

Sumter City-County Zoning Board of Appeals

September 9, 2026

BOA-26-28, 3115 N. Kings Hwy. (County)

The applicant (John Thomas Parker) is requesting variances from the requirements of Sumter County Zoning & Development Standards Ordinance, as follows: (1) minimum lot width standards found in Article 3.n.5.a: (AC District) Minimum Lot Requirements and Article 8.e.13.g: Lots, (2) minimum street frontage standards found in Article 8.e.13.c: Lots, and (3) any other variances required to subdivide the property. The property is located at 3115 N. Kings Hwy., is zoned Agricultural Conservation (AC), and is represented by TMS# 091-00-02-010.



Appeals - Variance - Special Exception

Sumter City-County Zoning Board of Appeals

September 9, 2026

BOA-26-28, 3115 N. Kings Hwy. (County)

I. THE REQUEST

Applicant: John Thomas Parker

Status of the Applicant: Authorized Agent

Request: Variances from minimum lot width and street frontage requirements to subdivide the property.

County Council District: District 1

Location: 3115 N. Kings Hwy.

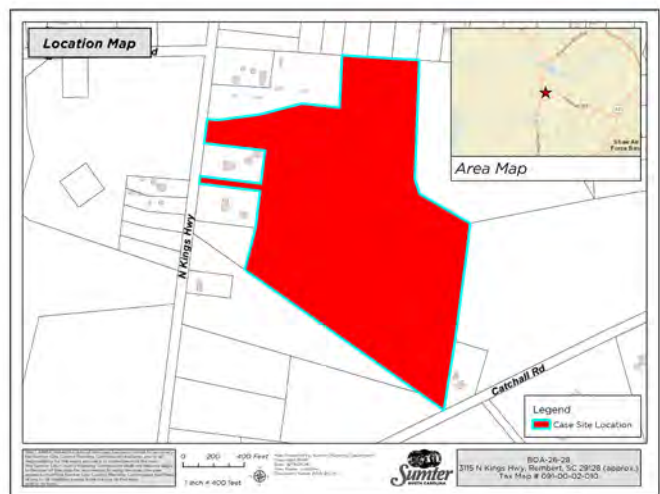
Present Use/Zoning: Residence / Agricultural Conservation (AC)

Tax Map Reference: 091-00-02-010

II. BACKGROUND

The applicant (John Thomas Parker) is requesting variances from AC district minimum lot width and street frontage requirements to subdivide a 49.64-acre property into separate tracts.

The property is located on N. Kings Hwy. in the Rembert area of Sumter County. The property has frontage on the east side of N. Kings Hwy., approximately ½ mile to north of the intersection of N. Kings Hwy. and Catchall Rd. The property is shown in red on the location map to the right.



The applicant proposes creating two tracts of 25.97-acres and 23.67-acres, roughly dividing the property in half. The northernmost tract would continue to use its existing frontage on N. Kings

Hwy and is compliant with Sumter County Zoning & Development Standards Ordinance (the “Zoning Ordinance”) requirements. The southern tract would be served by an existing 50 ft. wide stem that connects to N. Kings Hwy. However, the AC District requires a minimum lot width of 60 ft. throughout, and a minimum of 60 ft. of frontage on a public road unless the subdivision qualifies for a “lifetime-family transfer” exemption. Therefore, approval of variance is required for the subdivision as proposed.

