

Sumter City-County Zoning Board of Appeals

March 11, 2026

BOA-26-04, 440 Theatre Dr. (City)

The applicant (City of Sumter) is requesting variance(s) from the requirements of the *City of Sumter Zoning & Development Standards Ordinance*, as follows: (1) nonresidential building setback requirements found in *Article 3, Exhibit 3-1(A): Development Standards for Uses in R-15 District*, and (2) any other variances as required in order to construct baseball field renovations, including the construction of associated structures within 50 ft. of the property lined. The property is located at 440 Theater Dr., is zoned Residential-15 (R-15), and is represented by TMS# 204-00-03-001.



Appeals - Variance - Special Exception

Sumter City-County Zoning Board of Appeals

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BOA-26-04, 440 Theatre Dr. (City)

I. THE REQUEST

Applicant: City of Sumter (Tripper Lee)

Status of the Applicant: Property Owner

Request: Variances from nonresidential building setback requirements in order to complete renovations to the Bobby Richardson Sportsplex at Patriot Park.

City Council Ward: Ward 6

Location: 440 Theatre Dr.

Present Use/Zoning: Residential / Residential-15 (R-15)

Tax Map Reference: 204-00-03-001

II. BACKGROUND

The applicant is requesting variances to the non-residential building side setback requirements outlined in *Article 3, Exhibit 3-1(A)* of the *City of Sumter Zoning & Development Standards Ordinance* (the “Zoning Ordinance”) in order to complete a renovation project to the existing Bobby Richardson Sportsplex at Palmetto Park which would place portions of the athletic fields and associated dugout structures closer to existing property lines than the Ordinance currently permits.

The property is located at the southwest corner of the intersection of Wise Dr. and Palmetto Parkway/Theatre Dr. and consists of a 13.69-acre parcel.



The applicant is requesting setback variances to redevelop the existing Bobby Richardson Park complex with new softball/baseball fields, batting cages, practice field, restroom and concessions building, additional parking, and walkways connecting the site with adjoining public facilities.

The site is currently developed with six baseball/softball fields varying in size between 180 ft. and 200 ft. (measured from home plate to centerfield). The renovated site would feature five larger fields of 220 ft. (measured from home plate to centerfield) to increase playability to a wider range of ages. Additionally, the fields are oriented for optimal solar orientation to provide the best player experience and to cement the park as a tournament-level facility.

The proposed complex would feature dugout structures associated with each field that would need to be located as close as 5 ft. to the rear property line (between Sumter Tennis Center and Bobby Richardson Park), and as close as 16 ft. to the side property line (between Eggs Up Grill, Bright Beginnings Daycare, and Lake Alice Drive).

The applicant is requesting variance permission to place the fields and dugouts as close as 5 ft. from adjacent property lines, rather than the Ordinance-mandated 50 ft. for non-residential development. Because the site layout is subject to updated floodplain boundary changes currently being processed by FEMA, some small adjustments to the field placement may be needed.



Figure 1 - Municipally Controlled Property at Palmetto Park/Sumter Tennis Center/Bobby Richardson Park

