

Sumter City-County Zoning Board of Appeals

June 10, 2026

BOA-26-19 5396 Pineview Ln. (County)

The applicant (Samuel T. Gary) is requesting variances from the requirements of *Sumter County Zoning & Development Standards Ordinance*, as follows: (1) request for relief from the minimum lot size requirements found in *Article 3.n.5.a (AC District) Minimum Lot Requirements*; (2) request for relief from the minimum road frontage requirements for lots outlined in *Article 8.e.13.c Lots*; and (3) any other variances as required to subdivide a +/-0.75-acre area from a +/-12.96 acres tract to be combined with property in an adjacent county. The required AC district minimum lots size is 1-acre. The minimum amount of frontage a new lot is required to have on a public road is 60 ft. The property is located at 5396 Pineview Ln., is zoned Agricultural Conservation (AC), and is represented by TMS# 144-00-02-003.



Appeals - Variance - Special Exception

Sumter City-County Zoning Board of Appeals

June 10, 2026

BOA-26-19 5396 Pineview Ln. (County)

I. THE REQUEST

Applicant: Samuel T. Gary

Status of the Applicant: Authorized Agent

Request: Variances from lot size requirements and road frontage requirements.

County Council District: 1

Location: 5396 Pineview Ln.

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

Tax Map Reference: 144-00-02-003

II. BACKGROUND

The applicant (Samuel T. Gary) is requesting variances to allow the creation of a new parcel, the variances include: (1) relief from the minimum lot size requirements outlined in *Article 3.n.5.a (AC District Minimum Lot Requirements)*; (2) relief from the minimum road frontage requirements for lots outlined in *Article 8.e.13.c (Lots)*; and (3) any additional variances as necessary to subdivide approximately 0.75 acres from an existing +/- 12.96-acre tract to be combined with an adjoining parcel.



The proposed new parcel is split by the county boundary line between Kershaw County and Sumter County and is accessed at the end of Pineview Lane on the Sumter County side. While the total proposed parcel size is +/- 1.18 acres, only the portion located within Sumter County is

subject to Sumter County development standards. As a result, the Sumter County portion is treated as a separate parcel consisting of approximately +/- 0.75 acres.

Because this portion is considered a separate parcel for subdivision purposes, it is required to meet all applicable development and subdivision standards of the Ordinance. However, the proposed parcel does not meet the minimum lot size and road frontage requirements, therefore necessitating the requested variances. Specifically, the parcel is less than the required minimum lot size of 1.0 acre and does not have frontage on a public road, which is required to have a minimum of 60 feet of public road frontage under the Ordinance.

