

Sumter City-County Zoning Board of Appeals

December 10, 2025

BOA-25-39, 1775 Horne Rd. (County)

The applicant (Woodland Acres/Carson Smith) is requesting variances from the requirements of the *Sumter County Zoning & Development Standards Ordinance*, as follows: (1) minimum lot size requirements found in *Article 3.n.5.a (AC District) Minimum Lot Requirements*; (2) rear setback requirements found in *Article 3.n.5.b (AC District) Minimum Yard and Building Setback Requirements*; and (3) any other variances that may be required to establish a new +/- 0.27-acre lot around an existing dwelling on the property as proposed. The required minimum lot size in the AC district is 1-acre. The required rear building setback for a single-family homes on an individual lot of record in the AC district is 50 ft. The property is located at 1775 Horne Rd., is zoned Agricultural Conservation (AC), and is represented by TMS# 133-15-01-001.



Appeals - Variance - Special Exception

Sumter City-County Zoning Board of Appeals

December 10, 2025

BOA-25-39, 1775 Horne Rd. (County)

I. THE REQUEST

Applicant: Woodland Acres MHP (Carson Smith)

Status of the Applicant: Authorized Agent for Property Owner

Request: Variances to minimum lot size requirements and rear yard setback requirements, to establish a new +/- 0.27-acre lot around an existing dwelling on the property as proposed.

County Council District: District 1

Location: 1775 Horne Rd.

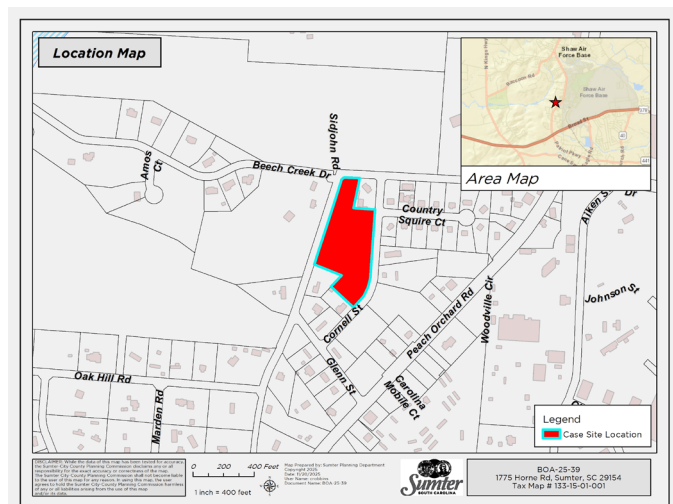
Present Use/Zoning: Residential / Agricultural Conservation (AC)

Tax Map Reference: 133-15-01-001

II. BACKGROUND

The applicant is requesting variances from the minimum lot size requirement and rear yard setback requirements outlined in *Article 3.n.5.a., and Article 3.n.5.b. of the Sumter County Zoning & Development Standards Ordinance* (the “Ordinance”) to subdivide an existing 4.57 acre tract into a 4.3 acre tract for the current mobile home park and a 0.27 acre residential lot for an existing residence.

The subject property is shown in red on the location map to the right and is located on Horne Rd. in unincorporated western Sumter County, approximately 400 ft. south of intersection of Beech Creek Rd. and Horne Rd.



The current tract is 4.57 acres and contains a 1,309 sq. ft. residence (1767 Horne Rd.) constructed in 1958 per Sumter County Tax Assessor Records, and 17 mobile homes. The mobile home park, known as “Woodland Acres” is a nonconforming mobile home park not subject to discontinuance, as regulated by *Article 6.c.3*. The mobile home park has 20 approved mobile home sites, 17 of which are in use. While the request was originally advertised as requiring side setback variances for a manufactured home park as noted in *Article 4.o.2.g.*, the property is regulated by *Article 6.c.3*. which allows a lesser setback for nonconforming mobile home parks of record.

A sketch plat submitted by the applicant indicates that the subdivision would create 2 separate issues requiring variance approval:

1. Variance to minimum lot size requirements for a lot in the Agricultural Conservation (AC) zoning district (*Article 3.n.5.a (AC District) Minimum Lot Requirements*);
2. Rear setback variance to allow the new proposed rear property line to be +/-30 ft. from the existing residential structure on the proposed new 0.27 acre lot. This structure is subject to a 50 ft. rear setback as noted in *Article 3.n.5.b (AC District) Minimum Yard and Building Setback Requirements*.

