, and that his partner owns several buildings on S. Mill Street.

Mr. Dowell stated through this partnership, they have made a significant investment in the downtown area. In addition, Mr. Dowell stated that he is not against churches.

Mr. Dowell stated that he is a member of Main Street SC whose goal is to bring businesses into the downtown area. Next, Mr. Dowell stated that he has a strong interest in seeing the community grow and prosper and feels that placing a church in a prime business district is not the best use of the property.

Mr. Dowell stated that the city should consider creating an environment for retail industry or professional services within the downtown area and asked the Board to table the request until further research can be done to determine what the impact would be on the downtown businesses if this request is allowed.

Proponent:

Rev. Harper stated that he understood the concerns. Rev. Harper stated that the church would only be operating on Sundays and that they would be willing to sign a document stipulating that. In addition, Rev. Harper stated that once his membership begins to grow, then they would look for another location.

Mr. Young asked where the church currently meets.

Rev. Harper stated that the church is not meeting at the moment, but that there is an existing business currently operating in the building.

In addition, Rev. Harper stated that the church would only operate on Sundays from 10:30 a.m. to 1:30 p.m. and that any other events would be held somewhere else.

Mrs. Rhodes stated that in the back of the building there is a fence on the property. Mrs. Rhodes asked Rev. Harper if he would agree to park in the fenced in area on Mr. Metropol's property.

Rev. Harper stated that he would agree.

Mrs. Rhodes stated that the parking is a community problem with an existing church with that has an existing approved use in a Core Commercial district. In addition, Mrs. Rhodes stated that the ordinance may need to be changed.

Next, Mrs. Rhodes stated that she will be contacting the owners of the property concerning the rear parking lot on both sides of the street to request an easement so that the city can pave the area and make it available for public parking. In addition, Mrs. Rhodes stated that if all the owners do not agree to the easement, the city will not be able to pave the area.

Mr. Young asked Mrs. Davis to read a letter that was submitted by Security Federal Trust, Inc., Trustee of the Ashby Floyd Trust, owner of property located at Tax Map no. 169-15-06-018, contiguous to the subjected property.

Mrs. Davis read the letter.

A **motion** was made by Mr. Gardner and was seconded by Mr. Young to deny the request to operate a church in a core commercial district. There was no discussion. All favored the motion.

Mrs. Rhodes asked the Board if they would like the Planning Commission to review and discuss the operation of churches in a Core Commercial District.

The Board stated that they would like for the Administrator to place it on the Planning Commission's Agenda.

VIII. Request No. V-2008-01 to be allowed variances of 15' to each side set back requirement of 20' for an amphitheater on Keitt Street, Tax Map No. 169-14-04-008-00, General Commercial (GC).

Proponent:

Steve Harrington, Grants Administrator, Clarendon County

Mr. Harrington stated that he is speaking on behalf of the Clarendon County Administration Department. Mr. Harrington stated that the County is seeking a variance to allow a proposed Band Stand on the property. In addition, Mr. Harrington stated that the Band Stand would enhance the downtown area and bring people to the downtown area during the evening hours to enjoy entertainment.

Mr. Harrington stated that the County works closely with the Chamber of Commerce and is seeking a variance to the side setbacks to place a 20' by 40' gazebo on a raised platform on the property. Mr. Harrington distributed to the Board pictures of a similar type of gazebo. Mr. Harrington stated that the amphitheater would be used in the evening hours and on weekends during the Striped Bass Festival.

Mrs. Rhodes asked Mr. Harrington if they would meet the rear setbacks.

Mr. Harrington stated that he would have to check the property and noted that the gazebo would face Keitt Street.

Mr. Gardner stated that it would be an asset to the area and a good use of the lot.

Cleve Dowell

Mr. Dowell stated that as Chairman of the Striped Bass Festival, his committee has been working on this project for over two years. Mr. Dowell stated that this is desperately needed to be able to provide entertainment during the festival. Mr. Dowell stated that there is approximately 20,000 to

30,000 people attending the festival in the downtown area. Mr. Dowell stated that the request had been approved before, that the funding had not been achieved and that now that the funding is available, he is requesting that the Board approve the variance request.

Mrs. Rhodes stated that the request was approved in 2006 and their permit expired in 2007, requiring the applicant to submit another request.

A **motion** was made by Mr. Gardner and was seconded by Mr. Young to grant the variance. There was no discussion. All favored the motion.

Mr. Young asked Mr. Harrington to follow the guidelines and to see Mrs. Rhodes for additional information. In addition, Mr. Young stated that if the rear setbacks were not met, then he would have to submit another request to come before the Board of Appeals.

Opponents:

None.

IX. Discussion of Proposed Calendar

Mr. Levy asked if there was any discussion concerning the proposed Calendar.

Mrs. Rhodes stated that the Board would have to approve the official calendar for 2008.

A **motion** was made by Mr. Young and was seconded by Mr. Gardner to approve the 2008 Calendar. There was no discussion. All favored the motion.

X. Board Comments: None.

XI. Adjournment:

A **motion** was made by Mr. Gardner and was seconded by Mr. Young to adjourn. There was no discussion. All favored the motion.

Time: 7:22 p.m.

Respectfully submitted,

Daun Davis
Administrative Services Coordinator/Clerk