Sumter City-County Zoning Board of Appeals

September 11, 2024

BOA-24-30, 3615 Claremont Rd. (County)

The applicant (Dennis Shennard II) is requesting a variance from the residential accessory structure requirement outlined in *Article 4.g.2.b.3: (Residential Accessory Structure) Development Standards of the Sumter County Zoning & Development Standards Ordinance (the "Ordinance")* and any other variances as may be required in order to establish a new detached carport in the front yard of the property. The Ordinance requires detached garages / carports to be located on side or rear yards only. The property is located at 3615 Claremont Rd., is zoned Agricultural Conservation (AC), and is represented by TMS# 075-00-01-016.

Sumter
SOUTH CAROLINA

Appeals - Variance - Special Exception

Sumter City-County
Zoning Board of Appeals

September 11, 2024

BOA-24-30, 3615 Claremont Rd. (County)

I. THE REQUEST

Applicant: Dennis Shennard II

Status of the Applicant: Property Owner

Request: The applicant is requesting a variance from accessory building placement requirements in order to install a detached carport in the front yard.

County Council District: District 1

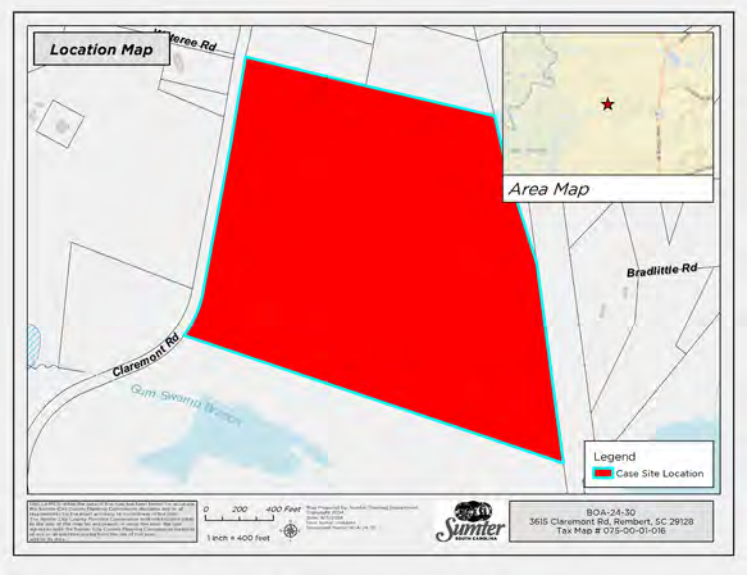
Location: 3615 Claremont Rd.

Present Use/Zoning: Residential / Agricultural Conservation (AC)

Tax Map Reference: 075-00-01-016

II. BACKGROUND

The applicant (Dennis Shennard II) is requesting a variance from the residential accessory structure requirement outlined in *Article 4.g.2.b.3: (Residential Accessory Structure) Development Standards* of the Sumter County Zoning & Development Standards Ordinance (the "Ordinance") in order to establish a new detached carport in the front yard of the property. The Ordinance requires detached garages / carports to be located on side or rear yards only.



The subject property is located on the east side of Claremont Rd. and is shown in red on the location map to the right.

Claremont Rd. is located on the west side of Shaw Air Force Base of the unincorporated part of Sumter County.

Article 4.g.2.b.3 of the Ordinance requires a detached garages only be located in the side or rear yard of a parcel and shall be located no further forward on the lot than the principal structure. The applicant is requesting this variance due to existing topographic conditions, the location of existing buildings, and the location of the septic system on the property.

Above: Site layout and topography graphic

Above: View where carport will be located

Above: Example of carport

Ordinance Requirements:

Article 4.g.2.b.4: (Residential Accessory Structures) Location Requirements

4. ***Location Requirements –*** *Detached garages shall only be located in the side or rear yard of a parcel and shall be located no further forward on the lot than the principal structure, storage buildings shall be located in the rear yard only.*

The Request:

The applicant (Dennis Shennard II) is requesting a variance from the accessory building placement requirements outlined *Article 4.g.2.b.3 (Residential Accessory Structures) Location Requirements* of *the Ordinance* in order to construct a detached carport in the front yard.