Variance approval by the Zoning Board of Appeals (BOA) is required in order to permit the applicant to subdivide the property as desired.

The site is located in the Shaw Air Force Base military protection area, and is further located within DNL Zone 1, representing the 65-74 db noise zone. In this district, mitigation measures to reduce noise within structures is required by *Article 3.r., Exhibit 7*. No other restrictions preventing subdivision of lots currently exist for the DNL Zone 1 overlay.



Figure 1 – Residential Structure at 1767 Horne Rd.
(Source: Google Streetview, 2025)



Figure 2 – Woodland Acres MHP as viewed from intersection of Beech Creek Rd. and Horne Rd.
(Source: Google Streetview, 2025)



Figure 3 – Entrance driveway for Woodland Acres MHP on Horne Rd. with residential structure proposed for subdivision in background on far left of image. (Source: Google Streetview, 2025)



Figure 4 - Aerial image of site with proposed property line identified

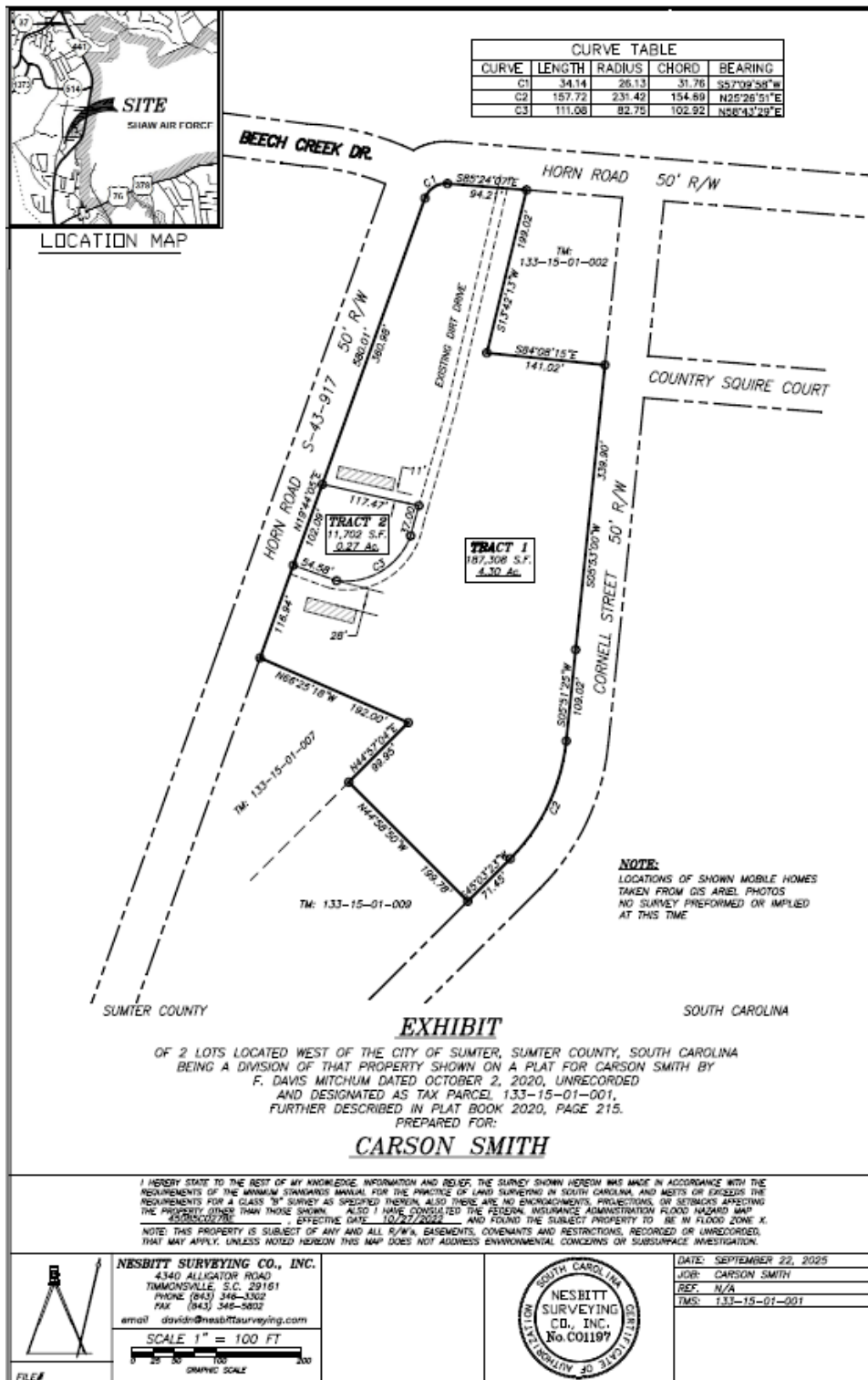


Figure 5 - Sketch Plat of Proposed Subdivision

Ordinance Requirements:

Article 3.n.5.a: (AC District) Minimum Lot Requirements),

a. Lot Requirement (Minimum)

Width: 60 ft.

Depth: N/A

Lot Area: 1.0 acre

Article 3.n.5.b: (AC District) Minimum Yard & Building Setback Requirements),

	<u>Rear Yard Setback</u>
From abutting Residential Districts	50 ft.
From abutting Non-Residential Districts	50 ft.

The Request:

The applicant (Woodland Acres/Carson Smith) is requesting variances from the requirements of the *Sumter County Zoning & Development Standards Ordinance*, as follows: (1) minimum lot size requirements found in *Article 3.n.5.a (AC District) Minimum Lot Requirements*; (2) rear setback requirements found in *Article 3.n.5.b (AC District) Minimum Yard and Building Setback Requirements*; (3) any other variances that may be required to establish a new +/- 0.27-acre lot around an existing dwelling on the property as proposed. The required minimum lot size in the AC district is 1-acre. The required rear building setback for a single-family homes on an individual lot of record in the AC district is 50 ft.