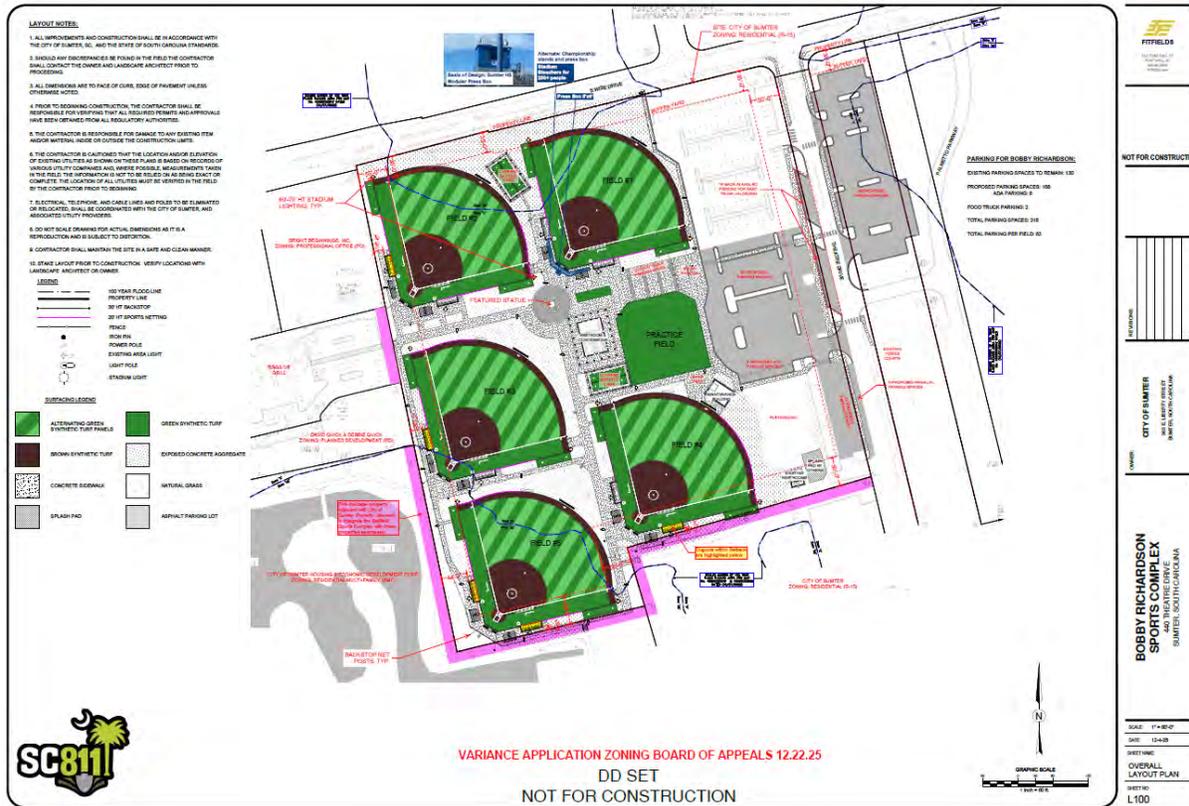


Figure 2 – Site plan layout with Proposed Building Placement and Setbacks Noted



BOBBY RICHARDSON SPORTS COMPLEX RENOVATIONS
 City of Sumter, SC



Figure 3 – Conceptual Isometric Elevation Rendering of Project

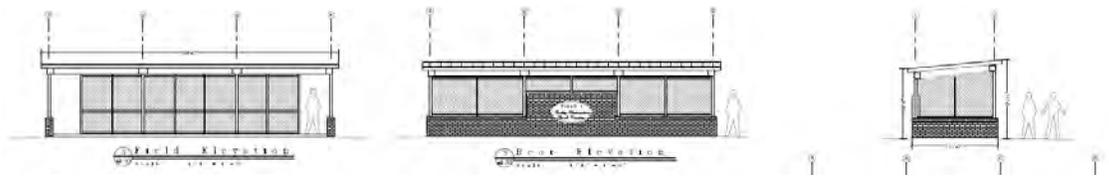


Figure 4 – Front, Side, and Rear Elevations of Proposed Dugout Structures

Ordinance Requirements:

Article 3, Exhibit 3-1(A): Development Standards for Uses in R-15 District

**EXHIBIT 3-1(A)
DEVELOPMENT STANDARDS FOR USES IN R-15 DISTRICT**

	Non-Residential Uses	Single Family Detached Dwellings
Minimum Lot Area Per Individual Unit ¹	N/A	15,000 sq. ft. (per structure)
Minimum Lot Width	100 ft.	100 ft.
Minimum Lot Depth ²	120 ft.	120 ft.
Minimum Yards, Per Structure:		
Front ³	35 ft. (local/collector) 45 ft. (arterial)	35 ft. (local/collector) 45 ft. (arterial)
Side	50 ft.	12 ft.
Rear	50 ft.	25 ft.
Maximum Impervious Surface Percentage	40%	40%
Maximum Density (units per gross acre)	N/A	2.9
Maximum Height of Buildings	45 ft.	35 ft.

