

# Sumter City-County Zoning Board of Appeals

August 13, 2025

## **BOA-25-23- 5115 Longbranch Dr. (County)**

The applicant (Z. Thomas Andersen) is requesting the following variances from the Sumter County Zoning & Development Standards Ordinance requirements: 1) residential accessory structure minimum building setback requirements found in *Article 4.g.2.b.4*; and 2) residential accessory structure location requirements found in *Article 4.g.2.b.3* (and any other variances as may be required) to approve a lot line revision plat in order to resolve an existing encroachment onto an adjacent property. The property is located at 5115 Longbranch Rd., is zoned Agricultural Conservation (AC), and is represented by TMS# 135-00-04-031.



Appeals - Variance - Special Exception

# Sumter City-County Zoning Board of Appeals

August 13, 2025

## BOA-25-23- 5115 Longbranch Dr. (County)

### I. THE REQUEST

**Applicant:** Z. Thomas Andersen

**Status of the Applicant:** Authorized Agent

**Request:** Variances from residential accessory structure setbacks and location requirements.

**County Council District:** District 4

**Location:** 5115 Longbranch Dr.

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

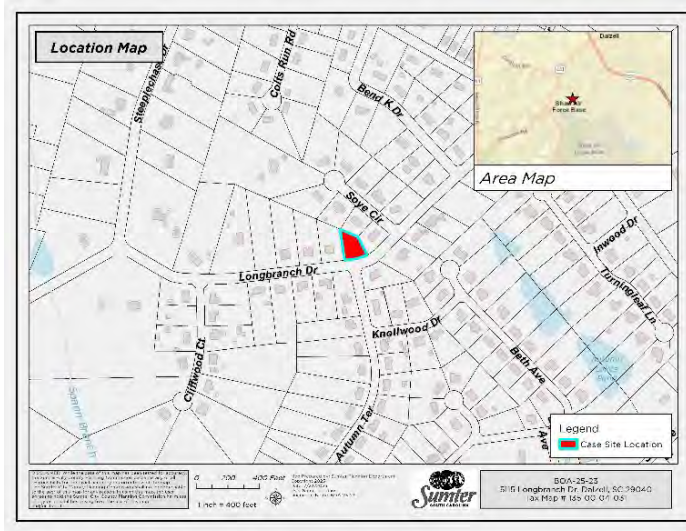
**Tax Map Reference:** 135-00-04-031

### II. BACKGROUND

The applicant is requesting a variance to residential accessory structure setback/placement requirements outlined that are *Article 4.g.2.b.3.* and *Article 4.g.2.b.4.* of the *Sumter County – Zoning & Development Standards Ordinance* (the “Zoning Ordinance”) in order to allow for the approval of a lot line adjustment plat. The proposed plat is attached to this report as Exhibit 1.

The property is located on the north side of Longbranch Drive and Autumn Terrace and is shown in red on the map to the right.

The applicant acquired the property in September 2015, and it is best reflected on the plat prepared by Leavell Lewis E. Jr, dated April 11, 1978, that is recorded in Plat Book: Z41, Page: 228 at the Sumter County Register of Deeds.



The applicant is requesting a variance from the 5-foot residential accessory structure setback requirement outlined in Article 4.g.2.b.4. and variance from the accessory structure requirements outlined in Article 4.g.2.b.3. of the Sumter County Zoning & Development Standards Ordinance (the “Zoning Ordinance”). The proposed lot line adjustment is to address the encroachment of a garage structure onto the adjacent property to the west. While this adjustment reduces the degree of nonconformity, it still does not result in full compliance as the structure will not meet required setbacks and is located slightly further forward the front of the principal dwelling unit. As such, variance approval from the Zoning Board of Appeals (BOA) is required for Planning Staff to approve the plat to adjust the lot line on the western side of the subject property.

Records indicate that a building permit was never issued for the actual establishment of the garage structure. However, a permit was issued for a concrete pad installation for a future carport on the property in 2015 under permit# 2015-04766.