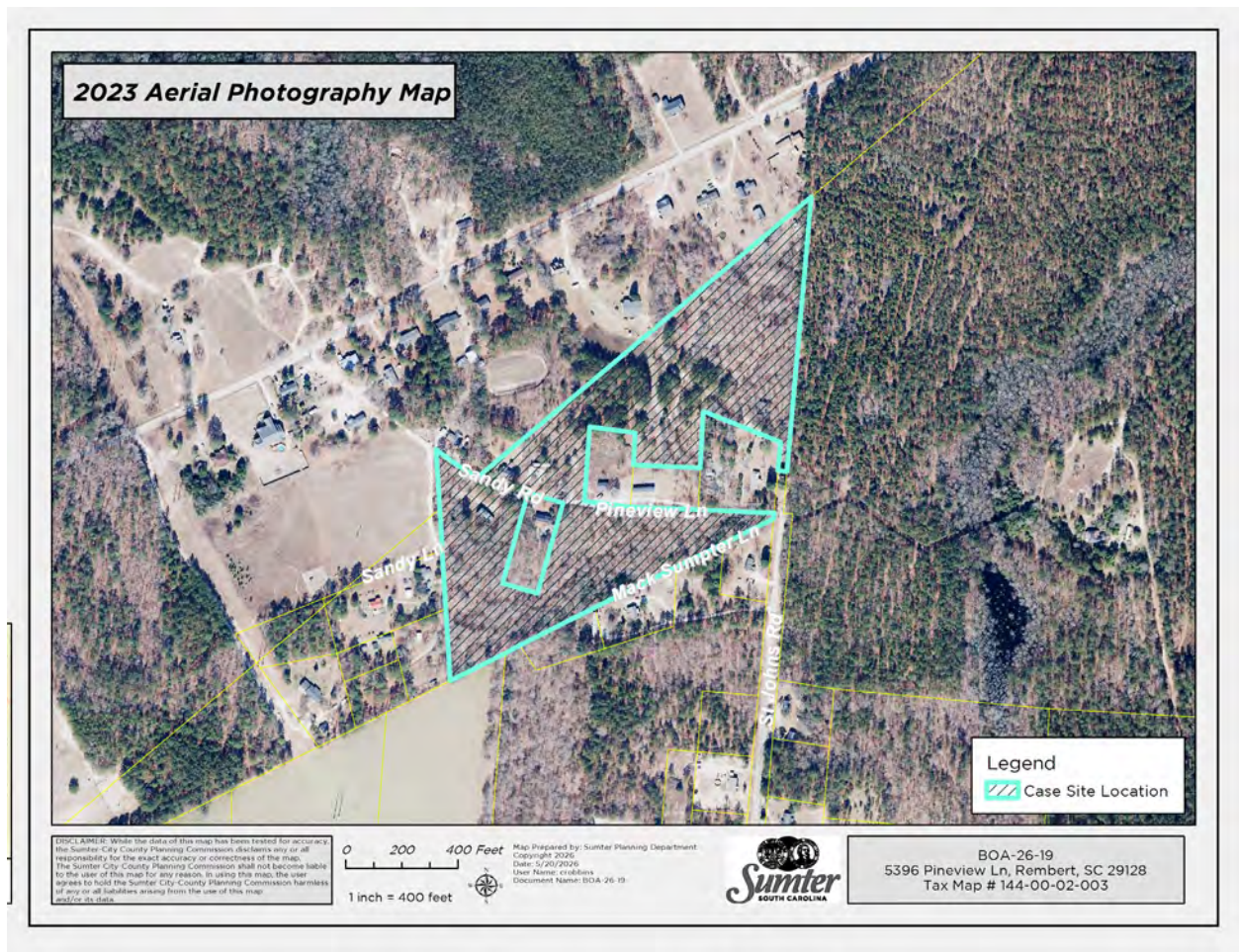
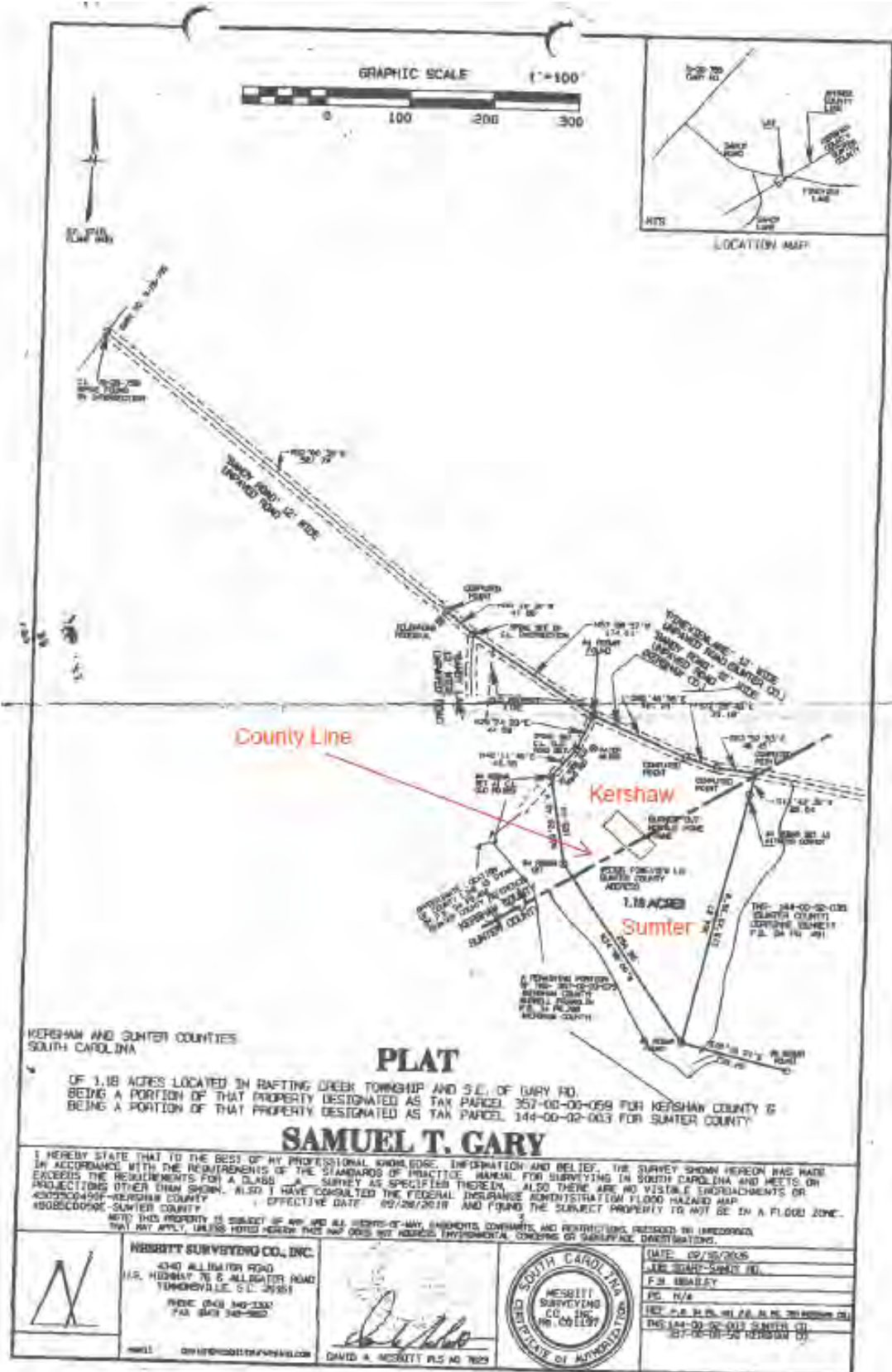


