

Sumter City-County Zoning Board of Appeals

January 14, 2026

BOA-25-43, 5580 Dais Rd. (County)

The applicant (LaVina Proctor) is requesting variances from the requirements of the *Sumter County Zoning & Development Standards Ordinance*, as follows: (1) residential accessory structure location requirements provided for in *Article 4.g.2.b.3.b: (Residential Accessory Structure Location Requirements)* of the *Sumter County Zoning & Development Standards Ordinance* and (2) any other variances that may be required to establish a new detached garage/carport in the front yard of the property. Per applicable zoning requirements, detached garages/carports are required to be located in the side yard (no further forward than the front line of the principal dwelling on the lot) or in the rear yard only. The property is located at 5580 Dais Rd., is zoned Agricultural Conservation (AC), and is represented by TMS# 088-00-02-055.



Appeals - Variance - Special Exception

Sumter City-County Zoning Board of Appeals

January 14, 2026

BOA-25-43, 5580 Dais Rd. (County)

I. THE REQUEST

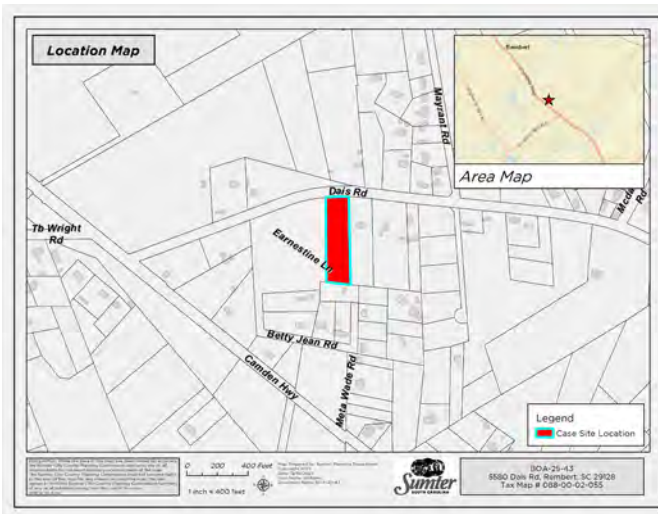
| | |
|---------------------------------|---|
| Applicant: | LaVina Proctor |
| Status of the Applicant: | Property Owner |
| Request: | The applicant is requesting variance from accessory building placement requirements in order to install a detached carport in the front yard. |
| County Council District: | District 1 |
| Location: | 5580 Dais Rd. |
| Present Use/Zoning: | Residential / Agricultural Conservation (AC) |
| Tax Map Reference: | 088-00-02-055 |

II. BACKGROUND

The applicant is requesting a variance to accessory structure location requirements in order to place a detached carport in the front yard of the property.

The subject property is located on the south side of Dais Rd. and is shown in red on the location map to the right. Dais Rd. is located in the northwest section of unincorporated Sumter County, east of US Hwy 521 N. and south of Rembert.

Article 4.g.2.b.3. of the Sumter County Zoning & Development Standards Ordinance (the “Ordinance”) requires that detached garages and carports be placed in either the rear yard of the property or the side yard of the property no further forward than the front of the principal dwelling.



The applicant is requesting this variance due to the existing driveway configuration and home placement on the site in order to facilitate use of the existing wheelchair ramp at the front of the residence.



Above: Site layout graphic



Above: Subject property as viewed from Dais Rd.
(Source: Google Streetview, Feb 2025)

Ordinance Requirements:

Article 4.g.2.b.3: Residential Accessory Structure Location Requirements

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.

b. Detached garages and carports shall be located in the side yard (no further forward than front line of the principal dwelling on the lot) or rear yard only.

The Request:

The applicant (LaVina Proctor) is requesting variances from the requirements of the *Sumter County Zoning & Development Standards Ordinance*, as follows: (1) residential accessory structure location requirements provided for in *Article 4.g.2.b.3.b: (Residential Accessory Structure Location Requirements)* of the *Sumter County Zoning & Development Standards Ordinance* and (2) any other variances that may be required to establish a new detached garage/carport in the front yard of the property. Per applicable zoning requirements, detached garages/carports are required to be located in the side yard (no further forward than the front line of the principal dwelling on the lot) or in the rear yard only.

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 subject property is +/- 2.0 acres in size and is located in a rural area of the northwest section of unincorporated Sumter County.
2. The area to the rear of the dwelling, as viewed from Dais Rd., is fenced in.
3. The main entrance to the dwelling is accessed by a wheelchair ramp.