**Figure 1: Street View of the Storage Building**



**Figure 2: Diagonal View of the Storage Building**

LOT SURVEY TO DETERMINE POSSIBLE BUILDING ENCROACHMENT REQUESTED BY MARK WERNER. PROPERTY DEEDS FOR BOTH LOT 5 & 6 REFERENCE A RECORDED SURVEY OF "STEEPLECHASE II" SUBDIVISION RECORDED IN PLAT BOOK Z-41 AT PAGE 228. MARK WERNER BEING IN THE POSSESSION OF A UNRECORDED PLAT OF RESURVEY PERFORMED BY JULIAN ALLEN OF 16 LOTS IN "STEEPLECHASE II" SO, RECORDED PROPERTY CORNERS FOUND BY MY OFFICE DURING THE FIELD WORK WATCH THE UNRECORDED PLAT DISTANCES. AFTER ADDITIONAL FIELD WORK OF NEIGHBORING LOTS I AM UNABLE TO CERTIFY THE UNRECORDED / RECORDED PLAT LINE BETWEEN THE TWO LOTS AND RECOMMEND THE TWO PARTIES COME TO AN AGREEMENT WITH RESPECT TO A COMMON PROPERTY LINE PLACEMENT AS PROPOSED BELOW.

LEGEND

- WM - WATER METER
- IPF - IRON PIN FOUND (F)
- IPS - 1/2" IRON SET
- CATV - CABLE TV PEDESTAL
- PP - POWER POLE
- PH - TELEPHONE PEDESTAL

LOCATION MAP - NOT TO SCALE

CHRISTOPHER K. ADAMS  
TM #135-00-04-032  
DB 1098 PG 3649  
PB Z-41 PG 228  
LOT NO. 5

MARK & LORI WERNER  
TM #135-00-04-031  
DB 1215 PG 2365  
PB Z-41 PG 228  
LOT NO. 6  
0.46 Acres-current  
20158.18 Sq. Feet

N 02°36'42" W 190.02' proposed line by Andersen survey

N 04°31'00" W 190.03' line per Allen survey (unrecorded)

0.01 Acres  
600.24 Sq. Feet

LONGBRANCH DRIVE 66' R/W

AUTUMN TERRACE

DATE: JUNE 03, 2025  
JOB NO: 25098  
TAX MAP NO. 135-00-04-031

SCALE 1 IN = 30 FT.

SOUTH CAROLINA SUMTER COUNTY STATEBURG TOWNSHIP

SURVEYED FOR:  
**MARK R. WERNER**

PROPERTY LINE SURVEY BETWEEN LOTS 5 & 6 IN STEEPLECHASE II SUBDIVISION, LOTS BEING SHOWN ON PLAT BOOK Z-41 AT PAGE 228. THE 0.01 ACRE AREA TO BE CONVEYED TO MARK & LORI WERNER AND COMBINED INTO EXISTING TAX PARCEL.

**ANDERSEN LAND SURVEYING, LLC**  
P.O. BOX 489, TURBEVILLE, S.C. 29162  
OFFICE (843) 659-5081 EMAIL: ANDERSENSURVEY@GMAIL.COM

I HEREBY STATE TO THE BEST OF MY PROFESSIONAL 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 THE STATE OF SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN. ALSO THERE ARE NO ENCROACHMENTS OR PROJECTIONS AFFECTING THE PROPERTY OTHER THAN THOSE SHOWN.

IS THIS PROPERTY IN AN FLA. DESIGNATED FLOOD HAZARD AREA? NO  
FIRM MAP NUMBER: 45085C0113F EFFECTIVE OCTOBER 27, 2022.