Figure 1: Ariel View of the parent tract



Ordinance Requirements

Article 3.n.5.a: Agricultural Conservation (AC) District-

a. Lot Requirement (Minimum)

Width: 60 ft.

Depth: N/A

Lot Area: 1.0 acre

8.e.13. Lots:

- a. All lots shall have no less than 60 ft. of street frontage unless a lesser standard is allowed elsewhere in the ordinance. These standards may vary in a cul-de-sac only upon approval of the Sumter City-County Planning Commission.

The Request:

The applicant (Samuel T. Gary) is requesting a variances from: 1) minimum lot size requirements found in *Article 3.n.5.a (AC District) Minimum Lot Requirements*; (2) request for relief from the minimum road frontage requirements for lots outlined in *Article 8.e.13.c Lots*; and (3) any other variances as required to subdivide a +/- 0.75 acre portion from a +/- 12.96 acre tract.

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 parcel is split by the county boundary line between Kershaw County and Sumter County.
2. Only the Sumter County portion is subject to Sumter County development standards and is treated as a separate +/- 0.75-acre parcel.
3. The county line division limits the usable acreage within Sumter County to approximately +/- 0.75 acres.

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

Case Facts

1. There are other tracts of land split by the established county boundaries, but most are large tracts which, while separated by jurisdiction, are compliant with the Ordinance minimum development standards despite the splits.
2. All other tract of land subdivided in this area must meet the 1.0 acre minimum lot size and 60 ft. lot width to a public road requirement, absent variance approval from the BZA.

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. Strict application of the Ordinance would prevent the creation of the proposed parcel despite the overall tract exceeding 1.0 acre when considering the portion of property in Kershaw County.
2. The parcel's location at the end of Pineview Lane, a private road, prevents obtaining required public road frontage.

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 requested variance is not anticipated to create substantial detriment to adjacent properties or the public good.
2. The proposed parcel would remain generally consistent with the character of the surrounding area.
3. The proposed subdivision appears compatible with surrounding properties and existing development patterns.
4. Approval of the variance would result in the creation of a nonconforming lot within the district.

IV. STAFF RECOMMENDATION

If the Board finds that all necessary criteria have been met to approve this request, staff recommend the following condition:

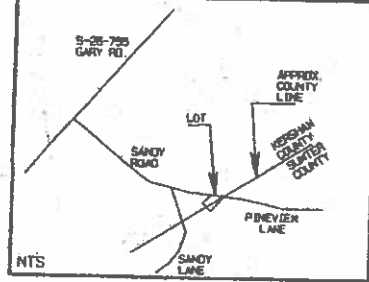
1. Removal of the burned-out mobile home currently on the site.