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 is +/- 4.57 acres in size and located in unincorporated Sumter County west of Shaw Air Force Base. While some existing subdivision lots, particularly on Beech Creek Dr. and Country Squire Ct., in the vicinity of the site are smaller than the current zoning district minimum, the vast majority of parcels are 0.45 acres and larger. There are 2 nonconforming lots of record smaller than the proposed lot (0.15 and 0.27 acres) located approximately 500 ft. east of the site.

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

Property in the vicinity can be characterized as a combination of large agricultural and timber tracts with scattered older residential subdivisions of lots between 0.45 and 2.0 acres. To the east of the site roughly 1,000 ft. away is Shaw Air Force Base, which is a major U.S. Air Force and Army installation.

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 prevents the applicant from subdividing the tract in order to create a separate parcel for the site-built residence at 1767 Horne St., while reserving the remainder of the property for use by the Woodland Acres Mobile Home Park.

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.*

The purpose of regulating minimum lot size is to control the density/intensity of development within a respective zoning district to meet the expressed goals and purposes of that zoning district. In this case, the subject property conforms to lot size requirements, while the proposed division would create a lot well below the minimum threshold. However, the existing development intensity generated by the nonconforming mobile home park of record is already well beyond the 1 unit per acre intent of the Agricultural Conservation district.

The purpose of regulating structure setbacks is to ensure compatibility, ensure minimum open space around a structure, facilitate safe access, and avoid negatively impacting surrounding properties. In this case, the rear setback requested at less than the Ordinance-mandated 50 ft. is following the boundary of the Mobile Home Park's existing internal access drive, which creates a boundary that matches existing development.

IV. STAFF RECOMMENDATION

Staff recommends the following condition *if* the BOA makes all the necessary findings to approve this request.

1. Submission of plat prepared by a licensed surveyor showing the property boundaries, proposed structure placement, and distance from structure to surveyed boundaries.