4

## Article 4.g.2: (Residential Accessory Structures) Setback Requirements

### b. Development Standards:

1. **Maximum Height** – No accessory structure shall exceed the height of 25 ft., the height is the vertical distance between the finished grade along the front of the structure to the highest point of the structure.
2. **Number** – No residential parcel shall have more than 2 accessory structures; the aggregate floor area of both structures added together shall not exceed the maximum size allowed under *Exhibit 8A*.
3. **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.
4. **Setbacks** – Note: accessory structures over 1,200 sq. ft. in size must be a minimum of 10 ft. from all side and rear property lines.

- a. **Interior Lots:** Front – N/A;  
Sides – 5 ft.;  
Rear – 5 ft.
- b. **Corner Lots:** Front: N/A;  
Interior Side – 5 ft.  
Exterior Side (local or collector street) – 17.5 ft;  
Exterior Side (arterial street) – 22.5 ft.;  
Rear – 5 ft.

### The Request:

The applicant (Z. Thomas Andersen) is requesting the following variances from the Sumter County Zoning & Development Standards Ordinance requirements: 1) residential accessory structure minimum building setback requirements found in *Article 4.g.2.b.4*; and 2) residential accessory structure location requirements found in *Article 4.g.2.b.3* (and any other variances as may be required) to approve a lot line revision plat in order to resolve an existing encroachment onto an adjacent 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 plat contains a note stating that there are conflicting plat records concerning the property and the adjacent property to the west. These conflicts have created uncertainty regarding the exact location of the property lines. The structure is currently established, and the proposal to amend the lot line brings the structure into greater conformity with the Ordinance requirements.

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

The primary condition listed above may apply to certain sections of the Steeplechase II subdivision. However, as a whole, this situation is somewhat unique and does not generally apply to properties outside of what is shown on the plat recorded Plat Book: Z41 Page: 228 at the Sumter County Register of Deeds.

***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 ordinance would effectively require the property owner to either relocate the existing garage building or expand their property boundary beyond what is currently proposed, an option the adjacent property owner is not willing to accommodate.

***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 the variance is not anticipated to cause detriment to adjacent property or to the public good. Further, approval is not anticipated to harm the character of the district. Approval of the plat will make the situation more conforming to accessory structure requirements than compared to current conditions. The accessory structure extends in front of the house by a negligible amount.

## **IV. STAFF RECOMMENDATION**

Staff recommends that if the Zoning Board of Appeals makes the findings necessary to approve this request, that such an approval is subject to the following approval condition:

1. Building permit approval for the garage structure (or evidence that an approved permit for the structure exists) must be obtained prior to plat approval for the lot line adjustment.