V. DRAFT MOTIONS FOR BOA-26-19

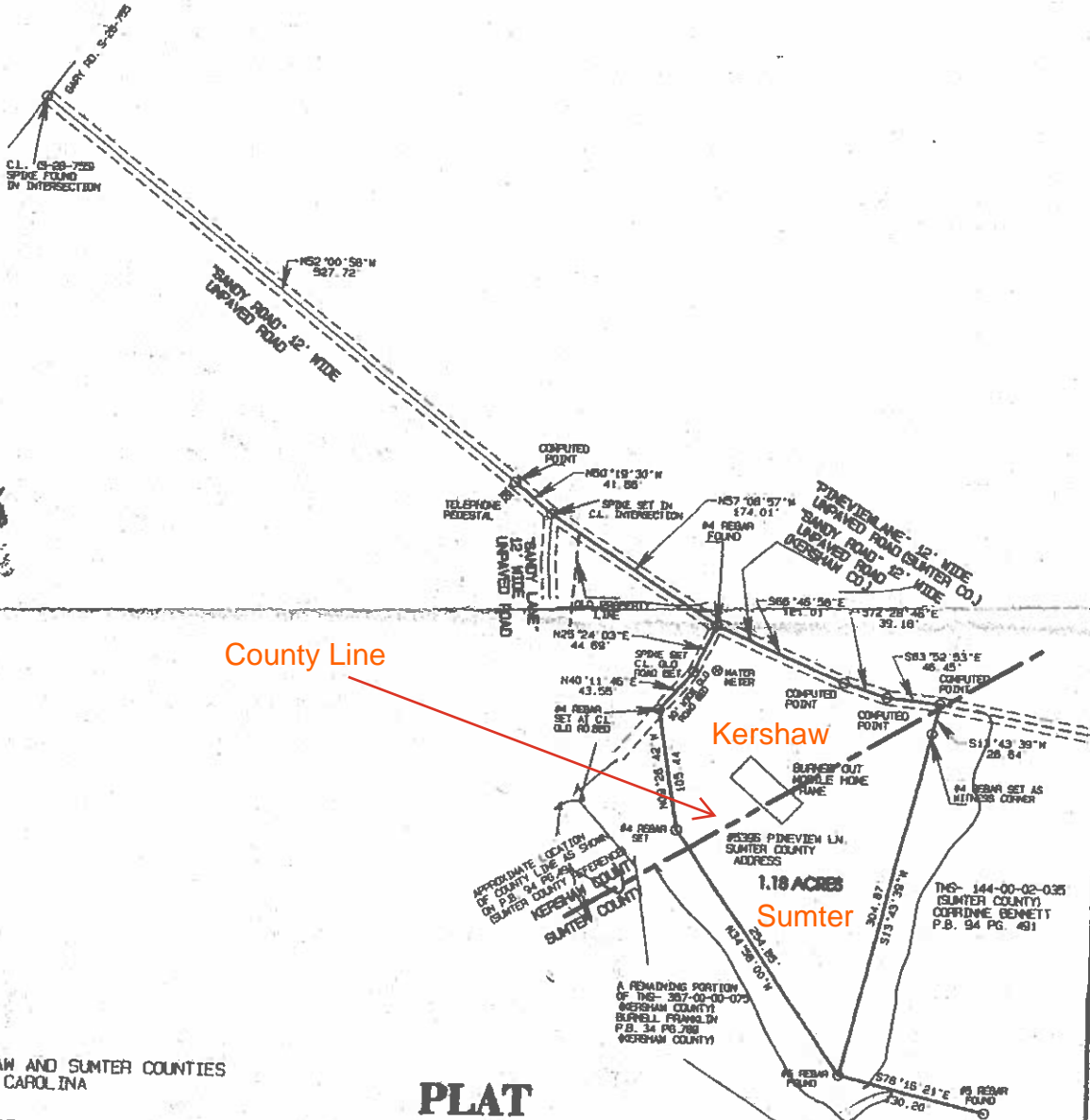
1. I move the Zoning Board of Appeals **approve** BOA-26-19, subject to the findings of fact and conclusions developed by the BZA and so stated:
[reference specific findings as developed based on facts presented in the staff report, exhibits, and/or during the public hearing.]
2. I move the Zoning Board of Appeals **deny** BOA-26-19, 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-26-19

VI. BOARD OF APPEALS – June 10, 2026

GRAPHIC SCALE 1"=100'



LOCATION MAP



County Line

Kershaw

Sumter

1.18 ACRES

KERSHAW AND SUMTER COUNTIES SOUTH CAROLINA

PLAT

OF 1.18 ACRES LOCATED IN RAFTING CREEK TOWNSHIP AND S.E. OF GARY RD. BEING A PORTION OF THAT PROPERTY DESIGNATED AS TAX PARCEL 357-00-00-059 FOR KERSHAW COUNTY & BEING A PORTION OF THAT PROPERTY DESIGNATED AS TAX PARCEL 144-00-02-003 FOR SUMTER COUNTY

SAMUEL T. GARY

I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS A SURVEY AS SPECIFIED THEREIN. ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN. ALSO I HAVE CONSULTED THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD MAP 45093C0490F-KERSHAW COUNTY EFFECTIVE DATE 09/28/2018 AND FOUND THE SUBJECT PROPERTY TO NOT BE IN A FLOOD ZONE.

NOTE: THIS PROPERTY IS SUBJECT OF ANY AND ALL RIGHTS-OF-WAY, EASEMENTS, COVENANTS, AND RESTRICTIONS, RECORDED OR UNRECORDED, THAT MAY APPLY. UNLESS NOTED HEREON THIS MAP DOES NOT ADDRESS ENVIRONMENTAL CONCERNS OR SUBSURFACE INVESTIGATIONS.



NESBITT SURVEYING CO., INC. 4340 ALLIGATOR ROAD U.S. HIGHWAY 76 & ALLIGATOR ROAD TIMMONSVILLE, S.C. 29161 PHONE (843) 346-3302 FAX (843) 346-2802

Signature of David A. Nessitt and 'DAVID A. NESBITT PLS NO 7629' text.