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 subject property is +/- 75.44 acres in size with the homesite being +/- 2.5 acres. The property is located in a rural area of the northwest section of unincorporated Sumter County. The house is built on a plateau with the left side of the house having a grade which will not support a driveway or building. The area to the right of the dwelling, as viewed from Claremont Rd., also slopes downward with two permanent agricultural buildings in place. The rear and side of the yard has a swimming pool, residential accessory building, underground propane tank, and garden. The front of the yard has a mound septic system.

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

The subject property has unique challenges pertaining to the placement of a detached carport in compliance with Ordinance requirements. While other properties in the immediate vicinity may also encounter similar challenges, the topography and other existing site conditions related to the placement of a detached carport on the property are somewhat unique within the larger context of this area of Sumter County.

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.

If the requested variance is not approved, the applicant must install the proposed detached carport in compliance with Ordinance requirements. Doing so would either require the structure to be located further away from the house and/or would require the applicant to drive around/through existing site features to access it.

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.

Approval of this request is not anticipated to be of substantial detriment to adjacent property or to the public good. The carport is +/- 250 feet from the road with landscaping which when mature, will mask the view of the house. Further, the request is not expected to harm the character of the district as it is in the rural area of the country.

IV. STAFF RECOMMENDATION

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

If the BOA approves this request, it is only applicable to the placement of the proposed structure on the lot. The applicant must comply with all other accessory structure requirements, as applicable.

