

Board of Zoning Appeals Members

District 1: Beverly Williams
District 2: Kemesha Lowery
District 3: Keye Jones
District 4: Miller DeVenny
District 5: Sheresa Ingram
District 6: Mike Couch
District 7: Frances Liu, Chair

**County Attorney**

John K. DuBose III

Clerk to Board of Zoning Appeals

Jennifer Bryan

Development Services Director

Rox Burhans

October 5, 2021

6:00 PM

**101 North Main Street
Lancaster, SC 29720**

**LANCASTER COUNTY BOARD OF ZONING
APPEALS**

**County Council Chambers, County Administration
Building, 101 North Main Street, Lancaster, SC 29720**

AGENDA

1. **Call to Order Regular Meeting - Chair**
2. **Roll Call**
3. **Approval of the Agenda - Board of Zoning Appeals**
4. **Citizen's Comments**

[Lancaster County welcomes comments and input from citizens who may not be able to attend meetings in person. Written comments may be submitted via mail to ATTN: Jennifer Bryan, Post Office Box 1809, Lancaster, SC, 29721, by email to Jennifer Bryan at jbryan@lancastersc.org or by online submission by selecting the "Citizens Comments" quick link located on the County website homepage at <https://www.mylancastersc.org/>. Comments must be no longer than approximately 3 minutes when read aloud. Comments received will be acknowledged during the Citizens Comments portion of the meeting. Comments will need to be received prior to 4:00 p.m. on the day of the meeting. Please use the same link above in order to submit input/comments for Public Hearings.]

5. **Approval of Minutes**
 - a. April 6, 2021 BZA Minutes
 - b. August 3, 2021 BZA Minutes
6. **New Business**
 - a. Continuing Education
Materials to be distributed at meeting
7. **Adjourn**

Please note that the Board of Zoning Appeals makes the final decision on all items.

Anyone requiring special services to attend this meeting should contact 285-1565 at least 24 hours in advance of this meeting. Lancaster County Board of Zoning Appeals agendas are posted at the Lancaster County Administration Building and are available on the Website: www.mylancastersc.org

Meetings are live streamed and can be found by using the following link:
<https://www.youtube.com/channel/UCgSlMrcYjcYcu1m-e6TV54w>

Agenda Item Summary

Ordinance # / Resolution #:

Contact Person / Sponsor:

Department: Board of Zoning Appeals

Date Requested to be on Agenda: 10/5/2021

Issue for Consideration:

Points to Consider:

Recommendation:

ATTACHMENTS:

Description

April 6, 2021 BZA Minutes

Upload Date

7/27/2021

Type

Exhibit

**MINUTES OF THE LANCASTER COUNTY BOARD OF ZONING APPEALS
REGULAR MEETING**

APRIL 6, 2021, 6:00 PM

1. Call to Order

Chair Liu called the meeting to order at 6:00 p.m.

2. Roll Call

Board Members present:

Frances Liu	Mike Couch	Miller DeVenny
Keye Jones	Kemesha Lowery	

Absent: Beverly Williams

*No appointment has yet been made to replace Darrell Reid for District 5.

Staff: Robert Tefft, Planner

Jennifer Bryan, Administrative Assistant acted as Clerk and Recording Secretary

Council Clerk Sherrie Simpson was present in an advisory capacity.

Others Present:

County Attorney Dubose

Arthur Porter (representing applicant Chick-Fil-A)

Hunter Thompson (in support of applicant)

Members of the press were not present. All adjacent property owners were notified by certified mail. A notice was published in the local newspaper to include meeting place, date, time and the agenda and a copy on file.

3. Approval of Agenda

Kemesha Lowery moved to Approve the Agenda; seconded by Mike Couch. The motion was approved by unanimous consent.

4. Citizen's Comments: No citizens signed in to speak. No written comments were submitted.

5. Approval of Minutes from March 2, 2021

Chair Frances Liu asked if there were any comments, changes or corrections to the Minutes of the March 2, 2021 meeting. Mike Couch moved to approve minutes as written, seconded by Kemesha Lowery. Keye Jones abstained as not being present for the March 2 meeting.

The remaining four Board members voted unanimously to approve and adopt the March 2, 2021 minutes.

6. Public Hearing Items

a. VAR-2021-0490 Chick-Fil-A

Application by Esencia Architecture requesting a variance from Unified Development Ordinance Section 2.4. The subject property is located at 10032 Charlotte Highway, Indian Land, SC (TMS 0005-00-102.06) in the Regional Business (RB) District.

Staff presentation: Robert Tefft, Senior Planner

Applicant: Chick-Fil-A (Indian Land) statement signed by applicant Arthur Porter

Speaking For: Arthur Porter (Indian Land franchisee).

Hunter Thompson (Lancaster franchisee)

Speaking Against: None

Discussion concerning technical questions on possible architectural changes to plan led to applicant requesting that further discussion be deferred to a future meeting when architects could be present.

Mike Couch moved to continue item to May 2021 meeting. Motion seconded by Miller DeVenny. The motion was approved by unanimous consent.

[Note: May and June Board of Zoning Appeals Meetings were cancelled. The item was deferred to July 2021 by request of applicant; and application was ultimately withdrawn. See attached email]

7. New Business

No new business was presented, other than deferral of Chick-Fil-A variance to May meeting.

8. Adjournment:

With there being no further business, Mike Couch moved to adjourn; motion seconded by Kemesha Lowery. The motion was approved by unanimous consent.

Agenda Item Summary

Ordinance # / Resolution #:

Contact Person / Sponsor:

Department: Planning

Date Requested to be on Agenda: 10/5/2021

Issue for Consideration:

Points to Consider:

Recommendation:

ATTACHMENTS:

Description

August 3, 2021 BZA Minutes

Upload Date

9/29/2021

Type

Exhibit



MEMBERS OF LANCASTER COUNTY BOARD OF ZONING APPEALS

BEVERLY WILLIAMS, DISTRICT 1
KEMESHA LOWERY, DISTRICT 2
KEYE JONES, DISTRICT 3
MILLER DEVENNY, DISTRICT 4
SHERESA INGRAM, DISTRICT 5
MIKE COUCH, DISTRICT 6
FRANCES LIU, DISTRICT 7

**MINUTES OF THE LANCASTER COUNTY BOARD OF ZONING APPEALS
REGULAR MEETING**

August 3, 2021, 6:00 PM

1. Call to Order

Chair Liu called the meeting to order at 6:00 p.m.

2. Roll Call

Board Members present:

Frances Liu Keye Jones
Kemesha Lowery Beverly Williams Sheresa Ingram
Jennifer Bryan, Administrative Assistant acted as Clerk and Recording Secretary

Absent: Mike Couch, Miller DeVenny

Staff: Robert Tefft, Senior Planner Shannon Catoe, Zoning Director
Mika Garris, Development Coordinator Jeff Mullis, Zoning Officer

Others Present:

County Attorney Dubose Council Member Billy Mosteller

Members of the press were not present. All adjacent property owners were notified by certified mail. A notice was published in the local newspaper to include meeting place, date, time and the agenda and a copy is on file.

3. Approval of Agenda

Chair Liu consulted with Board Members as to whether Officer Elections could be moved to the end of the meeting. K. Lowery moved to amend the agenda order to hold elections at the end. Seconded by K. Jones. Called vote 5-0: **Motion to so amend agenda approved unanimously.** S. Ingram moved to Approve the Agenda with amendment; seconded by K. Lowery. Called vote 5-0. **The motion was approved by unanimous consent.**

4. Citizen's Comments: no citizens signed in to speak with general comments.

5. Approval of Minutes from April 6, 2021

[Clerk's Note: In the discussion over Citizens' Comments and technical problems with microphone volume this Agenda item was inadvertently missed. During preparation of minutes, it was determined that only three members in attendance on August 3 had been present on April 6, 2021, and therefore a vote on those minutes would not have been appropriate due to a lack of quorum of the April meeting attendees. Therefore, April 6, 2021 minutes will be added to the next meeting agenda.]