¹ Refer to Article 6.d.1. if non-conforming lot of record.

² Measured in linear feet from front lot line to rear lot line. Where lot lines are not parallel, measure by drawing lines from front to rear lines, at rear angles to front lot line, every 10 ft. and average the length of these lines.

³ Refer to Article 4.f.a. for alternate method of determining the front setback.

The Request:

The applicant (City of Sumter) is requesting variance(s) from the requirements of the City of Sumter Zoning & Development Standards Ordinance, as follows: (1) nonresidential building setback requirements found in *Article 3, Exhibit 3-1(A): Development Standards for Uses in R-15 District*, and (2) any other variances as required in order to construct baseball field renovations, including the construction of associated structures within 50 ft. of the property line.

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.*

Case Facts:

1. The property is +/- 13.58 acres in size and is located at the intersection of Palmetto Parkway/Theatre Dr. and Wise Dr. in the City of Sumter.
2. The property is considered a conforming lot of record based on its dimensions.
3. The property is part of a multi-parcel sports and recreation complex that includes the Sumter Tennis Center, Lake Alice Drive, and the Eggs Up Grill, all of which are owned by the City of Sumter, its affiliated not-for-profit corporations, or in partnership with Sumter County.

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

Case Facts:

1. The location of the property boundaries and separate public ownership (City of Sumter, Sumter City and County, Sumter Housing and Economic Development Corp.) of property that functions as a single public park space is a unique condition not found in the vicinity.

- 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.*

Case Facts:

1. Application of the ordinance restricts the applicant's ability to construct the desired park renovations and enhancements without approval of variances or adjustments to the site plans which would sacrifice operational efficiency and value to the public.

2. The applicant has indicated that complying with the stated Ordinance setback requirement would reduce the number of ballfields from five to one.

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.*

Case Facts:

1. The property boundaries impacted by the proposed request are primarily publicly owned spaces which function together as a single park complex.
2. Those adjacent developments that are not publicly owned are commercial sites which would not be detrimentally impacted by the proximity of recreational spaces.