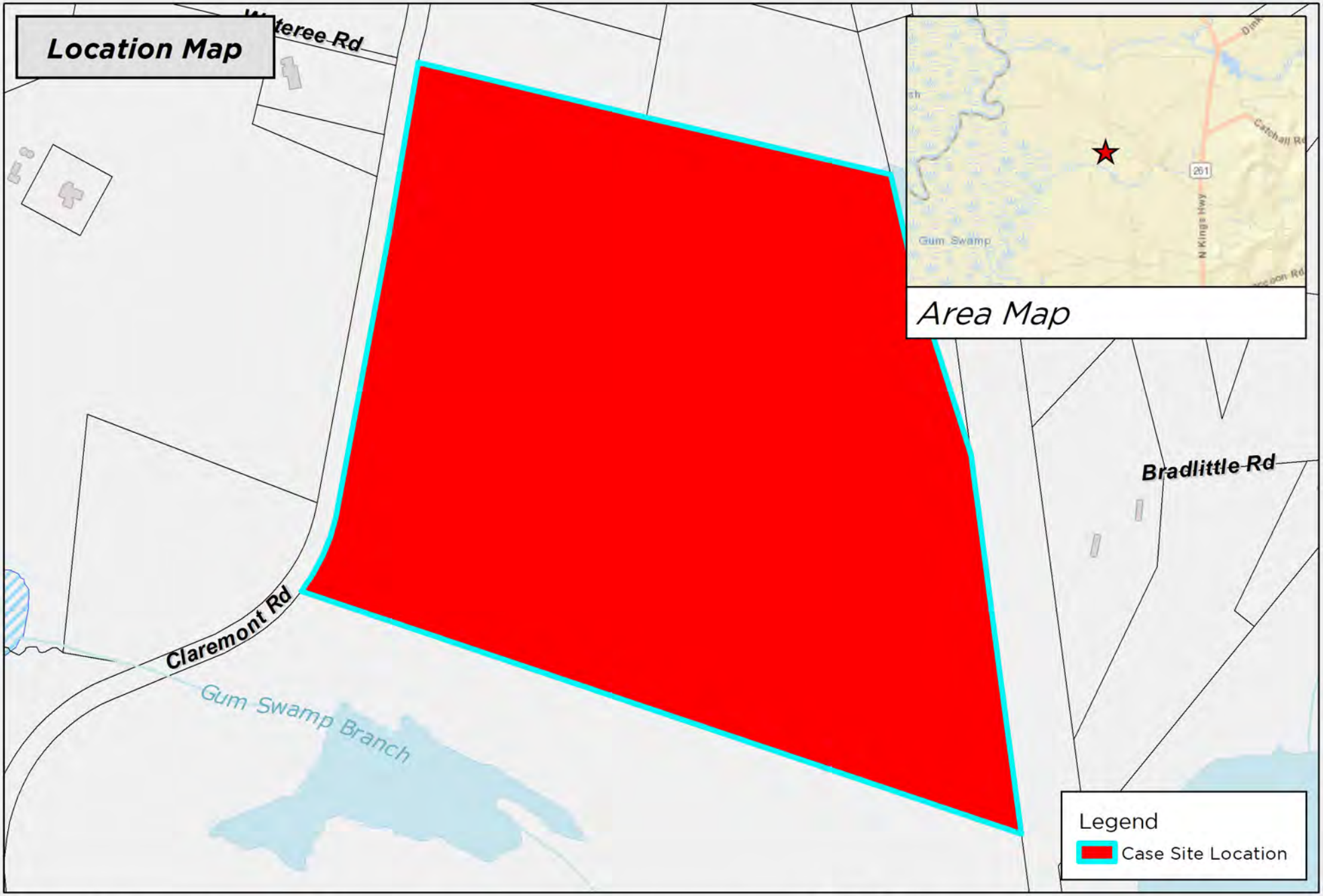
V. DRAFT MOTIONS FOR BOA-24-30

1. I move the Zoning Board of Appeals **approve** BOA-24-30, subject to the following findings of fact and conclusions:

2. I move the Zoning Board of Appeals **deny** BOA-24-130 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-24-30.

VI. BOARD OF APPEALS – September 11, 2024



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1 inch = 400 feet

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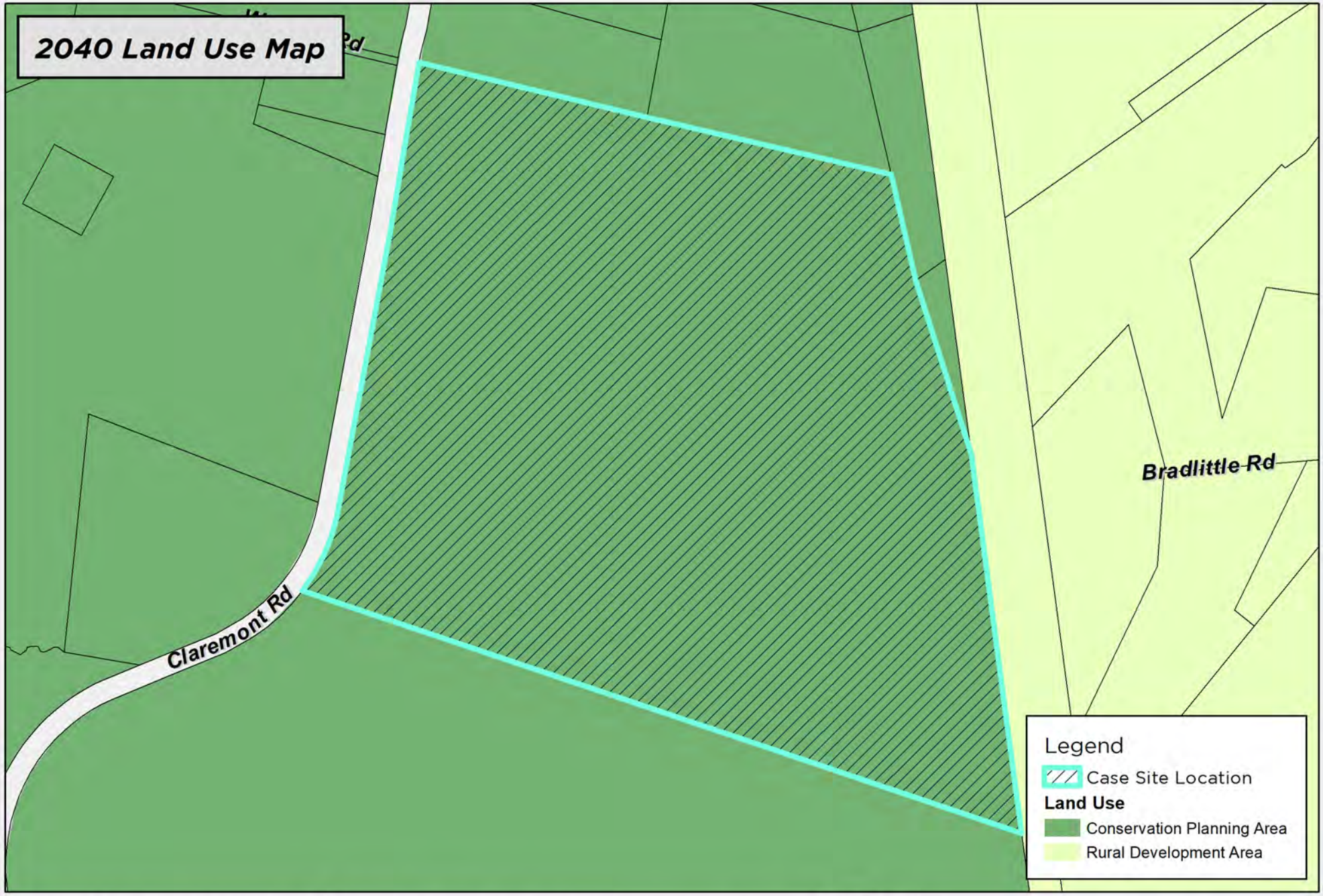
Sumter SOUTH CAROLINA