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

Case Facts:

1. The existing wheelchair ramp and placement of the residence on the site is not generally applicable to other property 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. 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.
2. Staff notes that the area immediately behind the dwelling is fenced.

- 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 residence sits approximately 200 ft. back from the parcel's front property line.
2. The subject property is over 2 acres in size and is within a rural area of the county.

IV. STAFF RECOMMENDATION

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

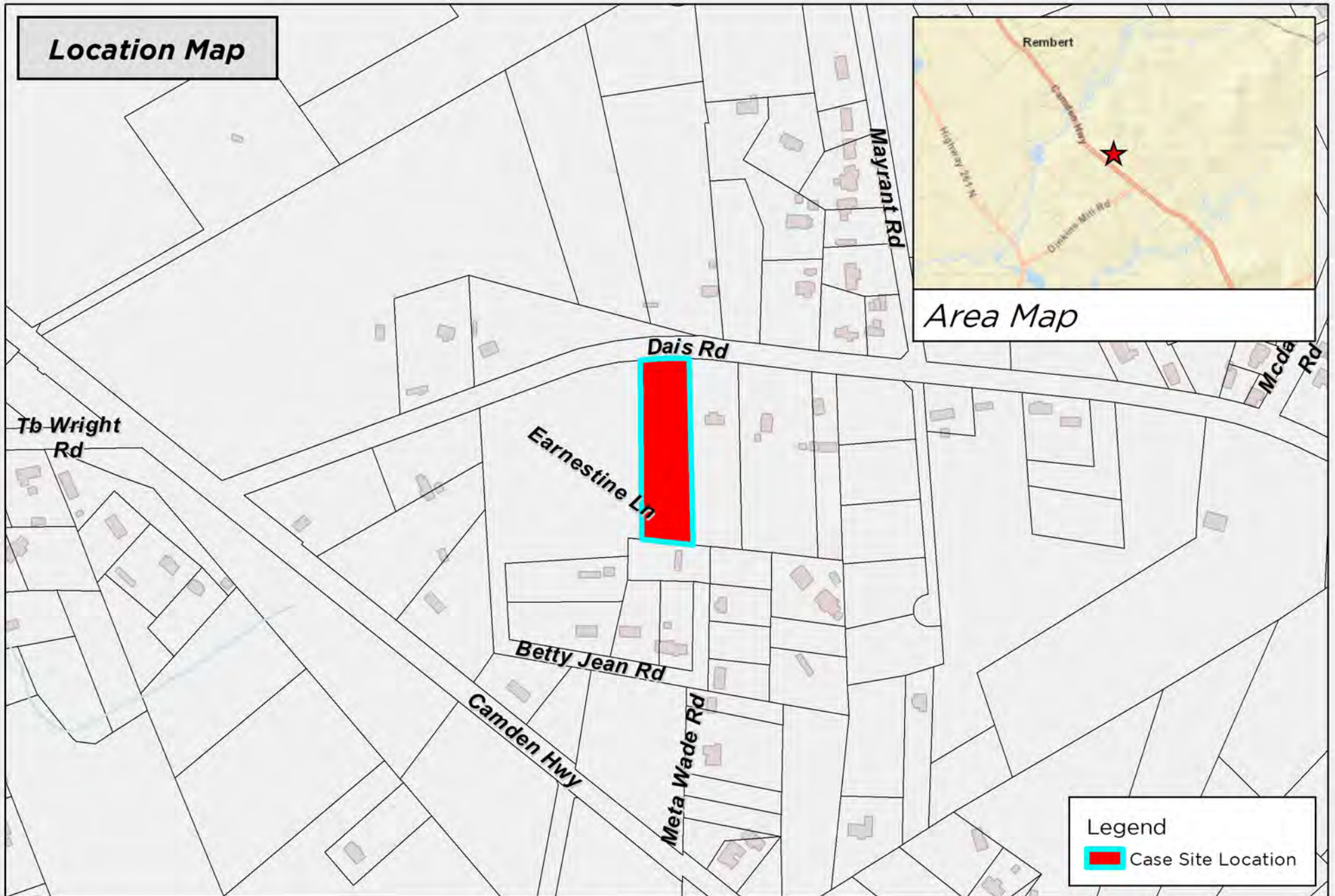
If the BOA approves this request, it is only applicable to the placement of the proposed structure on the lot. The applicant must comply with all other accessory structure requirements, as applicable.

V. DRAFT MOTIONS FOR BOA-25-43

- A. I move the Zoning Board of Appeals **approve** BOA-25-43, 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-25-43, 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-25-43.