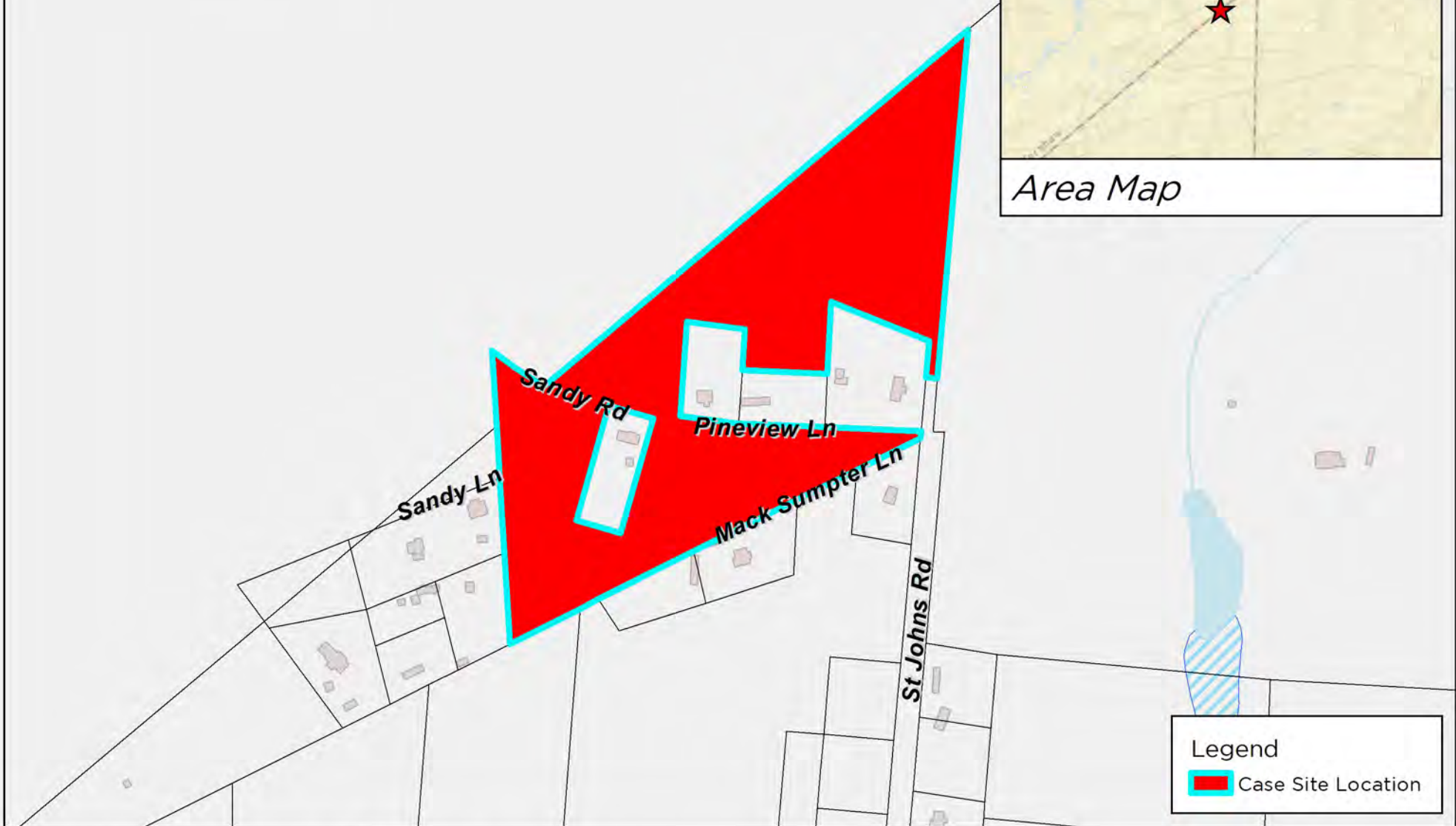
Table with survey details: DATE: 02/15/2026, JOB: SGARY-SANDY RD., F.B.: BBADLEY, PG.: N/A, REF.: P.B. 94 PG. 491, P.B. 34 PG. 769 KERSHAW CO., TNS: 144-00-02-003 SUMTER CO., 357-00-00-59 KERSHAW CO.

es11 david@nesbittsurveying.com

Location Map



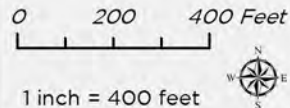
Area Map



Legend

 Case Site Location

DISCLAIMER: While the data of this map has been tested for accuracy, the Sumter-City County Planning Commission disclaims any or all responsibility for the exact accuracy or correctness of the map. The Sumter City-County Planning Commission shall not become liable to the user of this map for any reason. In using this map, the user agrees to hold the Sumter City-County Planning Commission harmless of any or all liabilities arising from the use of this map and/or its data.