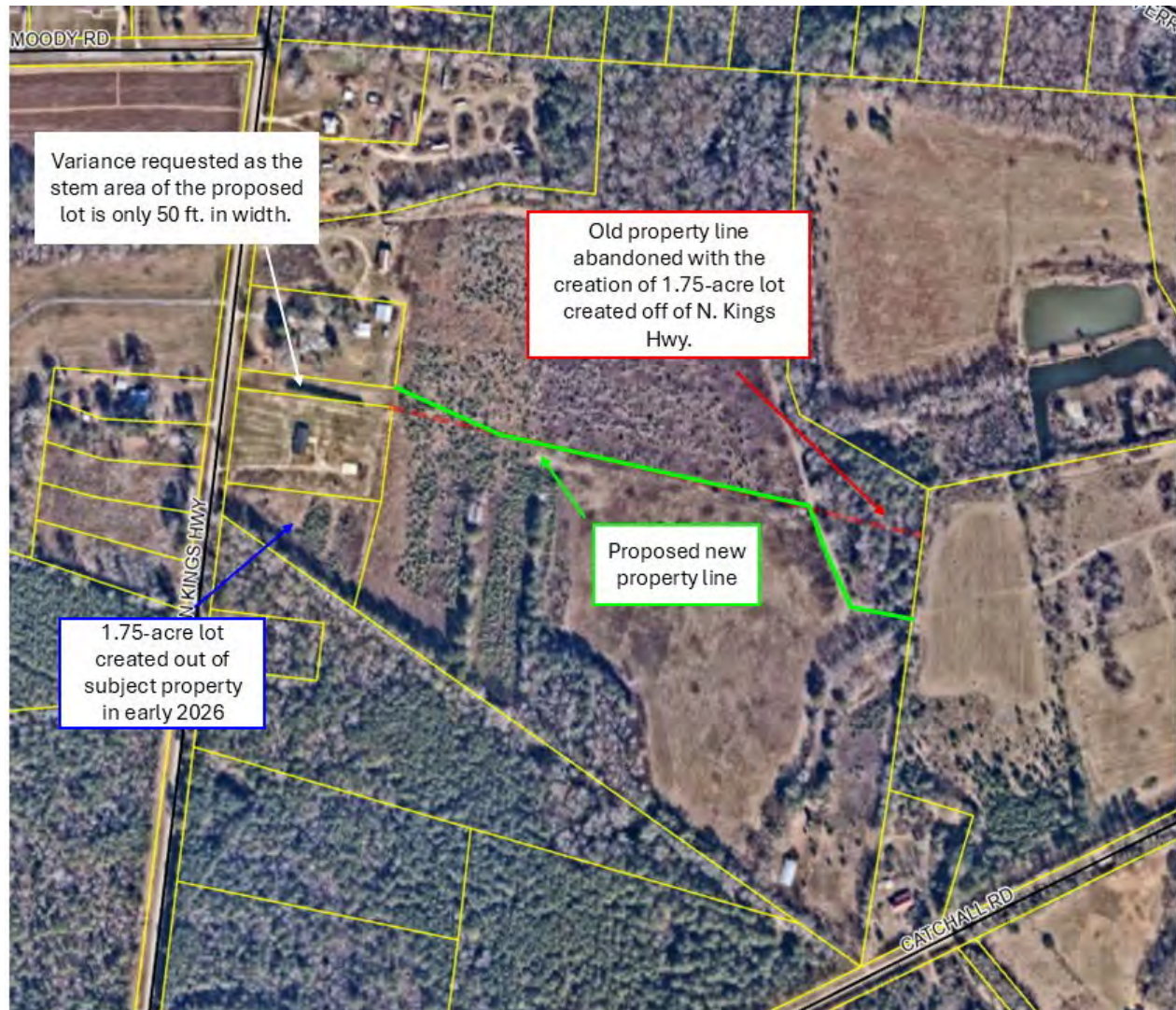


Figure 1: Plat Graphic

Until early 2026, the property consisted of 2 tracts divided roughly in half. A 1.75-acre tract with direct frontage onto N. Kings Hwy. was subdivided off the larger property, and the internal property between the remaining tracts was removed – creating 1 combined tract. This combination was necessary to approve the 1.75-acre subdivision because without it the remaining tract would not have met Zoning Ordinance requirements. The applicant now seeks to reestablish a dividing line to create 2 separate tracts once again. Exhibit 1 (proposed plat) and Exhibit 2 (last recorded plat) are attached to this report.

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 8.e.13: Lots

- a. All lots shall be accessible by a public street, a private street only as provided for in a Planned Development (PD), or a rural community drive as defined in *Article 8.e.1.c.2*. Exception: Multi-space or building commercial sites may make the driveway and parking area a common, jointly maintained area and have individual properties access that area. "Accessible" shall be construed as meeting the minimum frontage requirements for the zoning district on a public street.
- b. The lot size, width, depth, shape, grade, and orientation shall be in proper relationship to the fronting street; to the existing and proposed topographical conditions; and for the type of development and use contemplated;
- c. 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.
- d. Side lot lines shall be approximately at right angles to the straight street lines and radial to the curved street lines.
- e. Lots created as a result of an Exempt Subdivision as defined in *Article 10* of this Ordinance shall fully comply with *S.C. Code 6-29-1110*.
- f. Except in the Agricultural Conservation (AC) District, the depth of residential lots shall not be less than one nor more than 2.5 times their width; provided however, that the Sumter City-County Planning Commission may grant exceptions to this in order to overcome specific disadvantages of topography or other site conditions.
- g. In the Agricultural Conservation (AC) District, all lots shall have no less than 60 ft. of lot width throughout the parcel.