IV. STAFF RECOMMENDATION

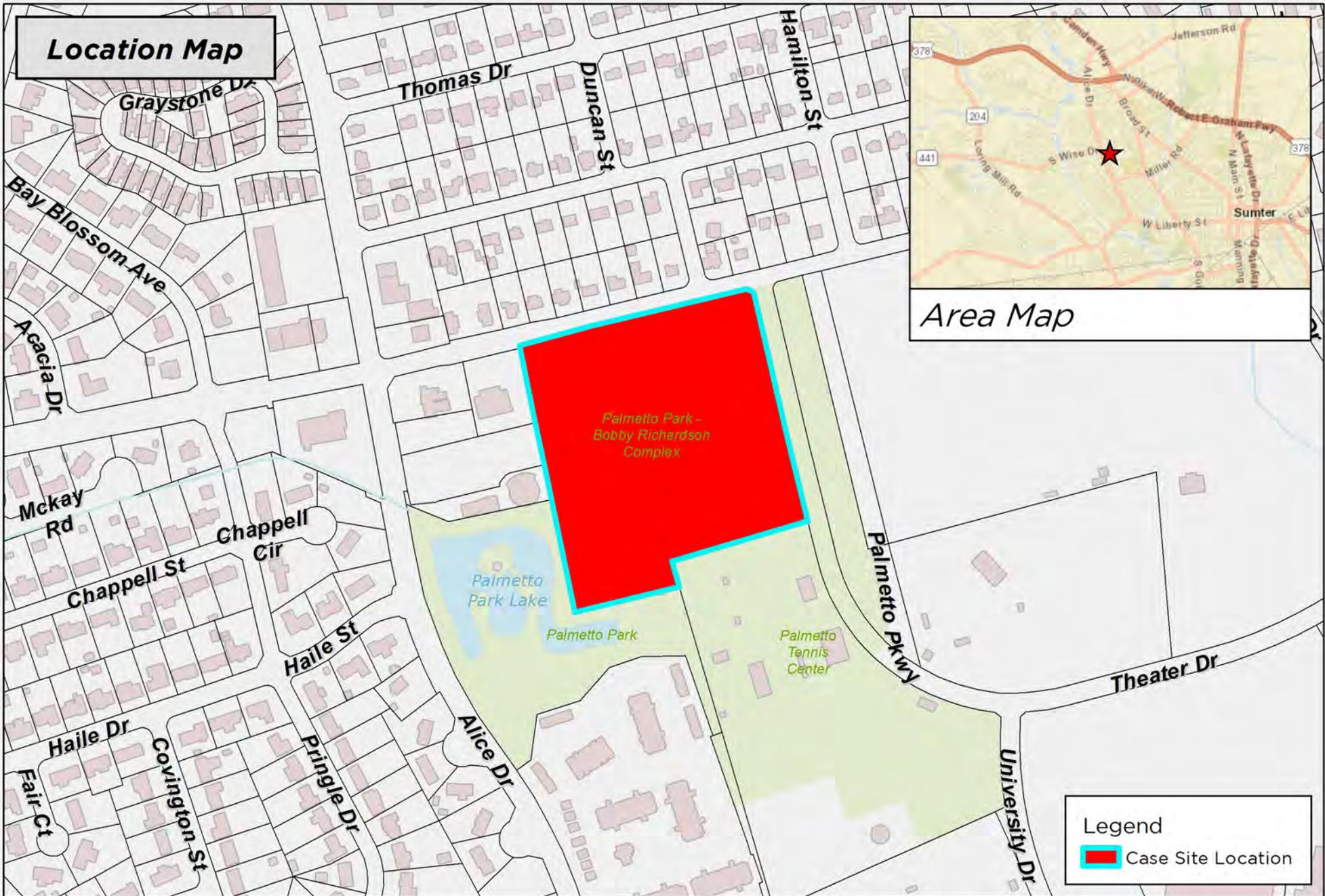
Staff recommends no additional approval conditions *if* the Board finds that all necessary criteria have been met to approve this request.

V. DRAFT MOTIONS FOR BOA-26-04

- A. I move the Zoning Board of Appeals **approve** BOA-26-04, subject to the findings of fact and conclusions developed by the BZA and so stated:
[reference specific findings as developed based on facts presented in the staff report, exhibits, and/or during the public hearing.]
- B. I move the Zoning Board of Appeals **deny** BOA-26-04, subject to the following findings of fact and conclusions developed by the BZA and so stated:
[reference specific findings as developed based on facts presented in the staff report, exhibits, and/or during the public hearing.]
- C. I move the Zoning Board of Appeals enter an alternative motion for BOA-26-04.