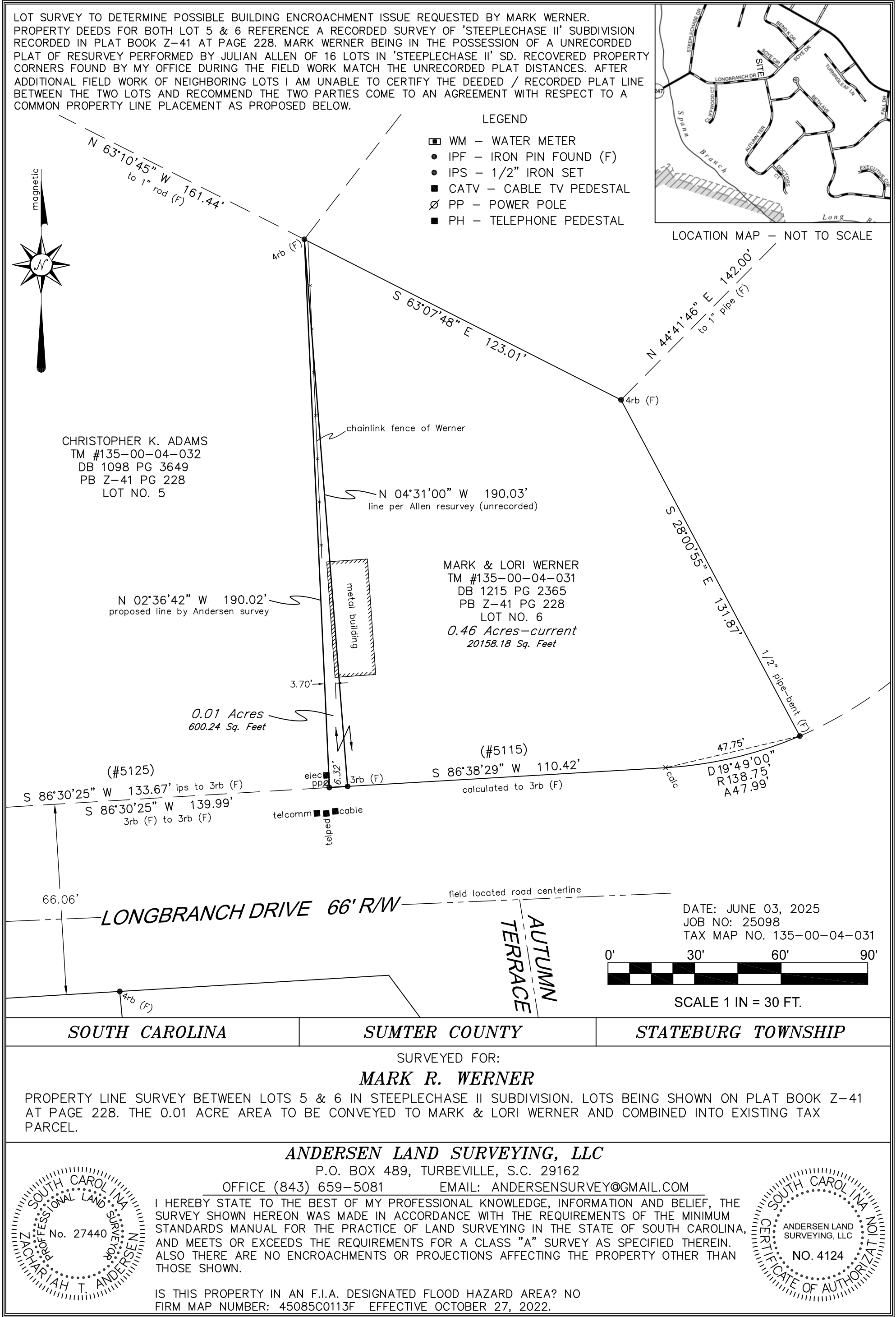
**V. DRAFT MOTIONS FOR BOA-25-23**

1. I move the Zoning Board of Appeals **approve** BOA-25-23, subject to the findings of fact and conclusions developed by the BZA and so stated:
2. I move the Zoning Board of Appeals **deny** BOA-25-23, subject to the following findings of fact and conclusions:
3. I move the Zoning Board of Appeals enter an alternative motion for BOA-25-23.