The Request:

The applicant (John Thomas Parker) is requesting variances from the following Zoning Ordinance requirements:

1. Minimum lot width standards (Article 3.n.5.a & Article 8.e.13.g)
2. Minimum street frontage standards (Article 8.e.13.c)

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 property is +/- 49.64-acres in size.
2. The proposed tracts are 25.97 & 23.67-acres in size.
3. Both tracts have public road access; however, the southern tract's access only consists of a 50 ft. stem, 10 ft. less than required.

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

Case Facts:

1. Most property in the general vicinity of comparable size has enough public road frontage and space for lot width to allow for the creation of at least 1 additional lot.

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. The property cannot be subdivided (outside of a lifetime family transfer exemption) because it lacks the required amount of public road frontage and lot width throughout under current requirements.

- 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 subdivision would result in 2 large tracts.
2. Additional subdivision would not be permitted without either future BZA approval, additional land acquisition, or lots subject to a “lifetime family transfer” exemption.
3. 50 ft. stem is adequate for the establishment of a driveway accessing the rear acreage.

IV. STAFF RECOMMENDATION

Staff recommends the following approval condition be placed upon the variances if the Board finds that all necessary criteria have been met:

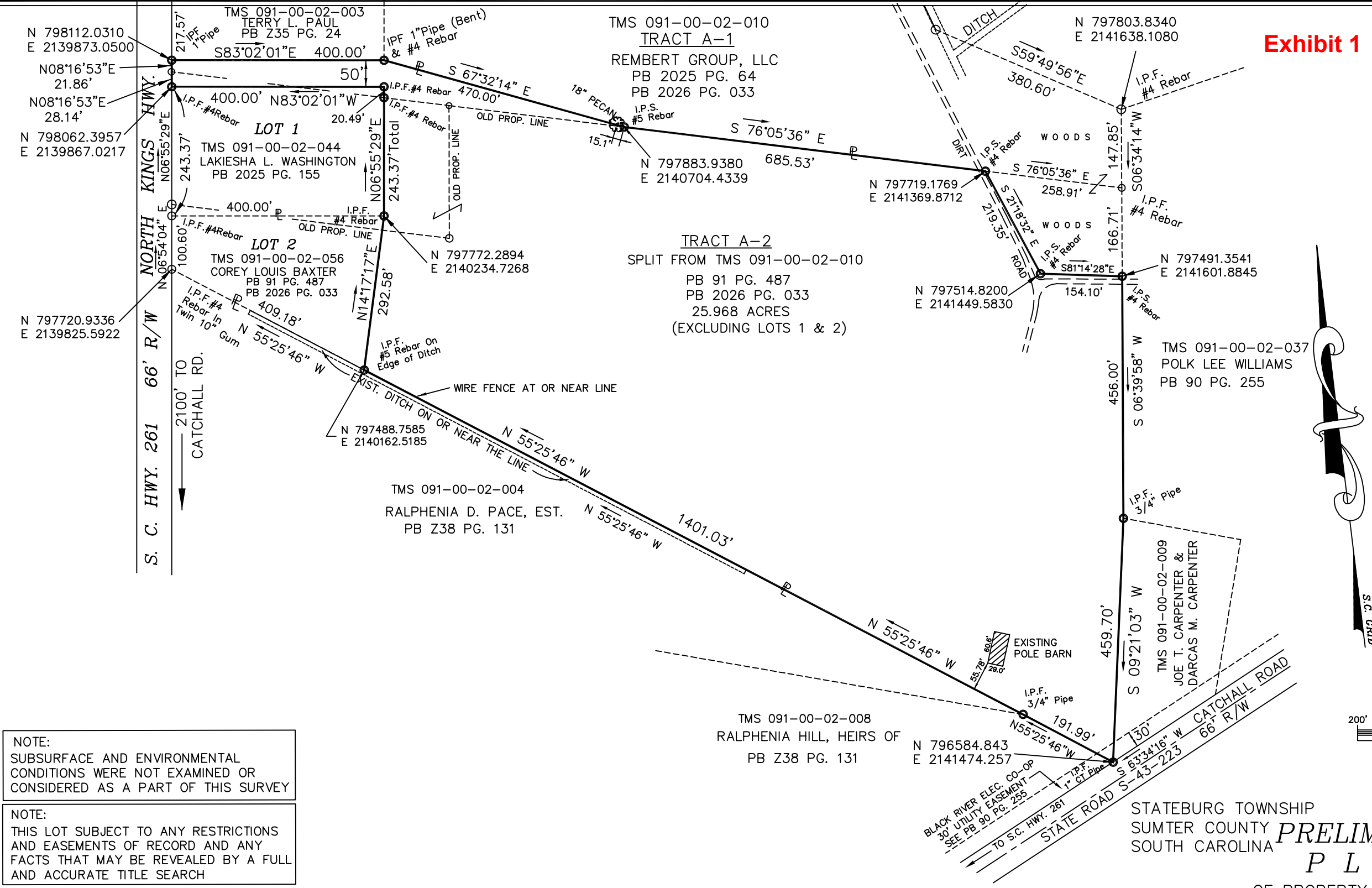
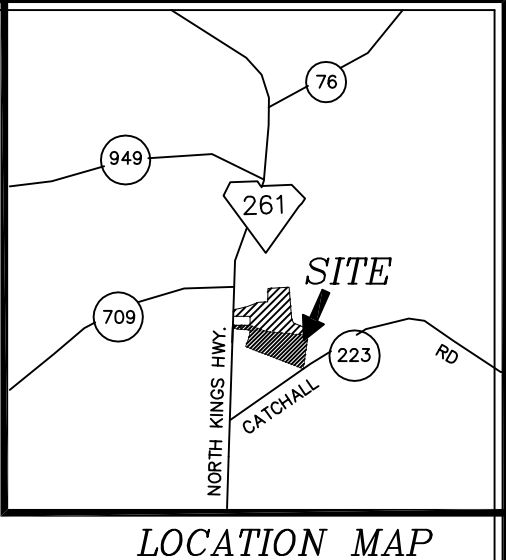
1. No structures shall be erected on portions of the property where lot width is less 60 ft.