VI. BOARD OF APPEALS – March 11, 2026

Location Map

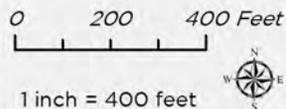


Area Map

Legend

 Case Site Location

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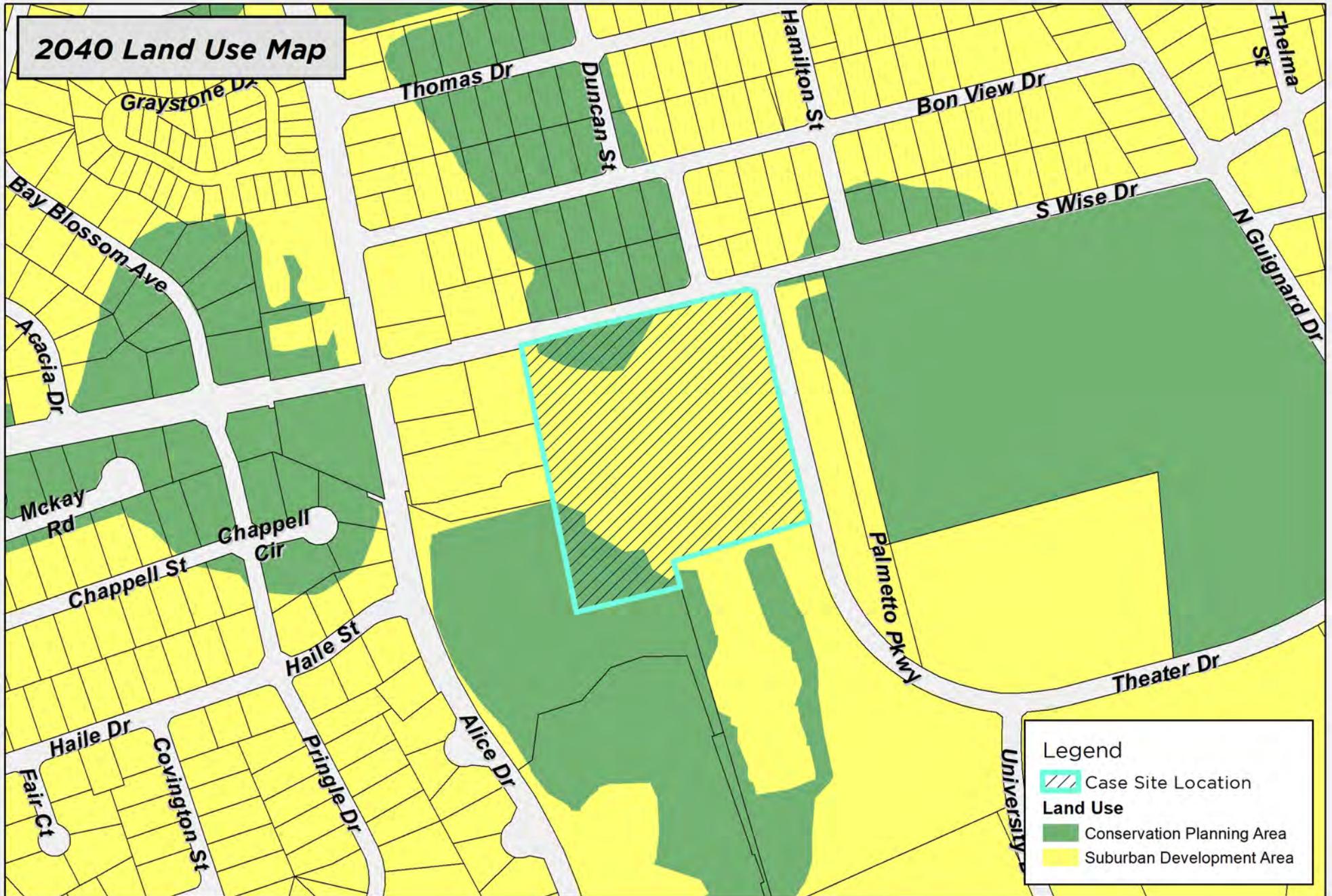


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BOA-26-04
 440 Theater Dr, Sumter, SC, 29150
 Tax Map # 204-00-03-001

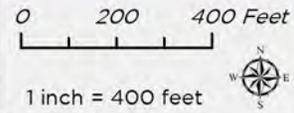
2040 Land Use Map



Legend

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

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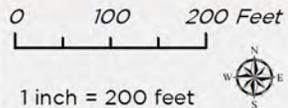
BOA-26-04
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2026 Aerial Photography Map