BOA-24-30
3615 Claremont Rd, Rembert, SC 29128
Tax Map # 075-00-01-016



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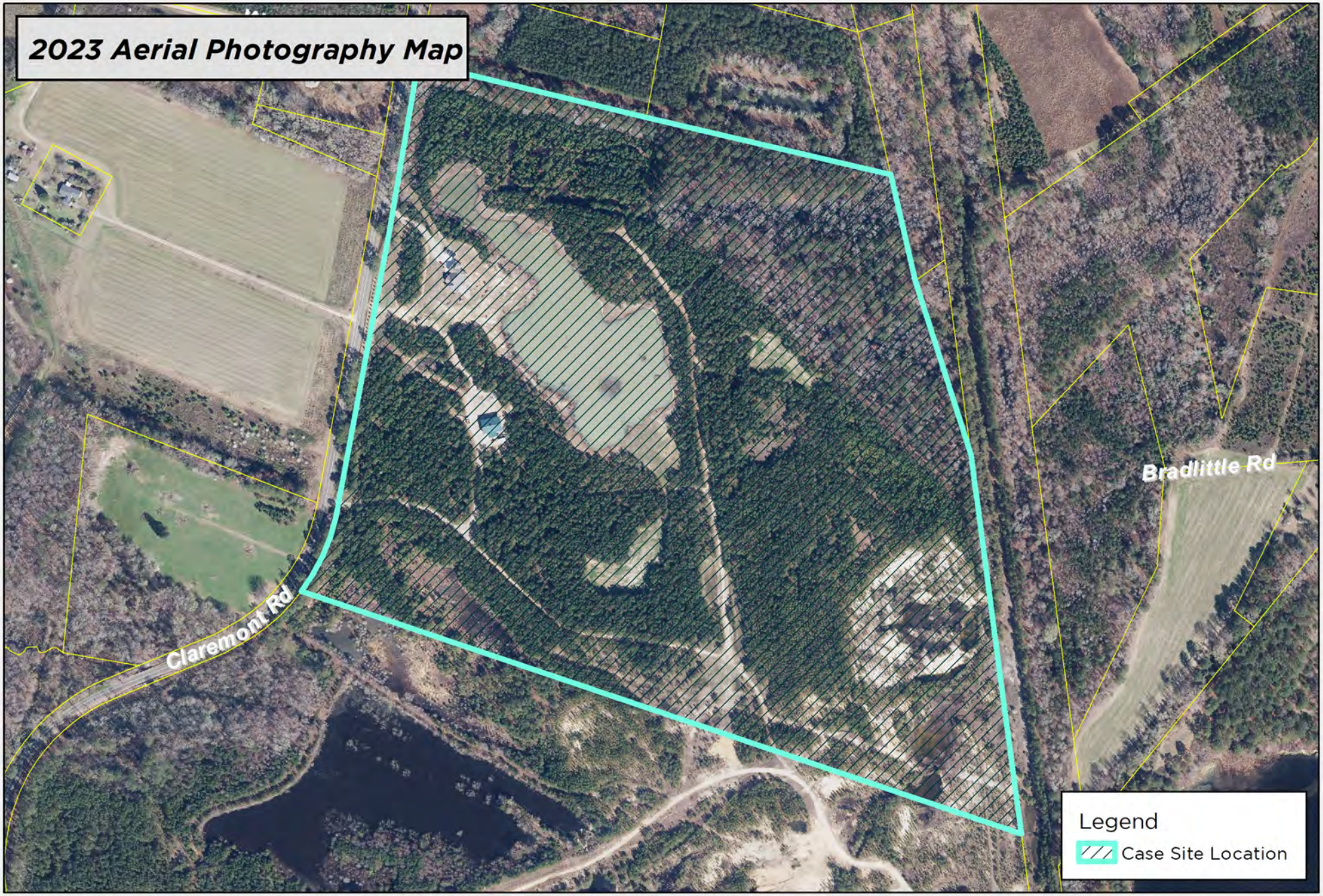
2023 Aerial Photography Map