6. Public Hearing Items

County Staff members sworn in collectively:

Robert Tefft, Senior Planner

Shannon Catoe, Zoning Director

Mika Garris, Development Coordinator

Jeff Mullis, Zoning Officer

a. VAR-2021-1623 Hanson

Application by Haydee and Donald Ray Hanson, requesting a variance from Unified Development Ordinance Section 2.4, footnote 1. The subject property is located at 3068 Arches Bluff Circle, Lancaster, SC (TM# 0019J-0A-343.00) in the Medium Density Residential (MDR) District.

Staff presentation: Robert Tefft, Senior Planner. Presented consistent with Staff Report. (See agenda attachments).

Applicant: **Nathan Pierce**, (Morton & Gettys) Attorney for Applicants was sworn in. Presented the Applicant's case consistent with the attachments to Variance Application 2021-1623 (see agenda attachments).

Emails/Letters (attached): * (Patton email 7/14/2021 attached to Staff Report in agenda)

- R. Oneidas Email dated 8/3/2021
- Tree Tops Position Statement received 8/3/2021
- N. OGrady Email dated 8/3/2021
- R. Schexnayder/V. Garibaldi Email dated 8/3/2021
- T. & G. Schexnayder Email dated 8/3/2021
- P. & C. Alfano Email dated 8/3/2021
- M. & J. Sawitowski letter (emailed to Board on 7/27/2021)
- D. Anderson Email dated 8/2/2021 (emailed to Board on 8/2/2021)
- K. Kasper Email dated 8/1/2021 (emailed to Board on 8/2/2021)
- P. Notheis Email dated 8/1/2021 (emailed to Board on 8/2/2021)
- V. Randall Email dated 8/2/2021 (emailed to Board on 8/2/2021)
- M. Saracino Email dated 7/30/2021 (emailed to Board on 8/2/2021)
- S. Slater Email dated 7/30/2021 (emailed to Board on 8/2/2021) -- **2pp.**
- D. Tracey Email dated 8/2/2021 (emailed to Board on 8/2/2021)
- L. Sistare Email dated 7/23/2021 with attachments (emailed to Board on 8/2/2021) -- **23 pp.**
(also attached to Staff Report in Agenda)
- G. Yannello Email dated 7/30/2021 (emailed to Board on 8/2/2021)
- B. Winkler Letter received 7/30/2021 with attachments (emailed to Board on 8/2/2021) -- **12 pp.**

Public Hearing:

1. **Barbara Winkler**, resident of Tree Tops: Against.
Ms. Winkler read her letter submitted previously (see above Emails/Letters (attached))
2. **Bill Myers**, Tree Tops HOA: Against.
Mr. Myers read the Tree Tops HOA position statement
(see above Emails/Letters (attached))
3. **Josephine “Jo” Miller**, resident of Tree Tops: Against.
Ms. Miller objects to the structure as built, characterizes it as “a monstrosity.”
She asserted that work continued on the structure after the homeowners had been told to stop.

Discussion:

K. Jones referenced the permit application, questioning the use of the word “pergola.” K. Jones asked if the homeowner/applicant had in fact requested to be the general contractor for the project. Mr. Pierce responded that the structure was described as a “porch/pergola,” and confirmed that Mr. Hanson had signed to act as the general contractor for the project. Mr. Jones referenced that the document included an affirmation that the applicant is familiar with, and will abide by, local building and zoning codes.

F. Liu asked Zoning officials if a stop-work order had been issued, and if construction continued after the order was issued. S. Catoe (Zoning Director) and J. Mullis (Zoning Officer) responded that only Building Department can issue a stop-work order; that Zoning put a “hold” on the permit, preventing further inspections until issues were resolved. To their knowledge the structure was already substantially complete at that time, but minor work such as moldings and painting did continue despite the hold.

Referencing Mr. Jones’ query (above), Attorney DuBose noted that documentation attached to the application showed that the permit was granted 12/14/2020, and the document designating the homeowner as general contractor was dated 12/15/2020.

F. Liu referenced the permit application, calling attention to the use of the word “pergola” as the sole descriptor; she noted that a pergola is defined as having an open lattice roof, and nowhere in the documentation was any description of a solid roof.

K. Jones referenced the schematic attached to the permit application, which indicates 8 posts spaced 8 feet apart. He asked if a revised plan with 16 posts was submitted. Mr. Pierce responded that no revision was submitted. F. Liu stated that a revised plan might have prompted a review of the roof design and other specifications. Mr. Pierce stated that the structure as drawn was permitted and inspected without issue. F. Liu stated that the permitted design had 8 posts, not 16. Mr. Pierce noted that the dimensions and setback had not changed, and that his position is that the application should be considered as a collective document.

B. Williams referenced attached photos and noted that the built structure, although not secured to the house, sits under the eave-line and forms a continuous space, rather than a fully detached structure. Referencing applicant’s assertion that costs had escalated from \$20,000 to \$56,00 largely due to increases in costs of materials, she asked for an itemized list of materials and costs, which was supplied by Mr. Pierce. After reviewing it she stated that it was not clear that rising materials cost created the difference: rather, later purchases indicate an expansion in the scope of work, suggesting changing design.

Chair Liu closed Public Hearing and called for a Motion on **item 6a VAR 2021-1623**. Motion to Approve for the purpose of having a motion in the affirmative made by B. Williams. Seconded by K. Jones.

Chair Liu called for a vote on each Zoning Variance criteria:

- i. THAT THERE ARE PRACTICAL DIFFICULTIES OR UNNECESSARY HARDSHIPS IN THE WAY OF CARRYING OUT THE STRICT LETTER OF THIS ORDINANCE;
0-5 unanimously disagree. Item denied.
- ii. THAT IF THE APPLICANT COMPLIES WITH THE PROVISIONS OF THE ORDINANCE, THE PROPERTY OWNER SEEKING THE VARIANCE CAN SECURE NO REASONABLE RETURN FROM, OR MAKE NO REASONABLE USE OF HIS PROPERTY;
0-5 unanimously disagree. Item denied.
- iii. THAT SPECIAL CONDITIONS AND CIRCUMSTANCES EXIST WHICH ARE PECULIAR TO THE LAND, STRUCTURE OR BUILDING INVOLVED AND WHICH ARE NOT APPLICABLE TO OTHER LANDS, STRUCTURES OR BUILDINGS LOCATED IN THE SAME LAND DEVELOPMENT DISTRICT;
0-5 unanimously disagree. Item denied.
- iv. THAT THE VARIANCE WILL NOT MATERIALLY DIMINISH OR IMPAIR ESTABLISHED PROPERTY VALUES WITHIN THE SURROUNDING AREA;
F. Liu Agree; all others disagree: vote 1-4, item denied.
- v. THAT THE SPECIAL CONDITIONS AND CIRCUMSTANCES REFERENCED IN III, ABOVE, RESULT FROM THE APPLICATION OF THIS ORDINANCE AND NOT FROM THE ACTIONS OF THE APPLICANT;
0-5 unanimously disagree. Item denied.
- vi. THAT THE VARIANCE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THIS ORDINANCE AND PRESERVES ITS SPIRIT;
0-5 unanimously disagree. Item denied.
- vii. THAT THE VARIANCE IS THE MINIMUM NECESSARY TO AFFORD RELIEF; AND
0-5 unanimously disagree. Item denied.
- viii. THAT THE PUBLIC HEALTH, SAFETY AND GENERAL WELFARE HAVE BEEN ASSURED AND SUBSTANTIAL JUSTICE HAS BEEN DONE
Strike as moot.

Application for variance met no criteria, **by unanimous vote the motion was denied.**
Applicant will receive notification of this result.

b. VAR-2021-1624 Roney

Application by Lori O. and James D. Roney, requesting a variance from Unified Development Ordinance Section 5.2.7.C.2. The subject property is located at 0 Cedar Pines Lake Road, Lancaster, SC (TM# 0063-00-054.01) in the Manufactured Housing (MH) District.

Staff presentation: Robert Tefft, Senior Planner made presentation consistent with Staff Report (see agenda attachments.)

Applicant: **James and Lori Roney.**

Mr. Roney stated that the property originally had seven mobile homes; when he purchased it four were still extant; he has since added two more mobile homes.