**VI. BOARD OF APPEALS – August 13, 2025**



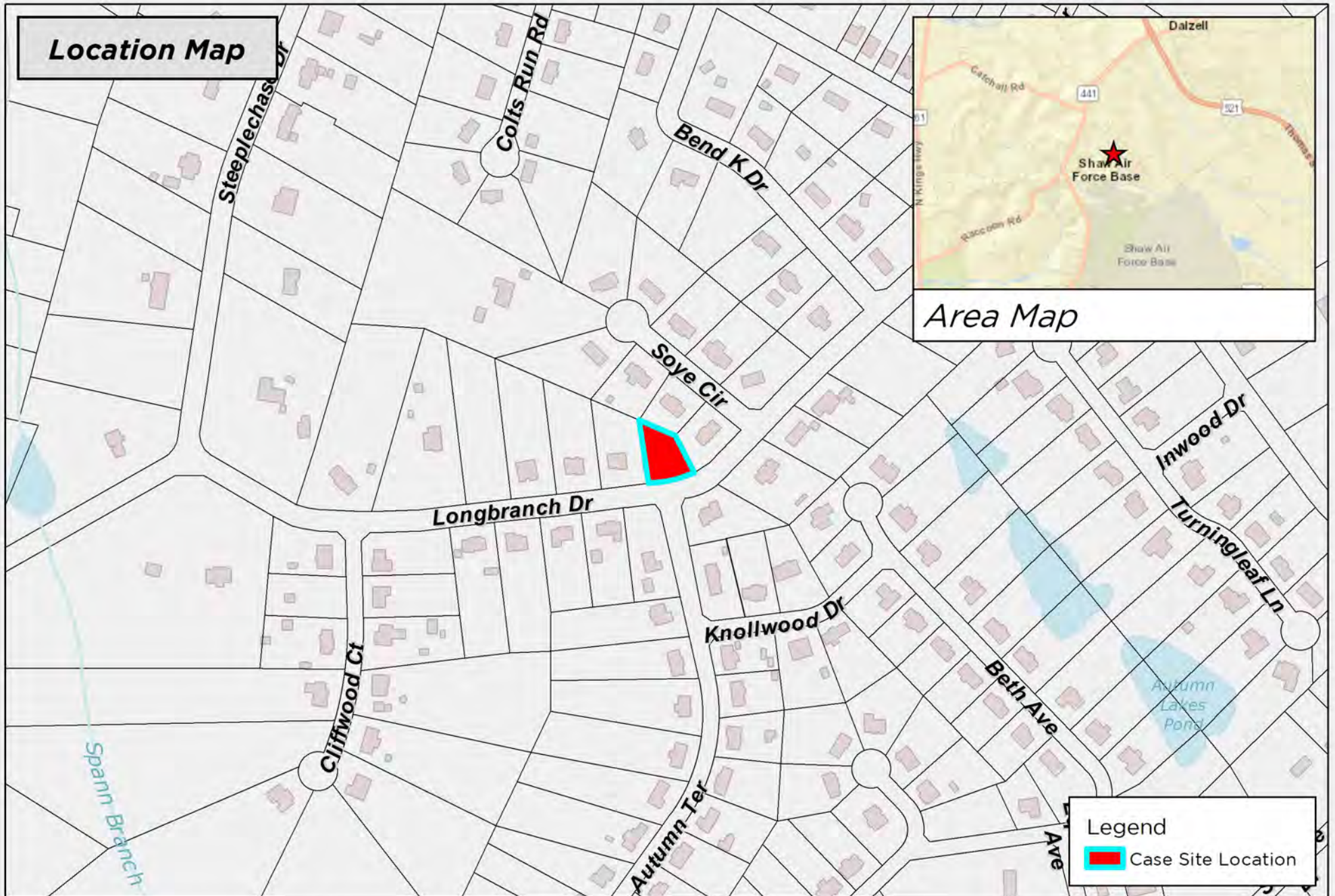
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NOT A VALID DOCUMENT WITHOUT ORIGINAL SIGNATURE AND RAISED EMBOSSED SEAL.