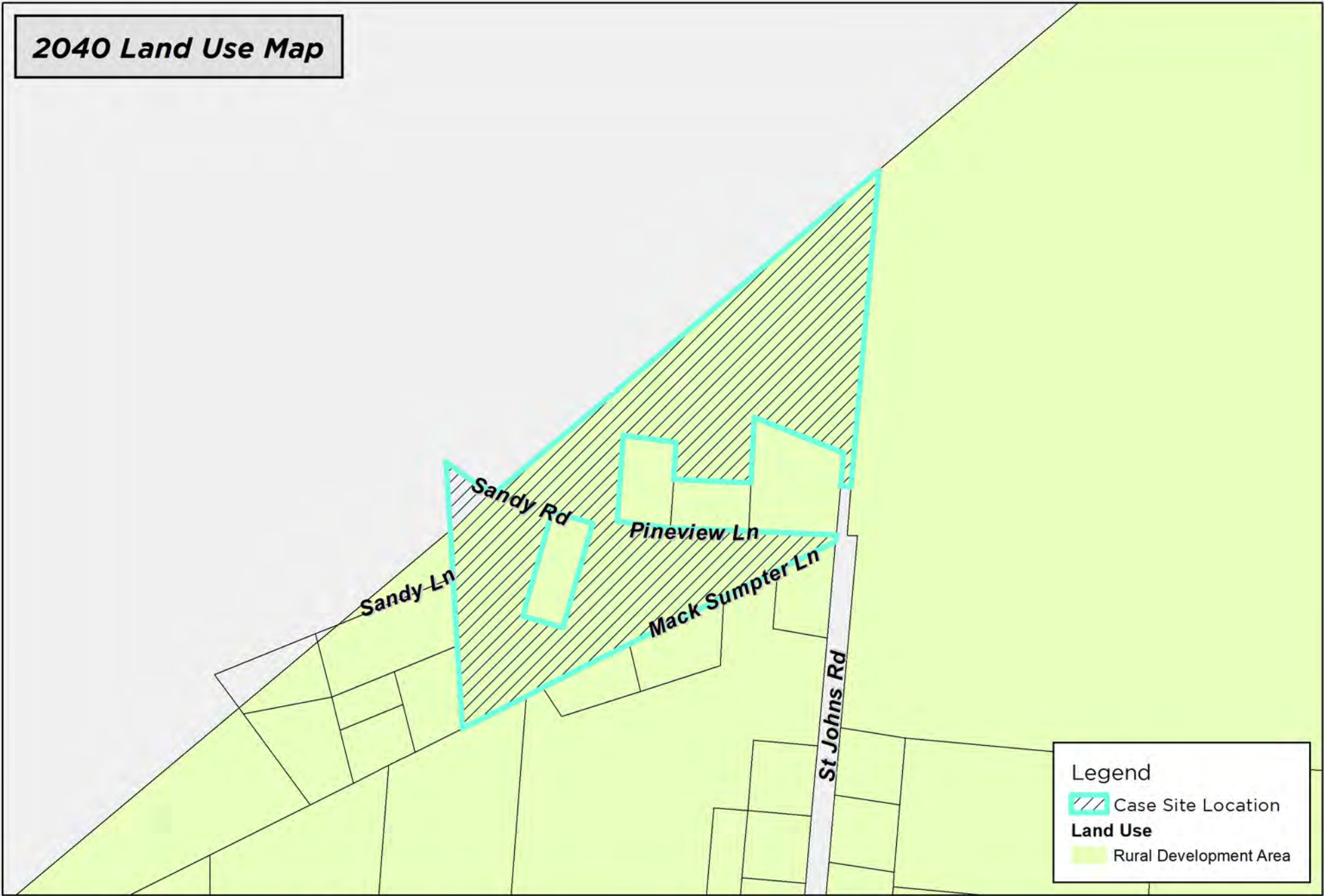


Map Prepared by: Sumter Planning Department
Copyright 2026
Date: 5/20/2026
User Name: crobbins
Document Name: BOA-26-19



BOA-26-19
5396 Pineview Ln, Rembert, SC 29128
Tax Map # 144-00-02-003

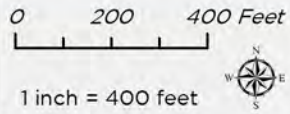
2040 Land Use Map



Legend

- Case Site Location
- Land Use**
- Rural Development Area

DISCLAIMER: While the data of this map has been tested for accuracy, the Sumter-City County Planning Commission disclaims any or all responsibility for the exact accuracy or correctness of the map. The Sumter-City-County Planning Commission shall not become liable to the user of this map for any reason. In using this map, the user agrees to hold the Sumter-City-County Planning Commission harmless of any or all liabilities arising from the use of this map and/or its data.