V. DRAFT MOTIONS FOR BOA-26-28

- A. I move the Zoning Board of Appeals **approve** BOA-26-28, 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-26-28, 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-26-28.

VI. BOARD OF APPEALS – September 9, 2026

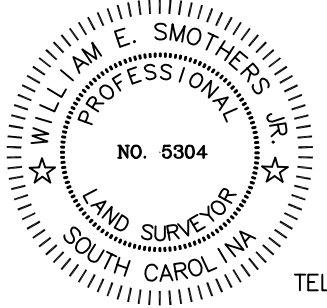
Exhibit 1



NOTE:
SUBSURFACE AND ENVIRONMENTAL
CONDITIONS WERE NOT EXAMINED OR
CONSIDERED AS A PART OF THIS SURVEY

NOTE:
THIS LOT SUBJECT TO ANY RESTRICTIONS
AND EASEMENTS OF RECORD AND ANY
FACTS THAT MAY BE REVEALED BY A FULL
AND ACCURATE TITLE SEARCH

I hereby state that to the best of my knowledge, information and belief, the survey shown herein was made in accordance with the requirements of the Minimum Standards Manual for the Practice of Land Surveying in South Carolina and meets or exceeds the requirements for a Class B survey as specified therein; also there are no visible encroachments or projections other than shown. Also, this lot is not in a Flood Hazard Area as shown on FEMA Flood Insurance Rate Map, Community Panel No. 45085C0100E Dated SEPT. 28, 2018