## Location Map

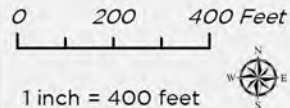


## Area Map

## Legend

 Case Site Location

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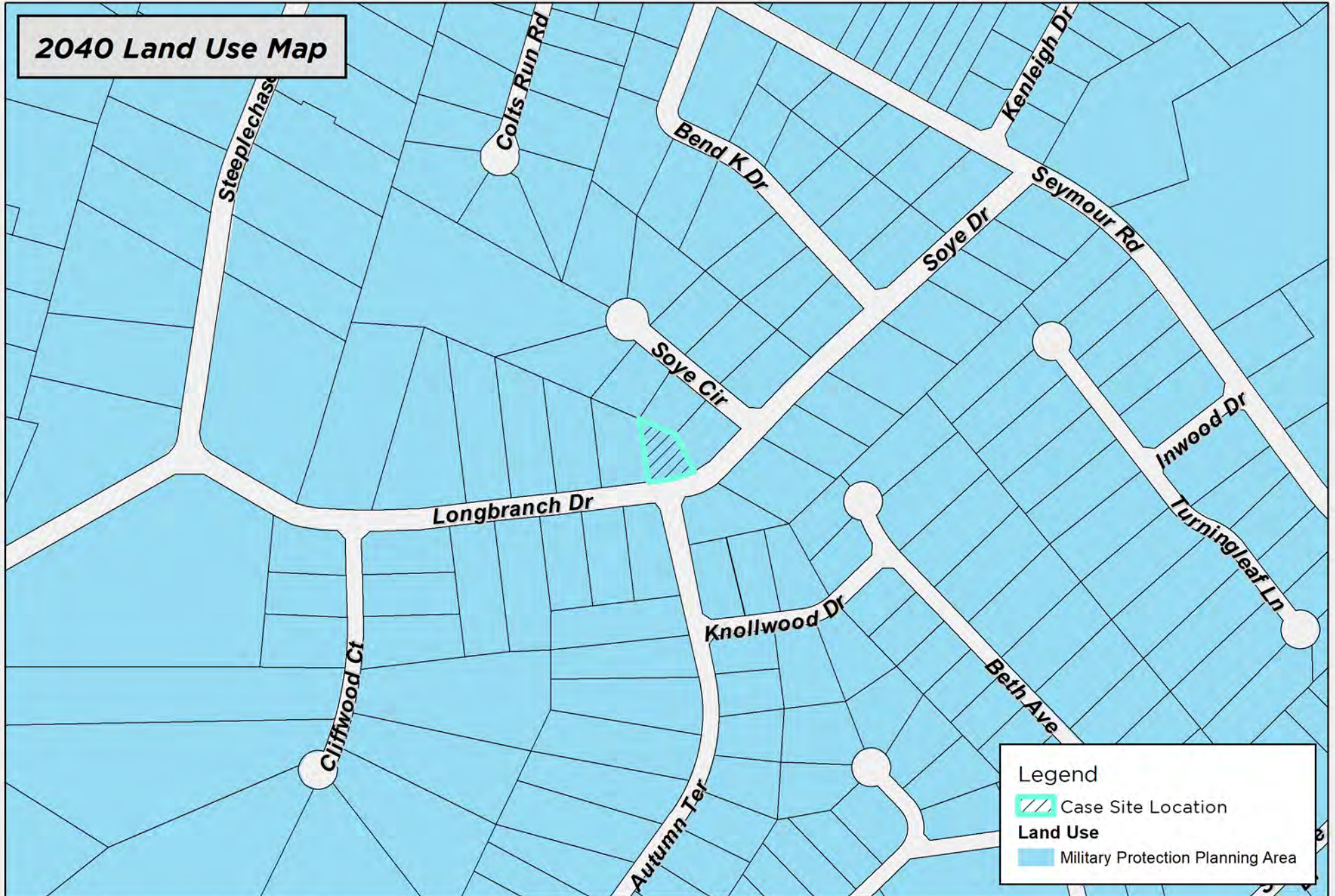
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User Name: crobbins  
Document Name: BOA-25-23



BOA-25-23  
5115 Longbranch Dr, Dalzell, SC 29040  
Tax Map # 135-00-04-031



# 2040 Land Use Map



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0 200 400 Feet  
1 inch = 400 feet