Emails/Letters (attached):

- Letter from D. Edwin Rose dated 7/26/2021 (received via email and 1st class USPS)
- Email from C. Jevan Williams dated 7/19/2021

Public Hearing:

1. **Hugh Rose**, resident

Mr. Rose read a statement in opposition to the proposed variance. (see attached copy).

Rebuttal by Applicant: Mr. Roney stated that his mobile home park was in existence before Mr. Rose moved into the neighborhood. Stated that his most recent purchase was made in the expectation that he would be granted another permit, and he relied on the opinion of Mr. Cauthen.

After consulting online permitting system, Mr. Tefft confirmed that MBH permits were issued to Mr. Roney in 2019 and 2020, despite the property being out of compliance with current zoning ordinance.

Chair Liu addressed Attorney DuBose, as to the whether the issuance of these two permits had bearing on current consideration of the proposed variance; Mr. DuBose offered that issuance of previous permits should not have a bearing on the current matter.

Chair Liu closed Public Hearing, and called for a motion on **item 6b: VAR 2021-1624.**

Motion to Approve for the purpose of having a motion in the affirmative was made by B. Williams; seconded by S. Ingram.

Chair Liu called for a vote on each Zoning Variance criteria:

- i. THAT THERE ARE PRACTICAL DIFFICULTIES OR UNNECESSARY HARDSHIPS IN THE WAY OF CARRYING OUT THE STRICT LETTER OF THIS ORDINANCE;
Four agree; dissent by S. Ingram: 4-1 item approved, this criteria met.
- ii. THAT IF THE APPLICANT COMPLIES WITH THE PROVISIONS OF THE ORDINANCE, THE PROPERTY OWNER SEEKING THE VARIANCE CAN SECURE NO REASONABLE RETURN FROM, OR MAKE NO REASONABLE USE OF HIS PROPERTY;
0-5: unanimously disagree. Item denied.
- iii. THAT SPECIAL CONDITIONS AND CIRCUMSTANCES EXIST WHICH ARE PECULIAR TO THE LAND, STRUCTURE OR BUILDING INVOLVED AND WHICH ARE NOT APPLICABLE TO OTHER LANDS, STRUCTURES OR BUILDINGS LOCATED IN THE SAME LAND DEVELOPMENT DISTRICT;
0-5: unanimously disagree. Item denied.
- iv. THAT THE VARIANCE WILL NOT MATERIALLY DIMINISH OR IMPAIR ESTABLISHED PROPERTY VALUES WITHIN THE SURROUNDING AREA;
5-0: unanimously agreed. Item denied.
- v. THAT THE SPECIAL CONDITIONS AND CIRCUMSTANCES REFERENCED IN III, ABOVE, RESULT FROM THE APPLICATION OF THIS ORDINANCE AND NOT FROM THE ACTIONS OF THE APPLICANT;
Strike as moot.
- vi. THAT THE VARIANCE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THIS ORDINANCE AND PRESERVES ITS SPIRIT;
0-5: unanimously disagree. Item denied.
- vii. THAT THE VARIANCE IS THE MINIMUM NECESSARY TO AFFORD RELIEF; AND
0-5: unanimously disagree. Item denied.
- viii. THAT THE PUBLIC HEALTH, SAFETY AND GENERAL WELFARE HAVE BEEN ASSURED AND SUBSTANTIAL JUSTICE HAS BEEN DONE
Strike as moot.

Called vote on the motion: 0-5. **Motion is denied unanimously.**
Applicant will receive notification of this result.

7. New Business

a. Officer Elections

Chair Liu ceded moderation to Attorney J. DuBose, who called for nominations for Board Chair. K. Lowery Nominated Frances Liu, who accepted the nomination. No other nominations were offered. K. Lowery's motion was seconded by S. Ingram.

Called vote: 5-0. **Frances Liu elected as Chair for the year 2021-22.**

J. DuBose called for nominations for Vice-Chair. F. Liu nominated Beverly Williams, who accepted the nomination. No other nominations were offered. K. Lowery seconded the motion.

Called vote: 5-0. **Beverly Williams elected as Vice-Chair for the year 2021-22.**

b. Withdrawal of VAR-2021-0490 Chick-Fil-A

Application heard in April 2021 has since been withdrawn. Applicant has redesigned proposed project and is working with County permitting authorities to refine plan to meet County requirements.

c. Overview of Next Month's Agenda

As of 5:00 PM deadline on August 3, 2021, no items had been submitted for the September agenda.

8. Adjournment:

With there being no further business, B. Williams moved to adjourn; motion seconded by K. Jones. The motion was approved by unanimous consent. Meeting adjourned at 8:06 pm.

Written comments submitted for Item 6a: VAR 2021-1623 Hanson

From: [Ray Oneidas](#)
To: [Jennifer Bryan](#)
Subject: [EXTERNAL] Arches Bluff circle house
Date: Tuesday, August 3, 2021 3:10:44 PM

THIS IS AN EXTERNAL E-MAIL — Use caution when clicking on links as they could open malicious websites.
—IT Helpdesk, support.lancastercountysc.net<<http://192.168.1.5>>

Dear Sir//Madam,

As a resident at 2981 Arches Bluff Cir. in the Tree Tops community,
I would like to ask the Lancaster Cty.Planning Board to rescind the building permit and any approvals given to the owners of this said property. The rear addition which was built doesn't conform to local architectural standards and is grotesque in every way. Allowing this structure to exist in Tree Tops cheapens the area next to this property and could have a negative effect on the property values of the entire community.

Ray Oneidas
2981 Arches BluffCircle
Lancaster, SC 29720

Sent from my iPhone

Tree Tops HOA Position Statement
Regarding the Hanson Variance Application

"The applicant has indicated in point (2)(iv) of their "Addendum to Lancaster County Board of Zoning Appeals Variance Application" that Tree Tops Homeowners Association, Inc. has approved the applicant's patio and pergola application and thanks the applicant for their compliance with the Association's architectural guidelines. While it is true that the application dated November 11, 2020 was approved, the Association does NOT concede or agree that the applicant has constructed his pergola in compliance with that approved application. On the contrary, the Association takes the position that the structure as-constructed on the property does not conform to the approved application and is presently engaged in an administrative enforcement proceeding to address that non-conformity. To be clear, the Association has not approved the pergola structure that was actually constructed on the applicant's property and any implication to the contrary is completely inaccurate."

From: [nancy ogrady](#)
To: [Jennifer Bryan](#)
Subject: [EXTERNAL] VAR - 2021 - 1623 (Hanson)
Date: Tuesday, August 3, 2021 10:04:24 AM



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The homeowners at 3068 Arches Bluff Circle have applied for a variance in regard to the structure being erected at the back of the house. A variance is usually issued before construction begins.

We have never met the homeowners, but our concern is the size of the structure. It does not fit with the size of the lot. We live at the other end of the block, but we walk by this house and drive by this house at 3068 Arches Bluff Circle and it is obvious that this structure is too big for the lot. A structure 24 feet X 18 feet was approved by the HOA, but this addition is much larger at 44 feet X 18 feet and should not be allowed. The homeowner was not truthful in representing the size of this structure to the HOA.

The structure was approved as a pergola, but this structure has a beam with a solid roof with shingles and does not meet the definition of a pergola. The contractor did not construct the structure as a pergola as approved by the HOA.

The structure is an eyesore and blocks the view for those people living near this residence. The size and materials used are not in compliance with current county building code.

If approved, this construction could set a precedent for future structural variants within our community. This community was planned and sold to homeowners with certain rules and regulations in place to be followed by all homeowners. The variance should not be allowed. Rules are rules for a reason and this structure should be scaled down or removed. The other homeowners who follow the rules should be respected.

Sincerely,
William and Nancy O'Grady
3164 Arches Bluff Circle
Lancaster, SC 29720

From: [Rob Schexnayder](#)
To: [Jennifer Bryan](#)
Subject: [EXTERNAL] VAR-2021-1623 - variance for the structure on the property at 3068 Arches Bluff Circle
Date: Tuesday, August 3, 2021 2:13:02 PM



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Ms Bryan,

We live at 3132 Arches Bluff Circle down the street from the house in question and we strongly object to the structure that was built on the property at 3068 Arches Bluff Circle.