VI. BOARD OF APPEALS – January 14, 2024

Location Map

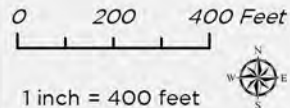


Area Map

Legend

 Case Site Location

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BOA-25-43
5580 Dais Rd, Rembert, SC 29128
Tax Map # 088-00-02-055

2040 Land Use Map



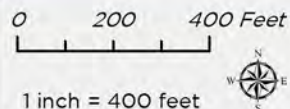
Legend

 Case Site Location

Land Use

 Rural Development Area

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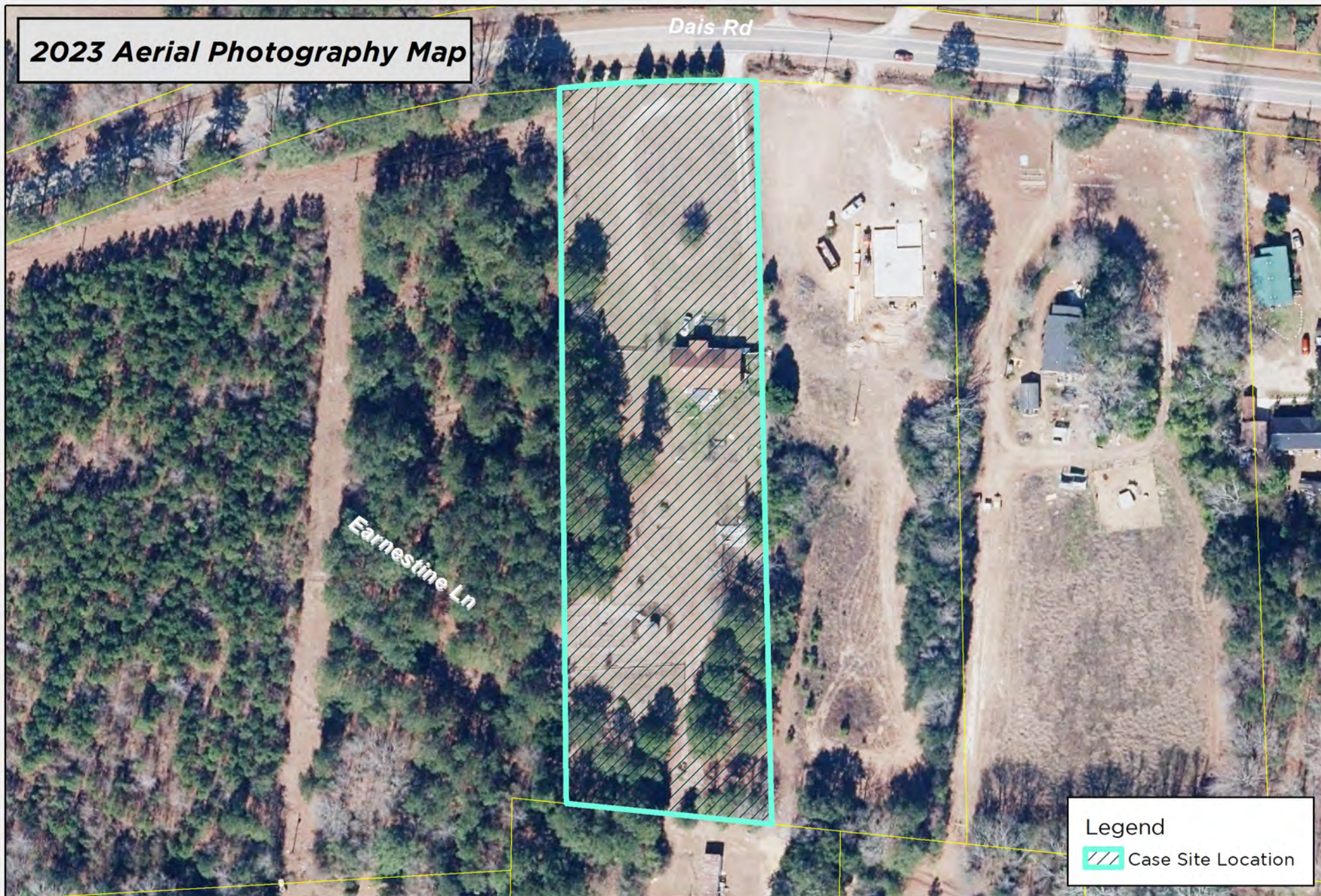