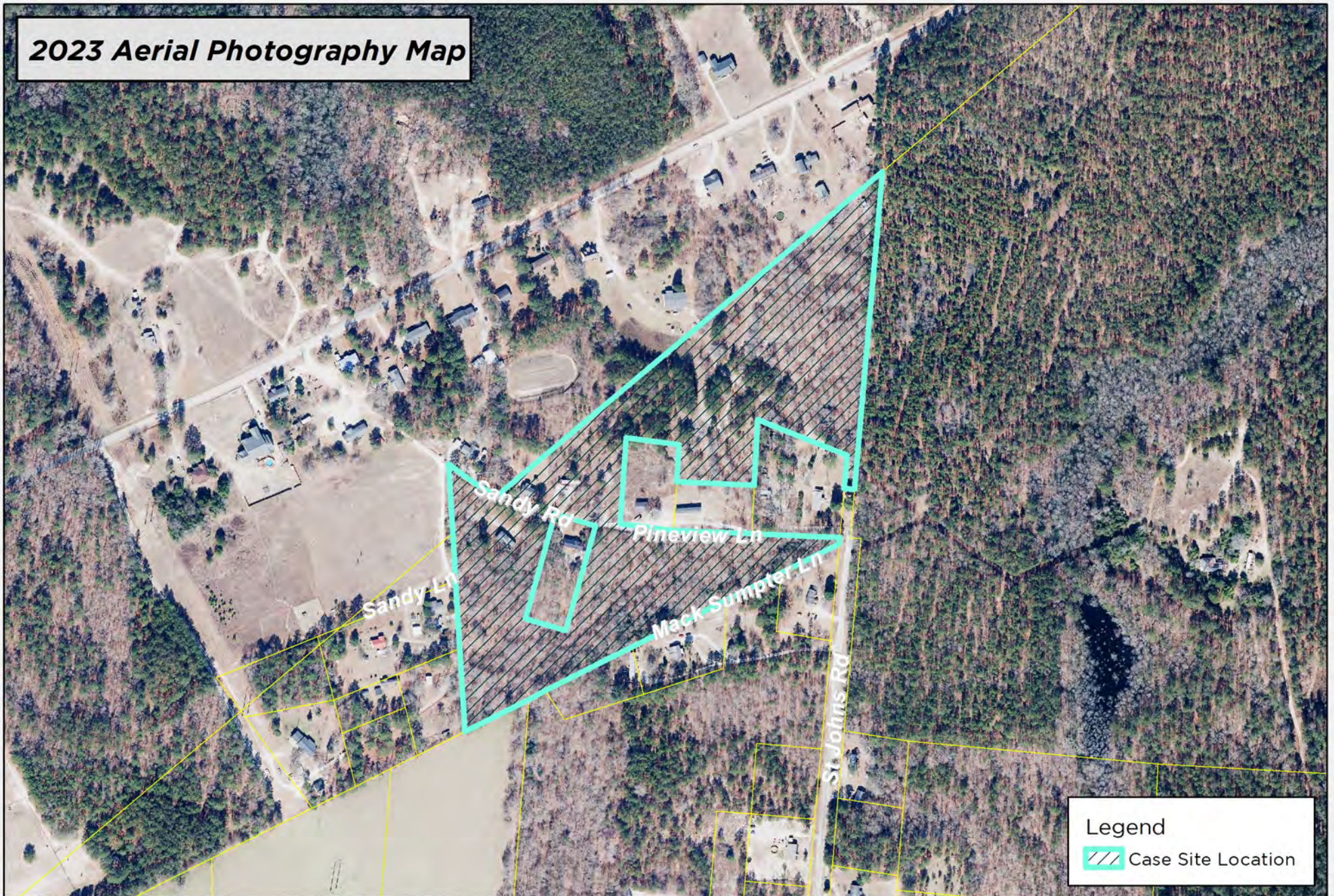


Map Prepared by: Sumter Planning Department
Copyright 2026
Date: 5/20/2026
User Name: crobbins
Document Name: BOA-26-19

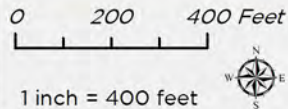


BOA-26-19
5396 Pineview Ln, Rembert, SC 29128
Tax Map # 144-00-02-003

2023 Aerial Photography Map




DISCLAIMER: While the data of this map has been tested for accuracy, the Sumter City-County Planning Commission disclaims any or all responsibility for the exact accuracy or correctness of the map. The Sumter City-County Planning Commission shall not become liable to the user of this map for any reason. In using this map, the user agrees to hold the Sumter City-County Planning Commission harmless of any or all liabilities arising from the use of this map and/or its data.