It violates the Homeowner's Association Covenants and rules and was not approved to be constructed as it is.

The homeowner told the county one thing and the HOA another thing and then built what he wanted not paying attention to the guidelines he agreed to follow when he purchased the house in Tree Tops.

The structure is unsightly, violates guidelines the owner agreed to when he purchased the house, and it should be removed.

Rules should be followed. Just because the owner hires a lawyer does not mean he should be able to buy his way around the rules.

Please do not approve this variance request!

Thank you,

Rob Schexnayder

Vielka Garibaldi

3132 Arches Bluff Cir

Tree Tops

From: [Paul Alfano](#)
To: [Jennifer Bryan](#)
Subject: [EXTERNAL] VAR-2021-1623 Hanson
Date: Tuesday, August 3, 2021 2:02:57 PM

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—IT Helpdesk, support.lancastercountysc.net

Dear Ms. Bryan,

It appears my email was sent before I completed it. I will continue.

It is quite obvious Mr. Hanson was aware of his changes to the original building request and thought no one would challenge the change. We are opposed to the variance request as it would set a precedent that would harm our property values and cause an eyesore to the community. This person has bragged he has deep pockets and will fight this abomination.

Thank you

Paul and Claire Alfano
3144 Arches Bluff Circle
Lancaster, SC

--

Paul Alfano
828-734-4315

Michael and Janice Sawitoski
3062 Arches Bluff Circle
Lancaster, S.C. 29720
Jan5789445@aol.com(Email)

Lancaster County Planning Department

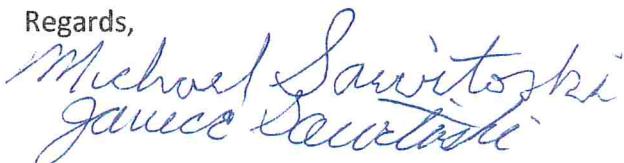
Subject: Public Hearing on Variance Application VAR 2021-1623

Dear Board Members,

I am writing in regards to 3068 Arches Bluff Circle, Lancaster's variance.
Unfortunately, we will be out of town for the 3rd of August's meeting and wanted to let you know what our feelings are regarding it.

We do not approve of the structure that is built as it stands. It does not meet HOA guidelines for our community.

Regards,

Handwritten signatures of Michael and Janice Sawitoski in blue ink. The signature for Michael is on top, and Janice's is below it, both written in a cursive style.

Michael Sawitoski
Jan Sawitoski

From: donanderson7802@gmail.com
To: [Jennifer Bryan; jbryan@mylancastersc.org](mailto:jbryan@mylancastersc.org)
Cc: "Don Anderson"; donnaanderson7802@gmail.com
Subject: [EXTERNAL] FW: VAR - 2021-1623 (Hanson)
Date: Sunday, August 1, 2021 4:49:05 PM



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Jennifer Bryan,

The addition to the residence at 3068 Arches Bluff Circle is an eyesore and supposedly not what was approved. It blocks the view of his neighbors and looks shoddy from the street. The addition is approximately twice as large as approved and has a shed roof versus an open pergola.

We believe that this structure should be scaled down, turned into a pergola, or removed. This variance should not be approved.

Sincerely,

Don and Donna Anderson

3174 Arches Bluff Circle

Lancaster, SC 29720

From: [Karen K](#)
To: [Jennifer Bryan](#)
Subject: [EXTERNAL] Var-2021-1623 Hanson
Date: Sunday, August 1, 2021 9:07:11 PM



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August 1, 2021

To Whom it May Concern:

We are writing the speak against giving any variance to 3068 Arches Bluff Circle. The structure that was constructed is not what was submitted to either the HOA or to Lancaster County. The structure is extremely large, is not aesthetically pleasing, does not meet codes, and is very intrusive to the neighbors on either side of it. We also feel that the structure diminishes the value of the homes on either side of it along with the values of the other homes on the street. We know that if we were looking for a house and saw that structure next door or up the street, we would not buy the house – the structure does not fit in the neighborhood and allows the owner to look directly into the neighboring porches along with blocking views of others' backyards.

Karen L. Kasper
William T. Kasper

From: [Patrick Notheis](#)
To: [Jennifer Bryan](#)
Subject: [EXTERNAL] Variance hearing
Date: Sunday, August 1, 2021 7:22:55 PM



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—IT Helpdesk, support.lancastercountysc.net

Dear Jennifer Bryan,

I understand that there is a variance hearing for the structure being erected at 3068 Arches Bluff Cir. Hearing number is VAR-2021-1623 (Hanson). Although my house is not directly impacted by this request for variance, Understand that there are county code issues regarding this erection as well as it no longer follows the design granted by the Architectural Committee of the Treetops HOA. If granted the variance would make both the code and Treetops guidelines meaningless. All homeowners signed and agreed to follow those guidelines Granting this variance would basically set a precedence that would allow other homeowners to basically do whatever they wanted and could be dangerous if codes are also ignored.

I feel this variance should be refused and the Treetops HOA should take appropriate steps to protect our community

Thank You

Patrick Notheis
3213 Arches Bluff Cir
Lancaster, SC 29720

Sent from my iPad

From: [Vickie Randall](#)
To: [Jennifer Bryan](#)
Subject: [EXTERNAL] Fwd: Variance 2021-1623
Date: Monday, August 2, 2021 11:03:56 AM



The System couldn't recognize this email as this is the first time you received an email from this sender vgrandall60@gmail.com

THIS IS AN EXTERNAL E-MAIL — Use caution when clicking on links as they could open malicious websites.
—IT Helpdesk, support@lancastercountysc.net

Dear Ms. Ryan,

This letter is to let you know that as a concerned neighbor that I am strongly opposed to the proposed variance for the property at 3068 Arches Bluff Circle.

The construction at this property does not meet any of the neighborhood HOA guidelines. What they originally requested and got approved is nothing like what is constructed. The four post "pergola" is now a 16 post 44' x 18' monstrosity.

Since our HOA does not seem to be taking any action to correct this, I'm hoping the County will require the removal or at the very least modify the size of the structure.

Thank you for your attention to this matter.

Respectfully,
Vickie Randall
3102 Arches Bluff Circle
704-661-6263

From: [maria saracino](#)
To: [Jennifer Bryan](#)
Subject: [EXTERNAL] Variance - VAR - 2021 - 1623 (Hanson)
Date: Friday, July 30, 2021 6:48:01 PM



The System couldn't recognize this email as this is the first time you received an email from this sender msaracino43@yahoo.com

THIS IS AN EXTERNAL E-MAIL — Use caution when clicking on links as they could open malicious websites.

—IT Helpdesk, support.lancastercountysc.net

I do not approve of this size structure!! It is much larger than what was originally supposedly approved. When I visit my neighbor Barbara Winkler I see that it is an eye soar and blocks view, therefore, it should be scaled down.

We all have to follow rules in order to keep our beautiful community that way!!!

Maria Saracino

Sent from my iPhone

From: [Sharon Slater](#)
To: [Jennifer Bryan](#)
Subject: [EXTERNAL] Fwd: VAR-2021-1623 (Hanson)
Date: Friday, July 30, 2021 10:49:21 AM



The System couldn't recognize this email as this is the first time you received an email from this sender sharonslater3@gmail.com

THIS IS AN EXTERNAL E-MAIL — Use caution when clicking on links as they could open malicious websites.
—IT Helpdesk, support.lancastercountysc.net

Thanks Jennifer!
Sharon

Sent from my iPad

Begin forwarded message:

From: Sharon Slater <sharonslater3@gmail.com>
Date: July 30, 2021 at 10:39:07 AM EDT
To: jbryan@lancastersc.org
Subject: VAR-2021-1623 (Hanson)

Hello,

My name is Sharon Slater and I live at 2943 Arches Bluff Circle, Lancaster SC 29720 in the Treetops Community. Unfortunately I am not able to attend the public hearing regarding the request for the variance in the subject line scheduled for Tuesday, August

3rd at 6pm and would like to voice my objections.