V. DRAFT MOTIONS FOR BOA-25-39

1. I move the Zoning Board of Appeals **approve** BOA-25-39, 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.]

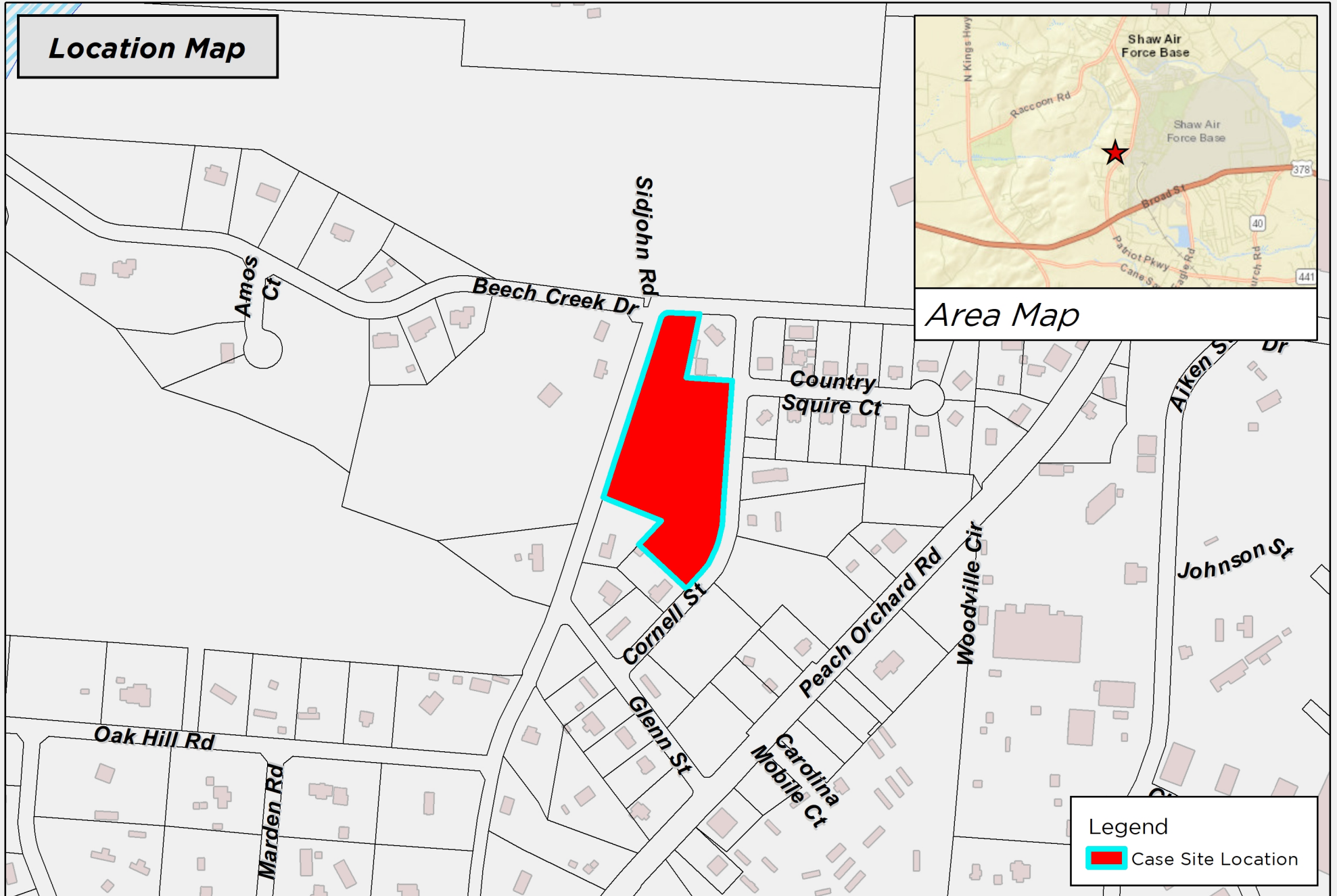
2. I move the Zoning Board of Appeals **deny** BOA-25-39, subject to the following findings of fact and conclusions:

[reference specific findings as developed based on facts presented in the staff report, exhibits, and/or during the public hearing.]