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## Legend

-  Case Site Location
- Land Use**
-  Military Protection Planning Area

BOA-25-23  
5115 Longbranch Dr, Dalzell, SC 29040  
Tax Map # 135-00-04-031



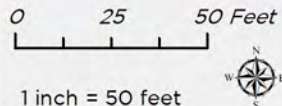
# 2025 Aerial Photography Map



## Legend

 Case Site Location

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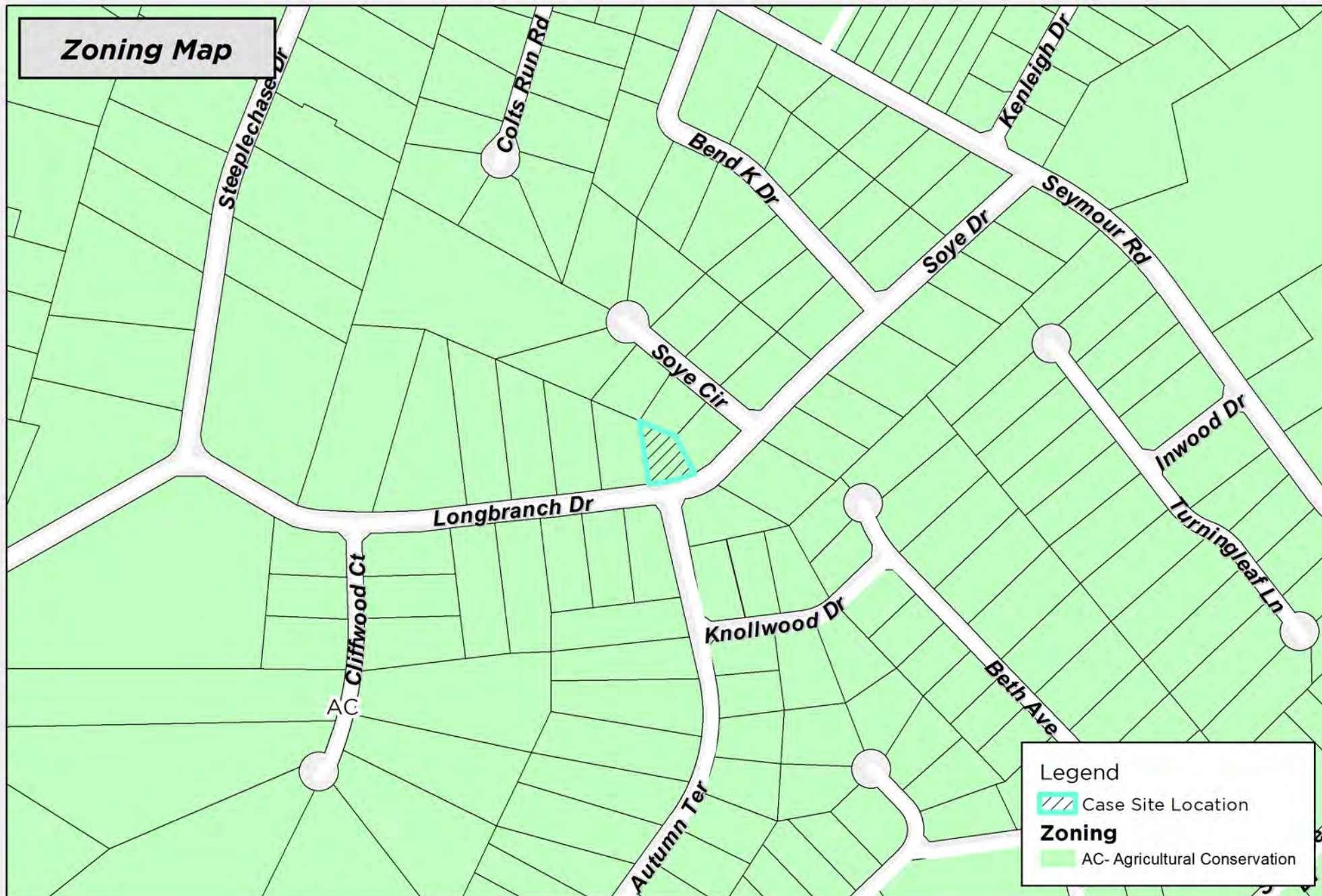
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BOA-25-23  
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# Zoning Map



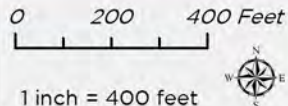
**Legend**

 Case Site Location

**Zoning**

 AC- Agricultural Conservation

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