We are a community governed by an HOA and signed legal documents agreeing to abide by the rules and regulations of our community when we purchased our homes.

I understand that the homeowner who is requesting the variance is in violation of the HOA approval that was given:

Approval was given for a 24x 18 foot structure, the structure built is 44x 18 feet That is 400 feet larger than approved.

The structure does not meet set back requirements.

The structure was approved as a pergola. The structure built has a solid roof with a steel beam and a shingled roof.

Also, a variance is usually requested before a structure is built not months after. Whether or not the structure is an eyesore (which it is) is not the issue. If approved, the county will be setting a precedent for future structural variants and basically giving permission to all 690 plus homeowners to disregard the HOA approval process that has been established and that they agreed to when they purchased their homes in Treetops.

I hope we can count on the county to do the right thing and to deny this homeowner this variance.

From: [Diane Tracey](#)
To: [Jennifer Bryan](#)
Subject: [EXTERNAL] VAR 2021-1623 (Hanson 3068 Arches Bluff Circle)
Date: Monday, August 2, 2021 12:17:04 PM



The System couldn't recognize this email as this is the first time you received an email from this sender hrd2trace@gmail.com

THIS IS AN EXTERNAL E-MAIL — Use caution when clicking on links as they could open malicious websites.
—IT Helpdesk, support.lancastercountysc.net

To whom it may concern: I cannot attend the hearing Tuesday night due to a prior commitment regarding the above variance. While I am not a direct neighbor to this location I do ride by on my bike every day and see it jutting out. My concern is that if we let one person get away with not complying with the rules we are setting a bad trend for the rest of the neighborhood. I had to get my pergula approved.

I had to send in my survey and pictures of what I was doing because that is how the process works. Mine was approved and built according to the plan submitted which is the way we all should do it. Measures are put in place for a reason.

I am not in favor of having this variance approved. I am writing this request on behalf of the wonderful neighborhood, Tree Tops, that I live in.

Thank you.

Diane Tracey
Acadia Falls Lane

Robert Tefft

From: Lori Sistare <lsistare@camsmgt.com>
Sent: Friday, July 23, 2021 3:42 PM
To: Robert Tefft
Subject: Public Hearing - August 3
Attachments: Hanson_07152021101533.pdf



The System couldn't recognize this email as this is the first time you received an email from this sender lsistare@camsmgt.com

Good afternoon Mr. Tefft,

I am emailing regarding the public hearing for 3068 Arches Bluff within Tree Tops HOA. If the HOA Board of Directors has a Representative attend the hearing, will he be allowed to speak on the Association's behalf?

Attached is a copy of the HOA Aesthetics Application as well as a copy of the appeal submitted from the owner to Lancaster County with notations from the HOA's ARC in red.

If you have any questions for me, you are welcome to call me at 803 554-1908.

Thank you for your time,
Lori

LORI SISTARE

Community Manager – Tree Tops Homeowners Association, Inc.

CAMS (Community Association Management Services), AAMC®

877-672-2267

Get access to community information, payment services and more on our [website](#)!

Tree Tops Homeowners Association, Inc.
1515 Mockingbird Lane
Charlotte, NC 28209

Donald Ray & Haydee Hanson
3068 Arches Bluff Circle
Lancaster, SC 29720

ARC APPROVAL

Reference: 3068 Arches Bluff Circle, Lancaster, SC 29720 | Request #: XN13676309

November 19, 2020

Dear Donald Ray & Haydee Hanson,

Your Request for an Architectural Modification on your property at 3068 Arches Bluff Circle has been approved by the Architectural Review Committee (ARC) of Tree Tops Homeowners Association, Inc. Specifically, you have approval to proceed with the following request as submitted:

- Installation of CityStone Demi pavers in back of house in patio area. Installation of pergola/patio cover in back of house that will be freestanding and not attached to house.

THIS WOULD ALLOW HOMEOWNER TO BUILD INTO THE REAR SETBACK, IF ATTACHED TO HOME COULD ONLY EXTEND APPROX 7'

Please note that the ARC may perform a final inspection once work is completed to ensure that your project is compliant with all CC&R's and that the Architectural Design Standards are applicable to your neighborhood. Please notify CAMS when work is completed to schedule the final inspection.

This approval is granted on the aesthetics of your project. The ARC does not take responsibility for, or infer by its approval, the project's structural soundness or that it meets any restricting state or local codes. Where applicable, all local building codes and setback requirements must be followed. If a building permit is required, applications must be submitted to your local planning and inspections department.

Thank you for adhering to the architectural guidelines of the community.

Sincerely,
Tree Tops Homeowners Association, Inc.

SCREENED IN BACK PATIO
WILL BE WHITE IN COLOR
BELOW IS EXAMPLE ONLY



4/20/21 2ND SUBMISSION TO ENCLOSE W/ SCREEN

109-16

3068 ARENES BLUFF CIRCLE
 PLEASE NOTE: DWG. NO TO SCALE
 SHOWING APPROXIMATE
 LOCATION

Pink Weeping
 Cherry

Laceleaf
 Japanese Maple

Coral Bark
 Japanese Maple

Laceleaf
 Japanese Maple

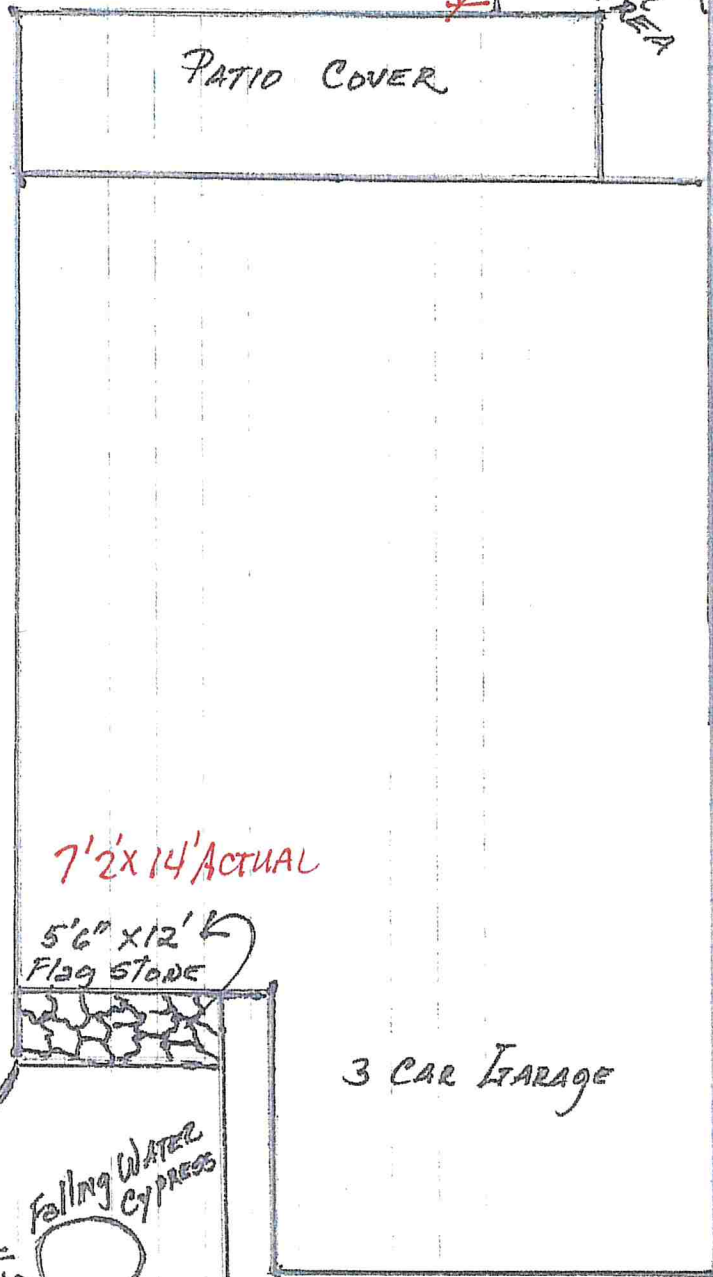
Pink Weeping
 Cherry

Cherokee
 Brave
 Dogwood

White
 Myrtle
 Small shrubs
 Around

EXTENDS EVEN
 FURTHER PAST 18' BUILT
 AREA

White
 Myrtle
 Small shrubs
 Around
 Pink Weeping
 Cherry



7'2" x 14' ACTUAL

5'6" x 12' FLAGSTONE

3 CAR GARAGE

STONE EDGE
 PLANTER
 19'3" LENGTH
 20'6" WIDE

* All plants will be planted
 within required spacing
 from property line per
 given regulations