3. I move the Zoning Board of Appeals enter an alternative motion for BOA-25-39.


VI. BOARD OF APPEALS – December 10, 2025

Location Map

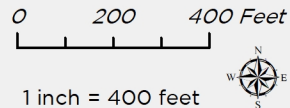


Area Map

Legend

 Case Site Location

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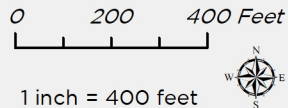


BOA-25-39
1775 Horne Rd, Sumter, SC 29154
Tax Map # 133-15-01-001

2040 Land Use Map



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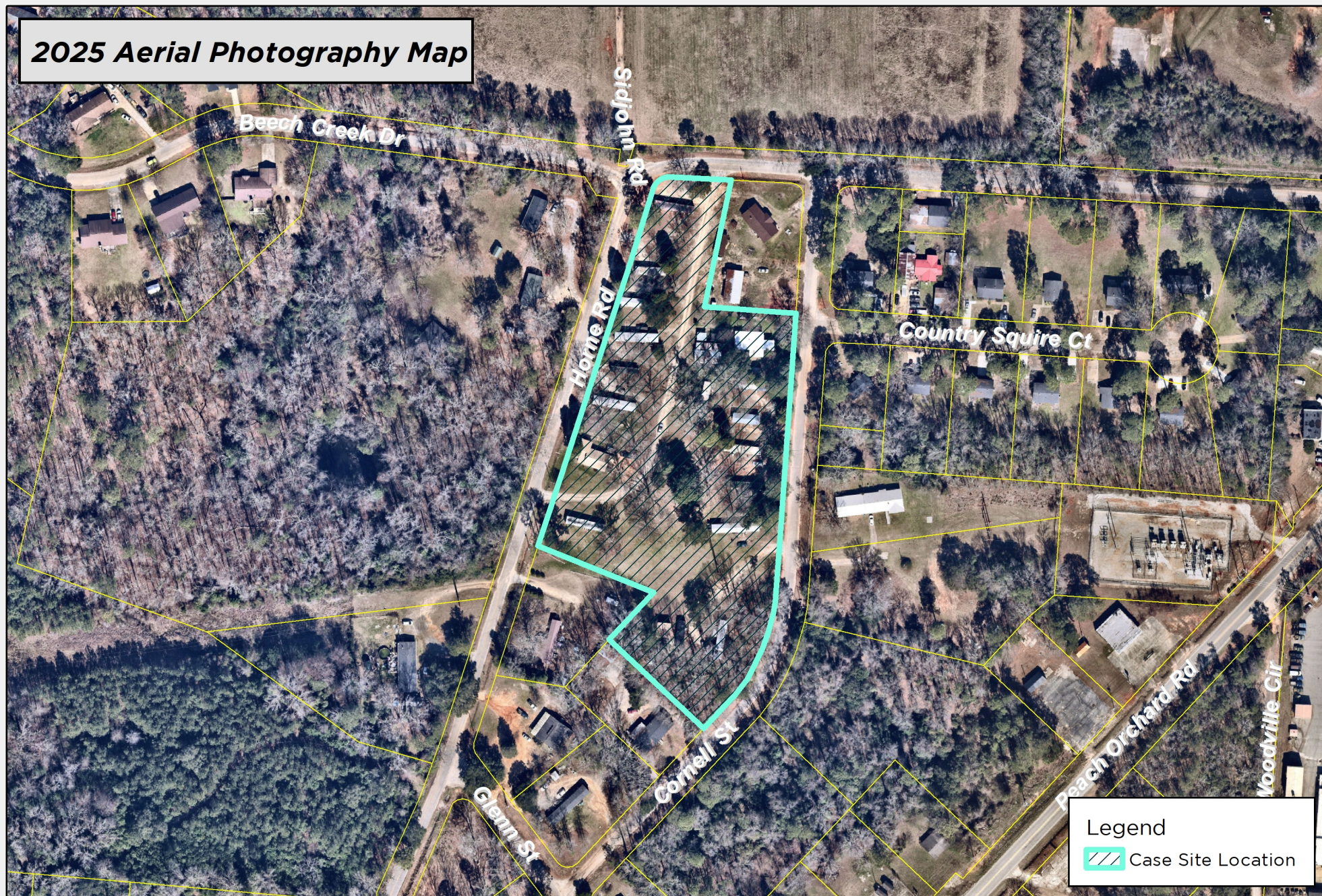


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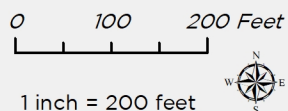
BOA-25-39
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2025 Aerial Photography Map



Legend
 Case Site Location

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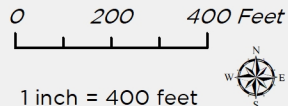


BOA-25-39
 1775 Horne Rd, Sumter, SC 29154
 Tax Map # 133-15-01-001

Zoning Map



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