Map Prepared by: Sumter Planning Department
Copyright 2026
Date: 5/20/2026
User Name: crobbins
Document Name: BOA-26-19

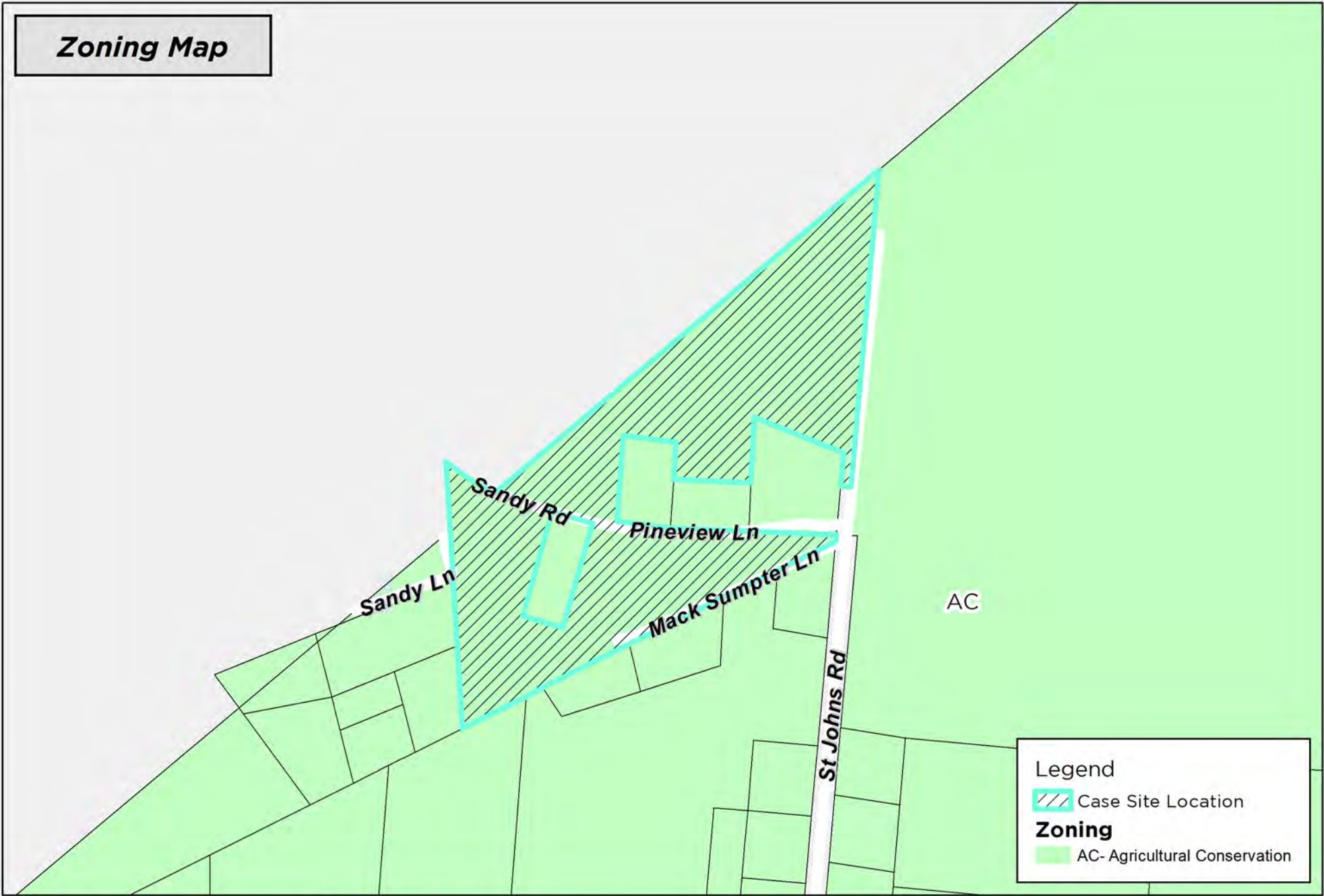


Legend

 Case Site Location

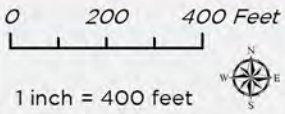
BOA-26-19
5396 Pineview Ln, Rembert, SC 29128
Tax Map # 144-00-02-003

Zoning Map



Legend
Case Site Location
Zoning
AC- Agricultural Conservation

DISCLAIMER: While the data of this map has been tested for accuracy, the Sumter-City County Planning Commission disclaims any or all responsibility for the exact accuracy or correctness of the map. The Sumter-City-County Planning Commission shall not become liable to the user of this map for any reason. In using this map, the user agrees to hold the Sumter-City-County Planning Commission harmless of any or all liabilities arising from the use of this map and/or its data.



Map Prepared by: Sumter Planning Department
Copyright 2026
Date: 5/20/2026
User Name: crobbins
Document Name: BOA-26-19



BOA-26-19
5396 Pineview Ln, Rembert, SC 29128
Tax Map # 144-00-02-003