Cherokee
 Brave
 Dogwood

Request for Aesthetics Review & Approval Tree Tops HOA

Name: DONALD RAY AND HAYDEE HANSON

Property Address: 3068 ARCHES BLUFF CIRCLE

Lot #: 343

Mailing Address: 3068 ARCHES BLUFF CIRCLE LANCASTER, SC 29720

Home Phone #: 949-374-4198

Work Phone #:

E-mail address: dhanson2120@gmail.com

A. Type of proposed modification:

- ☐ Addition to House
- ☒ Deck / Patio / Porch
- ☐ Fence
- ☒ Landscaping
- ☐ Tree Removal
- ☐ Painting (Exterior)

- ☐ Pool
- ☐ Sports / Play Equipment / Etc.
- ☐ Garage
- ☒ Yard Ornamentation (STONE PLANTER AND OTHER SMALL PLANTERS IN FRONT OF HOUSE)
- ☐ Satellite/Antenna -Note Location of Installation
- ☒ OTHER OUTDOOR BBQ AREA /PORTABLE FIRE PIT/FLAGSTONE BENCH AREA

SCREEN IN EXISTING APPROVED PATIO COVER / PERGOLA

NO INTENT FOR PERGOLA

IN FRONT OF HOUSE UNDER FRONT WINDOW (5'6" x 12')

BUILT 7'2" x 14'

B. Estimated Start Date: 4/20/2021 Completion Date: 8/1/2021

C. Attach detailed descriptions of the proposed improvements, including:

1. Copy of property survey, with location of proposed changes and/or additions indicated
2. Size
3. Color
4. Material(s) being used
5. Contractor's name
6. Plans, drawings (elevation), specifications, pictures of other helpful descriptions

D. Submit the application, property survey, and all other supporting Documentation to:

Hanna Pate by email: hpate@camsmgt.com, upload to your portal on the CAMS website, or place in the drop box at the business cabin.

E. Please note that the committee may perform a final inspection once work is completed to ensure that your project is compliant with all CCR's and that the Aesthetics Design standards are applicable to your neighborhood. CAMS should be notified as soon as approved work is completed.

By submitting this application, you agree: 1. Project work must commence within 90 days of the date of the approval or a new application must be submitted. 2. To comply with all applicable federal, state and local laws, codes, regulations and requirements in connection with this work. 3. To obtain any necessary governmental permits and approvals for this work. Tree Tops Homeowners Association, its Board of Directors, and/or its agents have no responsibility with respect to such compliance and that the Board of Directors or Aesthetics Review Committee approval of this request shall not be understood as the making of any representation or warranty that the plans, specifications or work comply with any law, code, regulation or governmental requirement.

By submitting this application, you agree: That no work on this request shall commence until written approval of the Aesthetics Control Committee has been received. That the requested changes strictly conform to the community Design Guidelines and that these changes shall be made in strict conformance with the Design Guidelines. That applicant is responsible for complying with all governmental code and regulations. Neither the Tree Tops Homeowners Association, the Tree Tops Board of Directors, or the Tree Tops Aesthetics Control Committee nor their respective members, agents, representatives or employees shall be liable for damages or otherwise to anyone requesting approval of an architectural alteration by reason of mistake in judgment, negligence or nonfeasance, arising out of any action with respect to any submission. The Aesthetics Control Committee is directed toward review and approval of site planning, appearance and aesthetics. None of the foregoing assumes any responsibility regarding design or construction, including, without limitation, the structural integrity, mechanical or electrical design, methods of construction, or technical suitability of materials. Applicant hereby releases and covenants not to sue any of the foregoing from/for any claims or damages regarding this request or the approval or denial thereof.

Applicant's Signature: [Signature] Date: 4/19/2021
(Application will not be accepted without signature and date)

Do Not Write Below This Line:

Received By: _____ Date Received: _____
(Signature of Committee Member)

Approved By: _____ Denied By: _____ Date: _____

Comments _____

JR HOME RENOVATIONS

HOUSE EXISTING WALL SOUTH CAROLINA VAN WYCK RD - 9449.374-41

18' x 44' = 580 APPROXIMATE SF.

OUTLINED
POST AND FOOTINGS

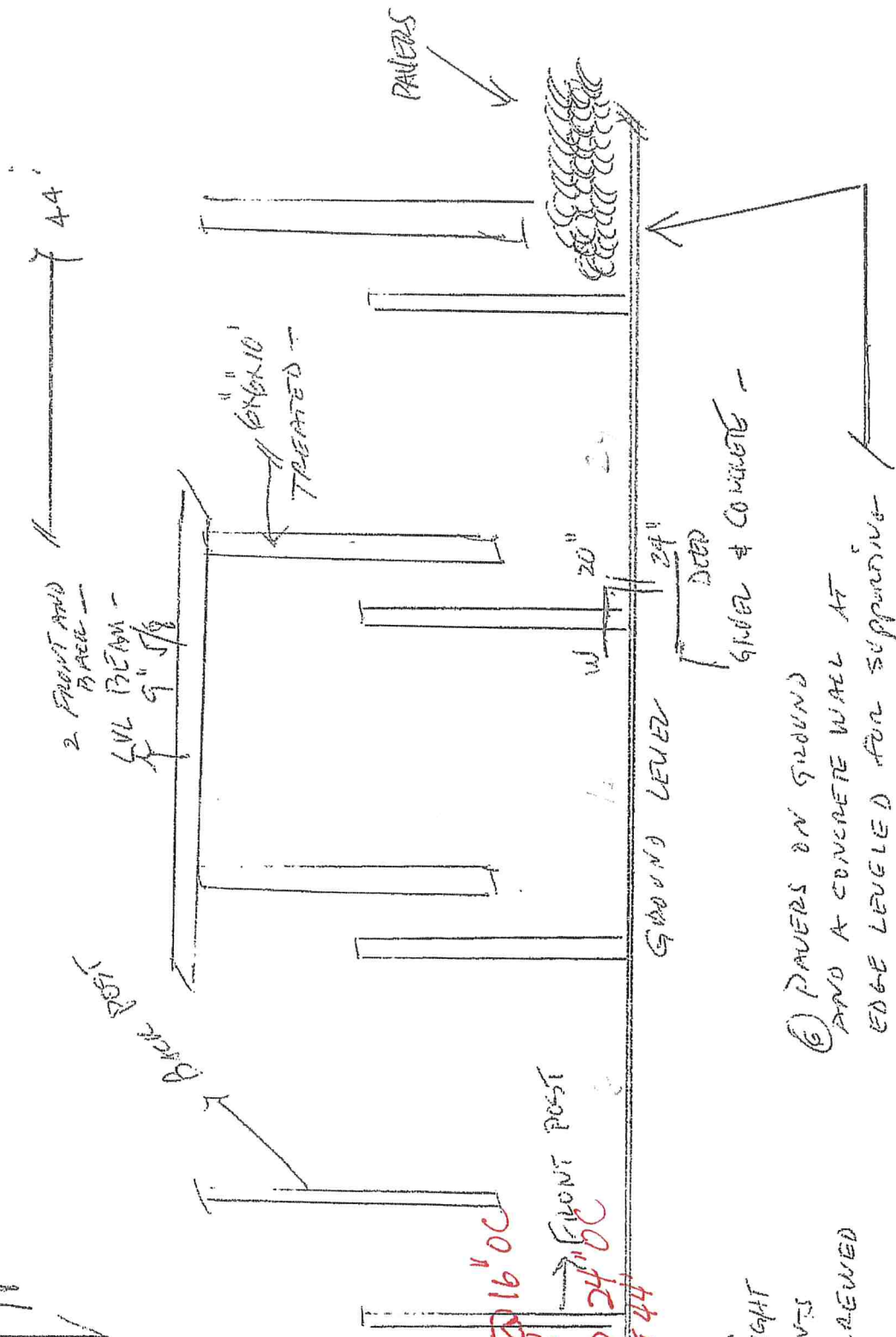
8 POST AT
6'x6'x10'
BACK OF FRONT.