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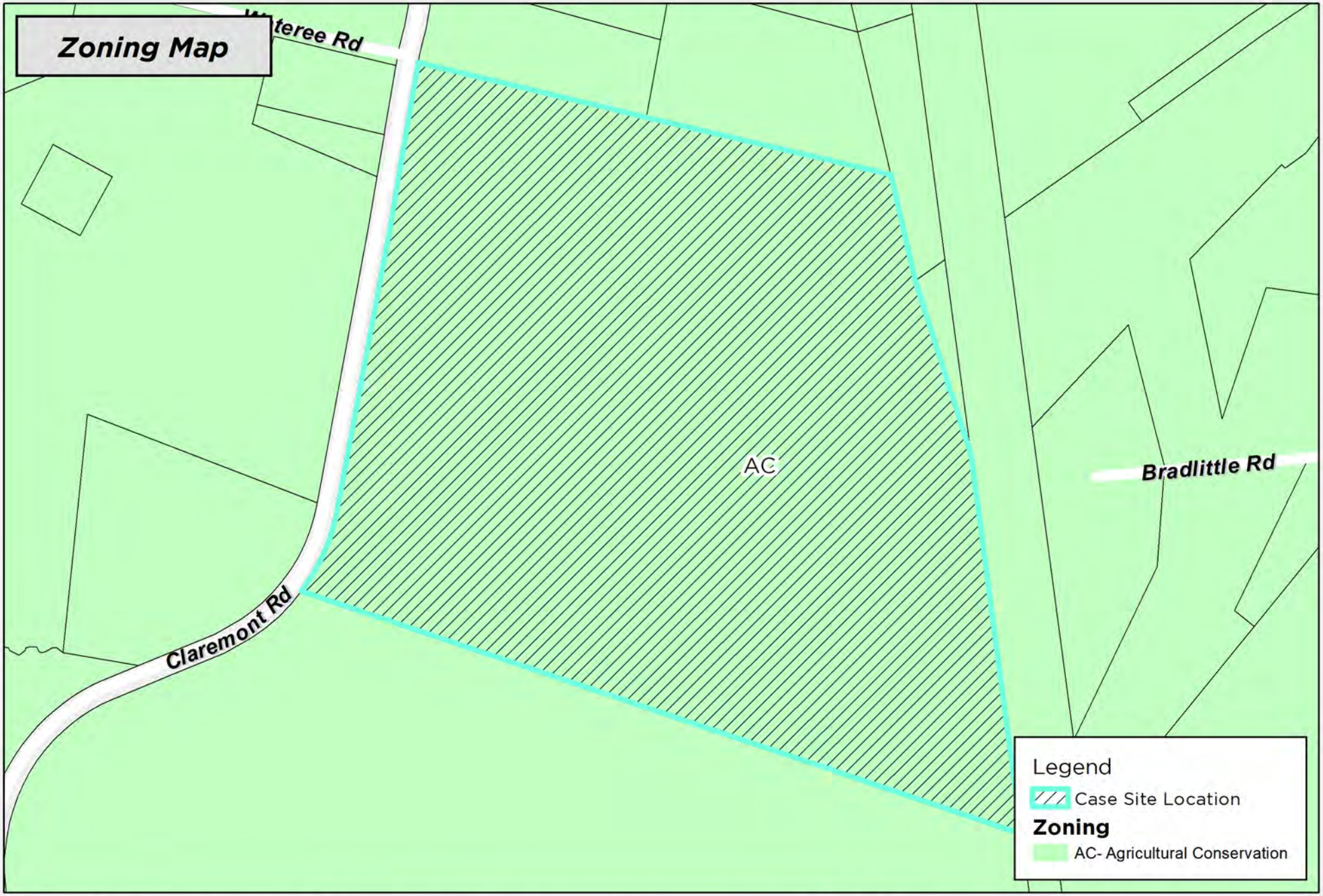

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