Legend
 Case Site Location

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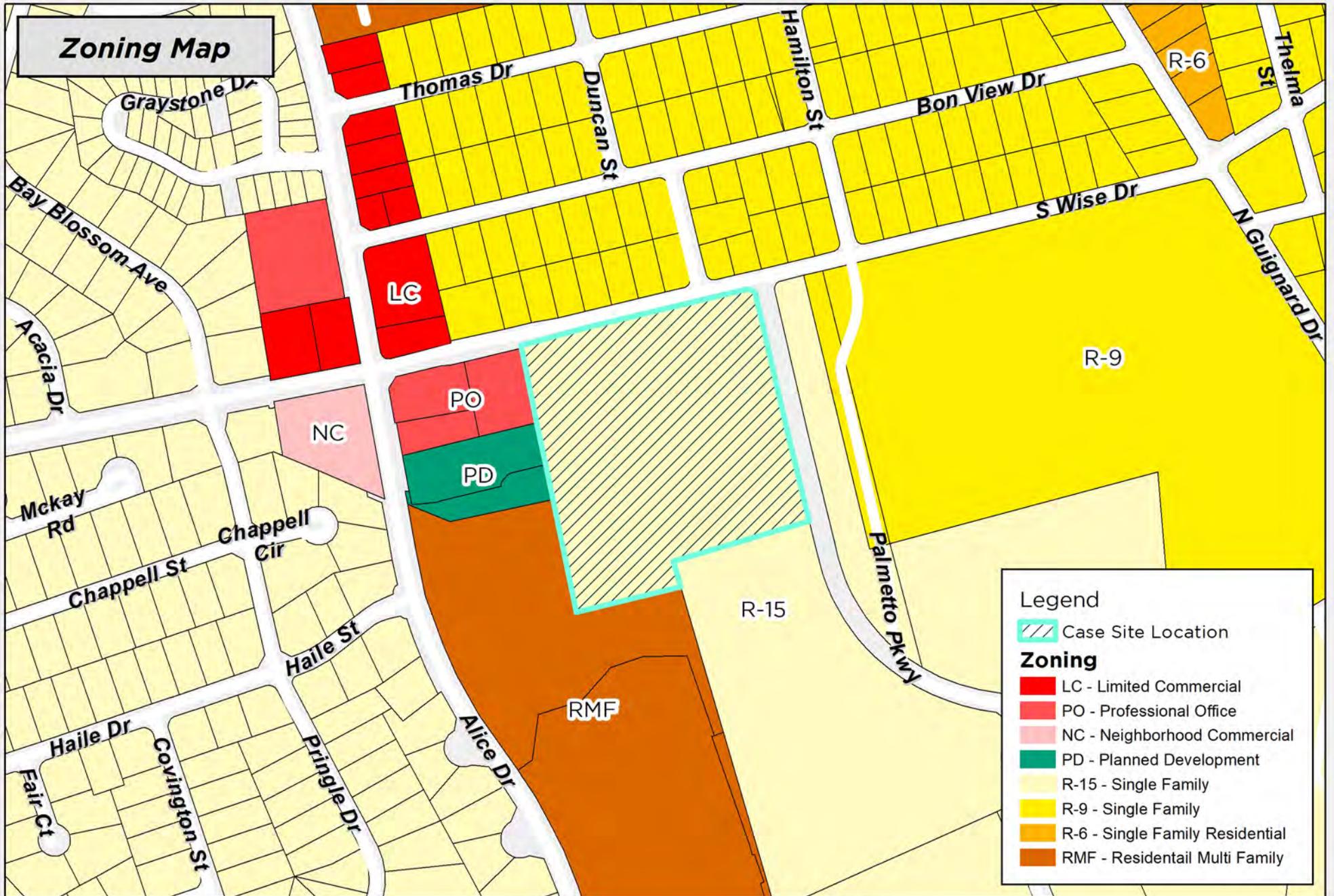


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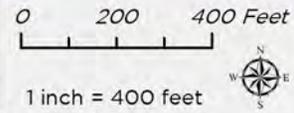
Zoning Map



Legend

- Case Site Location
- Zoning**
- LC - Limited Commercial
- PO - Professional Office
- NC - Neighborhood Commercial
- PD - Planned Development
- R-15 - Single Family
- R-9 - Single Family
- R-6 - Single Family Residential
- RMF - Residentail Multi Family