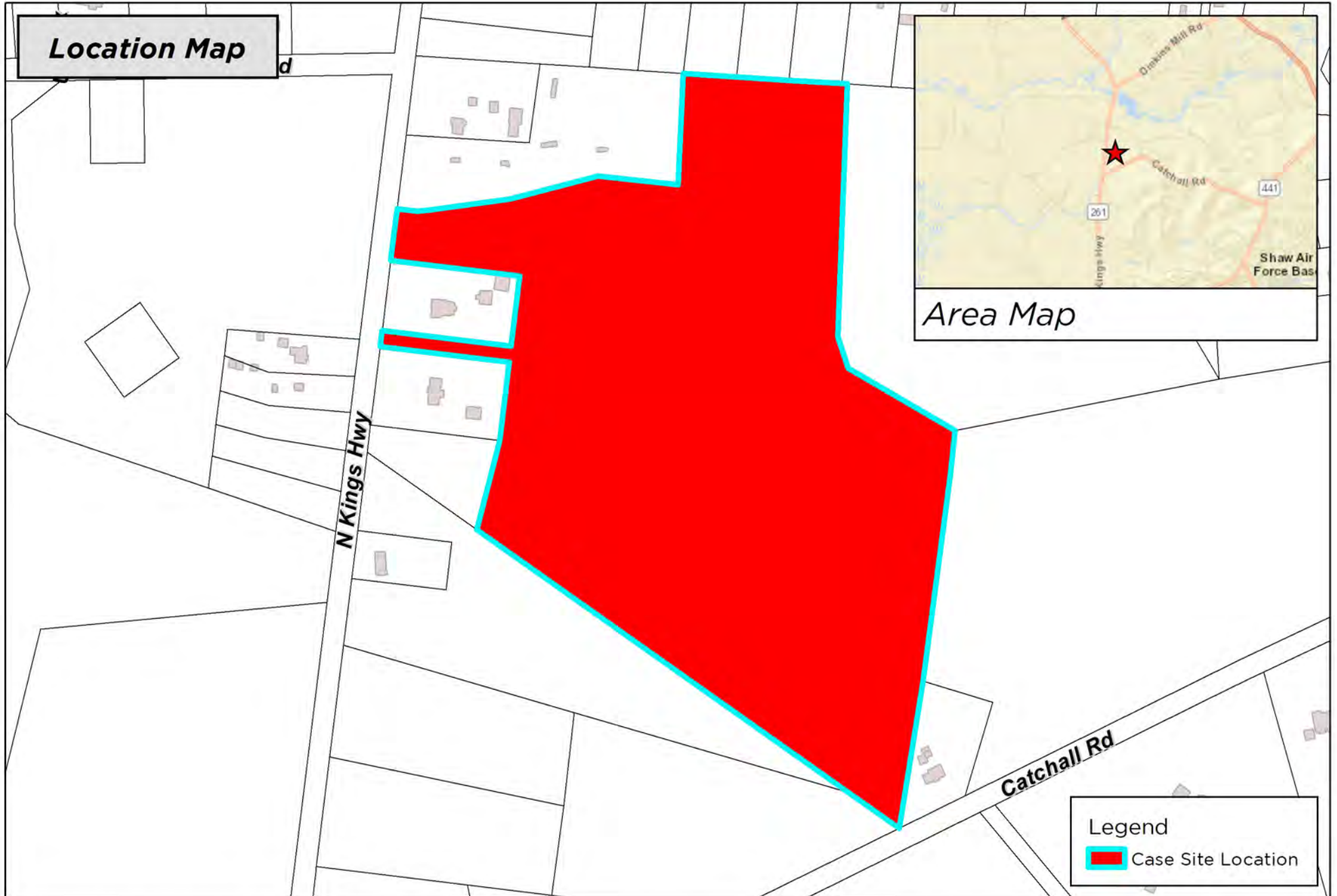


SURVEYED BY
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STATEBURG TOWNSHIP
SUMTER COUNTY
SOUTH CAROLINA
PRELIMINARY
PLAT
OF PROPERTY SURVEYED FOR
STACEY E. DIXON AND ELIZABETH S. DIXON

TRACT A-2, CONTAINING 25.968 ACRES, SPLIT FROM TAX PARCEL 091-00-02-010, LOCATED AS SHOWN ABOVE, SOUTH OF REMBERT, IN SUMTER COUNTY, S.C., AND BEING THE MAJOR PORTION OF THAT PROPERTY SHOWN AS TRACT A-2, SURVEYED BY ME AND RECORDED IN PLAT BOOK 2026, PAGE 33. REFERENCE ALSO A PLAT OF THIS PROPERTY SURVEYED BY DONALD J. SMITH, PLS, DATED MARCH 15, 1991 AND RECORDED IN PLAT BOOK 91, PAGE 487. THIS TRACT IS NOW BEING SPLIT FROM TAX PARCEL 091-00-02-010.