FOOTINGS -
T 24" DEEP
AT 20" WD -

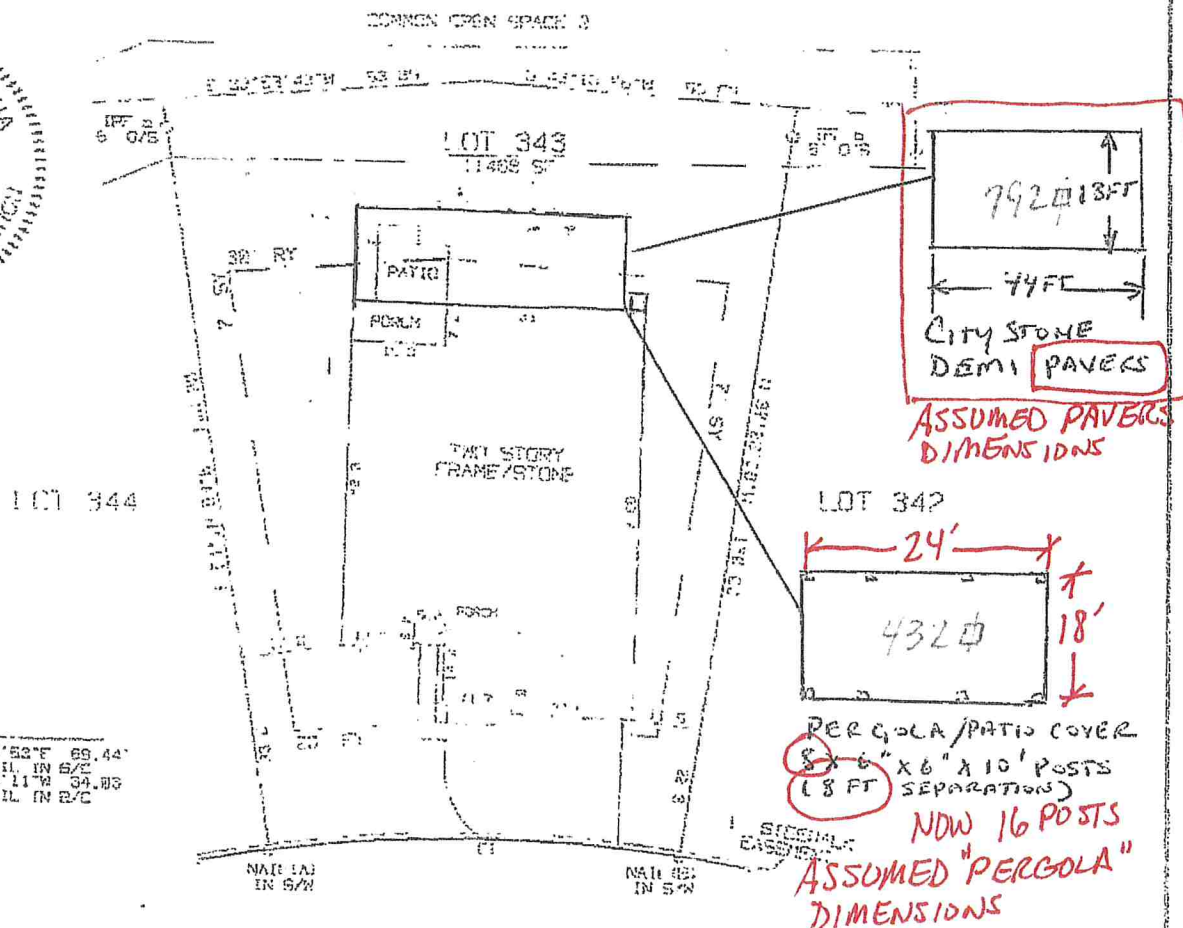
8' APART EACH

(19) 2'x8"x20'
RAILS = 17'4" NOT 44'
NO JOINT HIGHER 24" OC
26' - STILL NOT 44'

1/2 LVL ON STRAIGHT
STRETCH NO JOINTS
JUST DOUBLE SCREWED
1/2"



PAVERS ON GROUND
AND A CONCRETE WALL AT
EDGE LEVELED FOR SUPPORTING
ALL PAVERS IN EDGE



FILED
NAIL 1A1 N 17°02'52"E 69.44'
TO A NAIL IN 6/2
NAIL 1B1 S 62°53'11"W 34.03'
TO A NAIL IN 6/2

CURVE	DELTA ANGLE	RADIUS	ARC	TANGENT	CHORD	CHORD BEARING
1	10°55'07"	237.00	38.65	35.00	69.41	N 44°23'28"E

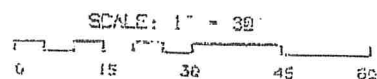
NOTE: UTILITY EASEMENTS
1' EACH SIDE OF ALL LOT LINES

NOTE: U G UTILITIES IN AREA
SERVING OTHER PROPERTIES
THIS PROPERTY MAY BE SUBJECT TO ANY
EASEMENTS AND/OR RIGHT-OF-WAYS OF RECORD
SEE RECORD MAP FOR FURTHER NOTES.

IPF - IRON PIN FOUND
IPS - IRON PIN SET
B/C - BACK OF CURB
O/S - OFFSET
PSDE - PUBLIC STORM DRAIN
EASEMENT
S.T - SIGHT TRIANGLE
FY - FRONT YARD
SY - SIDE YARD
RY - REAR YARD
FPE - FLOOD PROTECTION ELEVATION

PHYSICAL SURVEY

OF
3068 ARCHES BLUFF CIRCLE
LOT 343 OF TREE TOPS PHASE 1A PARTIAL MAP 1
INDIAN LAND TOWNSHIP, LANCASTER COUNTY, S.C.
PROPERTY OF DON HANSON



MAP RECORDED IN BOOK 2016
AT PAGES 280-284

JENKINS & LOWERY P.L.C., P.A.
P.O. BOX 1949
INDIAN TRAIL, NC 28079
PHONE: (704) 821-3350



BOARD OF ZONING APPEALS
VARIANCE APPLICATION

IF YOU REQUIRE ASSISTANCE WITH THIS APPLICATION, PLEASE CONTACT OUR OFFICE AT 803-416-9777. THE COMPLETED APPLICATION, THE APPLICATION FEE OF \$325.00, AND ALL ADDITIONAL MATERIALS ARE REQUIRED TO BE SUBMITTED.

THE FOLLOWING INFORMATION MUST BE PROVIDED FOR THE REQUEST:

PROPERTY INFORMATION:

TAX MAP NUMBER: 0019J-0A-343.00
STREET ADDRESS: 3068 Arches Bluff Circle
CITY/ STATE/ ZIP CODE: Lancaster, South Carolina 29720
LOT DIMENSIONS/ LOT AREA: 1.0 Acre .287 ACRE PLAT BOOK/PAGE: Plat Book 2016, Page 280
CURRENT ZONING CLASSIFICATION: MDR: Medium Density Residential

PROPERTY OWNER OF RECORD:

NAME: Donald Ray Hanson and Haydee Hanson
ADDRESS: 3068 Arches Bluff Circle
CITY/STATE/ZIP CODE: Lancaster, SC 29720 TELEPHONE/FAX NUMBER: 1-949-374-4198
EMAIL ADDRESS: _____
SIGNATURE OF OWNER/ DATE: _____

I HAVE APPOINTED THE INDIVIDUAL OR FIRM LISTED BELOW AS MY REPRESENTATIVE IN CONJUNCTION WITH THIS MATTER RELATED TO THE BOARD OF ZONING APPEALS.