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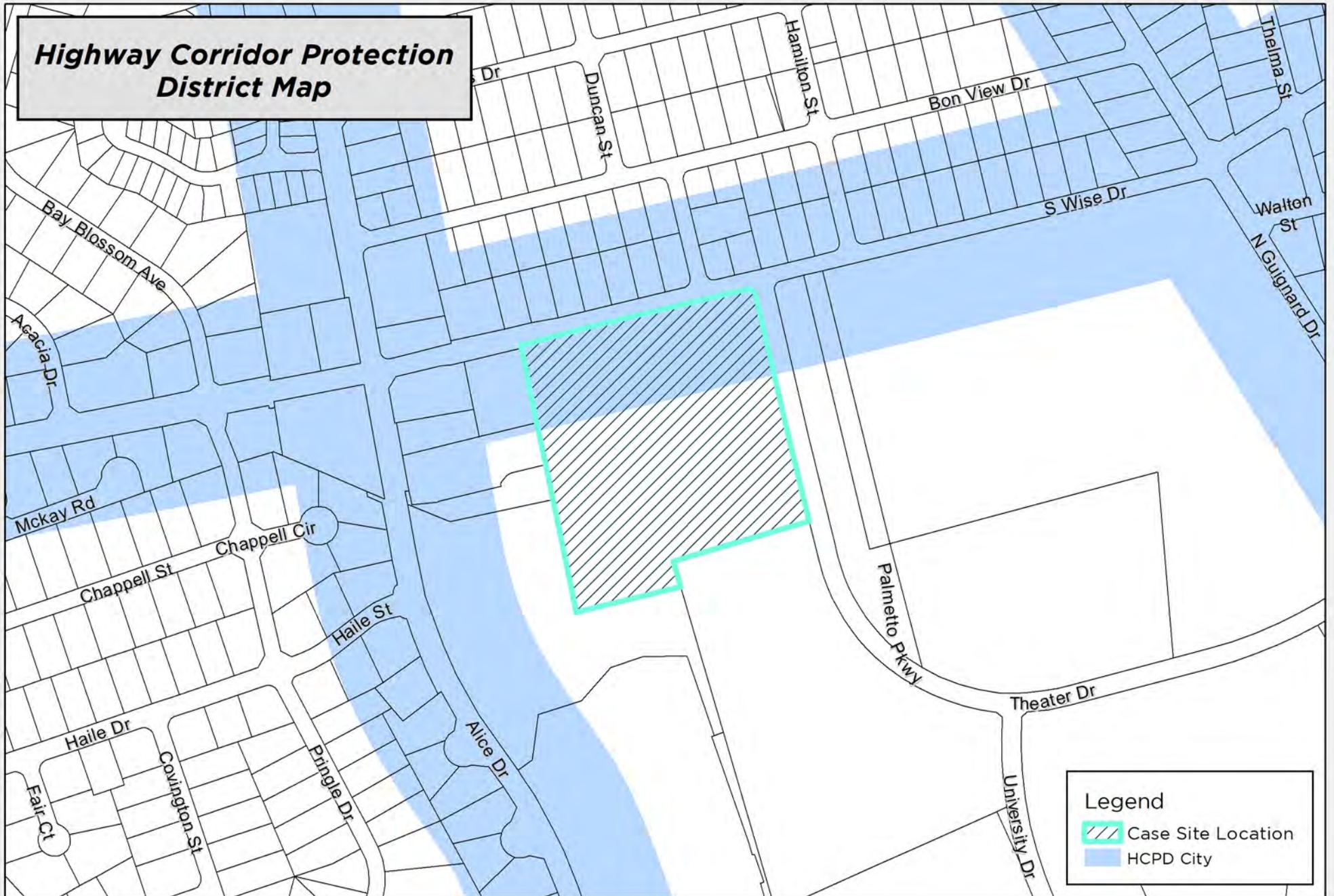


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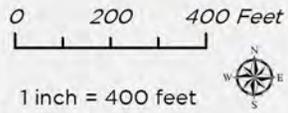
Highway Corridor Protection District Map



Legend

-  Case Site Location
-  HCPD City

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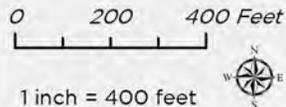


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Flood Zone Map



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