Location Map

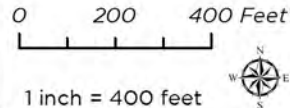


Area Map

Legend

 Case Site Location

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Document Name: BOA-26-28



BOA-26-28
3115 N Kings Hwy, Rembert, SC 29128 (approx.)
Tax Map # 091-00-02-010

2040 Land Use Map

Emma Perry
Blvd

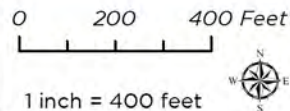
N Kings Hwy

Catch
ed

Legend

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

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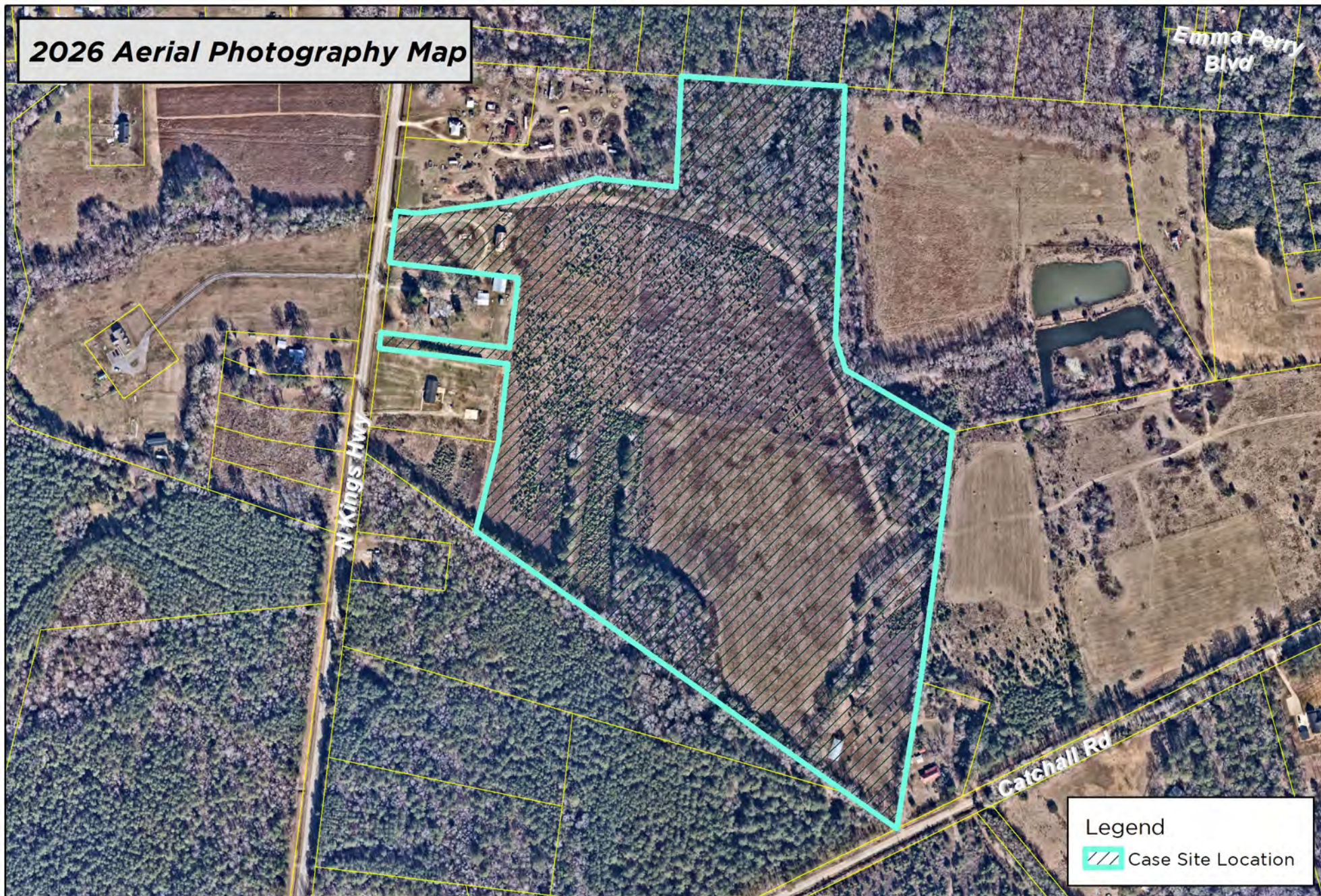


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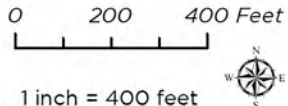