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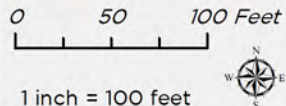


BOA-25-43
 5580 Dais Rd, Rembert, SC 29128
 Tax Map # 088-00-02-055

2023 Aerial Photography Map




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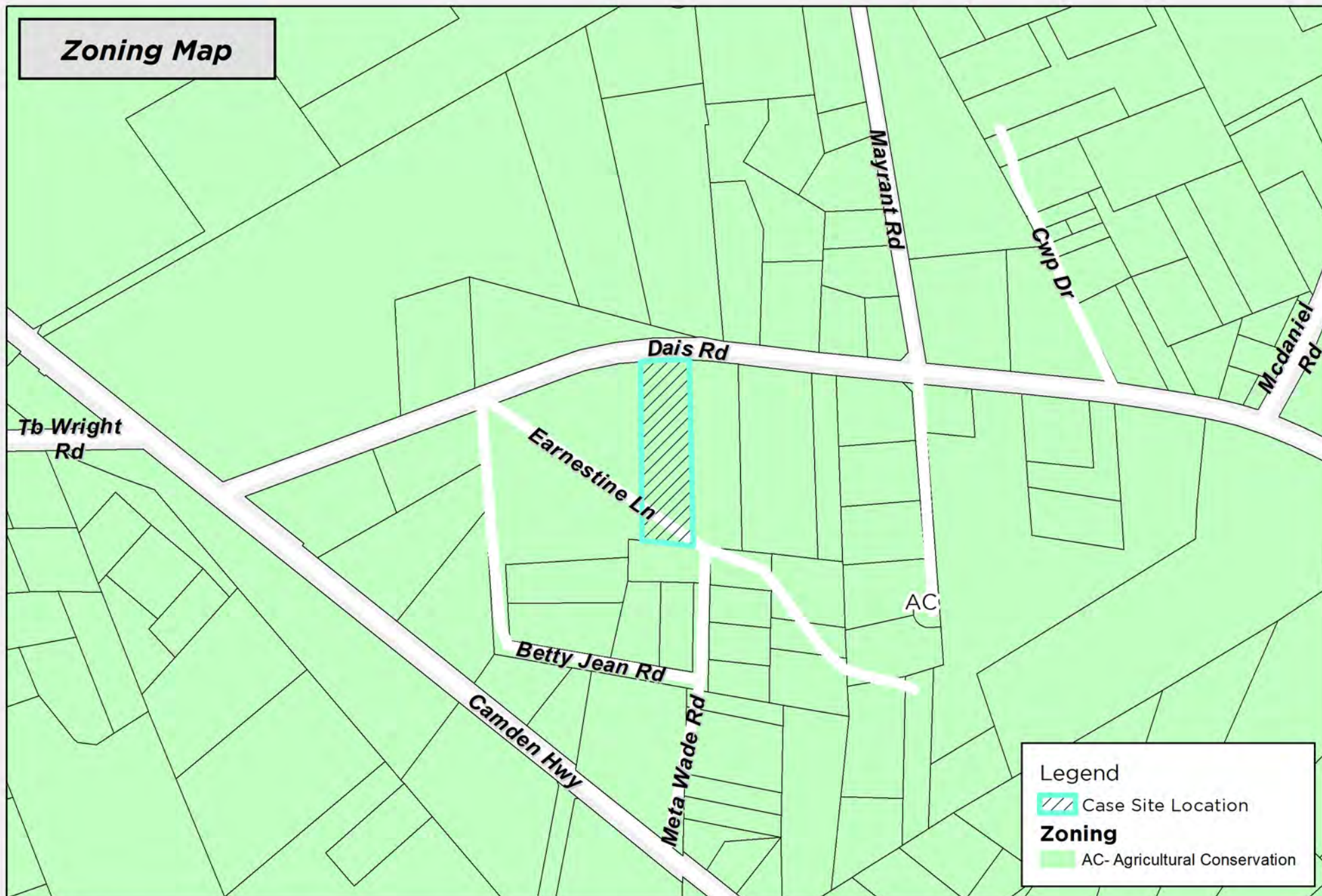


Legend

 Case Site Location

BOA-25-43
5580 Dais Rd, Rembert, SC 29128
Tax Map # 088-00-02-055

Zoning Map



Legend
 Case Site Location
Zoning
 AC- Agricultural Conservation

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0 200 400 Feet
 1 inch = 400 feet

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 5580 Dais Rd, Rembert, SC 29128
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