BOA-26-28
3115 N Kings Hwy, Rembert, SC 29128 (approx.)
Tax Map # 091-00-02-010

2026 Aerial Photography Map



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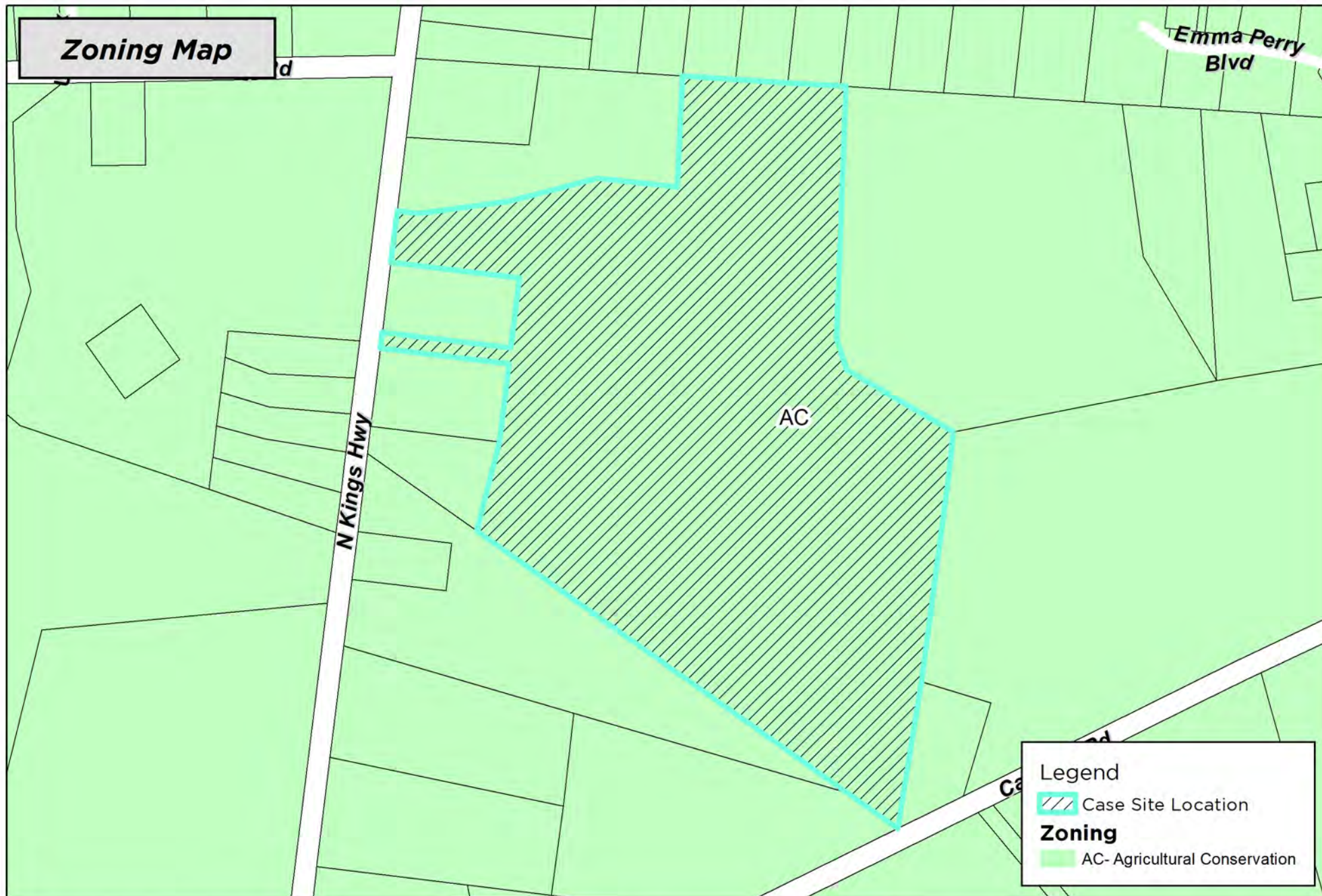


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BOA-26-28
3115 N Kings Hwy, Rembert, SC 29128 (approx.)
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Zoning Map



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0 200 400 Feet
1 inch = 400 feet



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Legend

Case Site Location

Zoning

AC- Agricultural Conservation

BOA-26-28
3115 N Kings Hwy, Rembert, SC 29128 (approx.)
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