AGENT OF OWNER:

NAME: Morton & Gettys, LLC; J. Nathaniel Pierce, Esq.
ADDRESS: 331 E. Main Street, Suite 300
CITY/STATE/ZIP CODE: Rock Hill, SC 29730 TELEPHONE/FAX NUMBER: (803) 984-0966
EMAIL ADDRESS: nate.pierce@mortongettys.com

SIGNATURE OF AGENT/ DATE: J. Nathaniel Pierce 7/2/21

SIGNATURE OF OWNER/ DATE: Donald R. Hanson 7/2/21 / Haydee Hanson (7/2/21)

VARIANCE APPLICATION

DATE FILED: _____ APPLICATION NO. _____

1. APPLICANT HEREBY APPEALS TO THE BOARD OF ZONING APPEALS FOR A VARIANCE FROM THE STRICT APPLICATION TO THE PROPERTY DESCRIBED IN THE NOTICE OF APPEAL (FORM 1) OF THE FOLLOWING PROVISIONS TO THE UNIFIED DEVELOPMENT ORDINANCE:

See addendum attached.

SO THAT A ZONING PERMIT MAY BE ISSUED TO ALLOW USE OF THE PROPERTY IN A MANNER SHOWN ON THE ATTACHED PLOT PLAN, DESCRIBED AS FOLLOWS:

See addendum attached.

FOR WHICH A ZONING OFFICIAL HAS DENIED A PERMIT ON THE GROUNDS THAT THE PROPOSAL WOULD BE IN VIOLATION OF THE CITED SECTION (S) OF THE UNIFIED DEVELOPMENT ORDINANCE.

See addendum attached.

2. THE APPLICATION OF THE ORDINANCE WILL RESULT IN UNNECESSARY HARDSHIP, AND THE STANDARDS FOR A VARIANCE SET BY STATE LAW AND THE ORDINANCE ARE MET BY THE FOLLOWING FACTS:

- i. THAT THERE ARE PRACTICAL DIFFICULTIES OR UNNECESSARY HARDSHIPS IN THE WAY OF CARRYING OUT THE STRICT LETTER OF THIS ORDINANCE;

See addendum attached.

- ii. THAT IF THE APPLICANT COMPLIES WITH THE PROVISIONS OF THE ORDINANCE, THE PROPERTY OWNER SEEKING THE VARIANCE CAN SECURE NO REASONABLE RETURN FROM, OR MAKE NO REASONABLE USE OF HIS PROPERTY;

See addendum attached.

- iii. THAT SPECIAL CONDITIONS AND CIRCUMSTANCES EXIST WHICH ARE PECULIAR TO THE LAND, STRUCTURE OR BUILDING INVOLVED AND WHICH ARE NOT APPLICABLE TO OTHER LANDS, STRUCTURES OR BUILDINGS LOCATED IN THE SAME LAND DEVELOPMENT DISTRICT;

See addendum attached.

- iv. THAT THE VARIANCE WILL NOT MATERIALLY DIMINISH OR IMPAIR ESTABLISHED PROPERTY VALUES WITHIN THE SURROUNDING AREA;

See addendum attached.

- v. THAT THE SPECIAL CONDITIONS AND CIRCUMSTANCES REFERENCED IN III, ABOVE, RESULT FROM THE APPLICATION OF THIS ORDINANCE AND NOT FROM THE ACTIONS OF THE APPLICANT;

See addendum attached.

- vi. THAT THE VARIANCE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THIS ORDINANCE AND PRESERVES ITS SPIRIT;

See addendum attached.

- vii. THAT THE VARIANCE IS THE MINIMUM NECESSARY TO AFFORD RELIEF; AND

See addendum attached.

- viii. THAT THE PUBLIC HEALTH, SAFETY AND GENERAL WELFARE HAVE BEEN ASSURED AND SUBSTANTIAL JUSTICE HAS BEEN DONE

See addendum attached.

3. THE FOLLOWING DOCUMENTS ARE SUBMITTED IN SUPPORT OF THIS APPLICATION: (A PLOT PLAN MUST BE SUBMITTED) Exhibits A, B, C, and D, referenced above.

Date: 7/2/21

Applicant Signature: Don R H

(7/2/2021) [Signature]

Addendum to Lancaster County Board of Zoning Appeals Variance Application

Donald & Haydee Hanson

3068 Arches Bluff Circle, Lancaster, South Carolina 29720

1. The applicants appeal to the Board of Zoning Appeals ("BZA") for a variance from the strict application of Section 2.4, footnote 1 of the Lancaster County Unified Development Ordinance ("UDO").

The applicants seek to use their property in the manner depicted on the attached plot plan, attached to this Application as Exhibit A. Responding further, the applicants seek to construct, or to maintain an already constructed, porch/ pergola. The applicants applied for and received a building permit with Lancaster County and constructed the porch/ pergola according to the submitted plans. It was not until after substantial completion of the construction that the applicants were made aware of any issue regarding the setbacks enumerated in Section 2.4 of the UDO.

The applicants received the Notice of Violation, attached as Exhibit B, from Jeff Mullis of Lancaster County Code Enforcement. While Section 2.4 of the UDO is not specifically referenced, the noted violation is described as "[s]etbacks due to the size of the structure is larger than what was submitted on the application."

2. (i) There are practical difficulties and unnecessary hardships in the way of carrying out the strict letter of this ordinance. The applicants have substantially completed the porch/ pergola and, due to inflated material prices, have spent a great deal of money to do so – approximately \$56,000.00. The applicants filed for and received a building permit from Lancaster County. The applicants' application for their building permit is attached as Exhibit C. On two separate documents in their application, the applicants referenced the dimensions of their proposed structure as 18' x 44'. On one of these documents, the contractor hired by applicants noted the square footage as "580 approximate sf." However, a simple calculation of the stated dimensions shows this structure would exceed 600 square feet. Despite this, Lancaster County issued a permit and went through five physical inspections before noting any issue with the rear setback. In order to comply with the strict letter of the ordinance, the applicants will be required to completely tear down and rebuild the porch/ pergola. Given the applicants' compliance with the building procedures, it would be inequitable, impractical, and unduly burdensome to require the removal of the porch/ pergola at this time.
- (ii) If applicants comply with section 2.4, they will be denied the reasonable use of their property. As referenced above, the applicants have followed the prescribed Lancaster County procedures in constructing the porch/ pergola. In order to comply with section 2.4, the applicants will either need to tear down and re-build the porch/ pergola or reduce the

square footage of the porch/ pergola by approximately 203 square feet, at an estimated cost of \$15,000.00. It is not reasonable to deny the applicants the full use of their porch/ pergola due to an administrative oversight in the permitting phase of this construction project.

(iii) There exist special conditions and circumstances which are peculiar to this structure at issue that are not, upon information and belief, applicable to other structures located in the same development district. While this structure does not comply with section 2.4 of the UDO, it was constructed pursuant to Lancaster County approval. A permit was issued and Lancaster County inspectors visited the property five times prior to any setback issue being raised. This constitutes a special circumstance that does not exist in the same development district.

(iv) The variance will not materially diminish or impair established property values within the surrounding area. The applicants' applied for and received approval for their porch/ pergola from the Tree Tops Homeowners Association, Inc. ("HOA") on November 19, 2020. A copy of the approval letter is attached as Exhibit D. In the letter, the HOA states the project was "granted on the aesthetics" Further, the HOA thanks the applicants for "adhering to the architectural guidelines of the community." Further, the addition of the porch/ pergola should have a positive effect on the values of the surrounding homes, as the value of the Hanson's house has almost certainly increased.

(v) The special conditions that exist with regard to the porch/ pergola do not result from the actions of the applicant. While this structure does not comply with section 2.4 of the UDO, it was constructed pursuant to Lancaster County approval. A permit was issued and Lancaster County inspectors visited the property five times prior to any setback issue being raised. The applicants relied on their contractor and the County officials they dealt with in deciding to proceed with the construction of the porch/ pergola. Had the applicants been aware from the outset they were in violation of the setback requirement, they would have altered course.

(vi) The requested variance is in harmony with the general purpose of the ordinance and preserves its spirit. Setback requirements exist, primarily, to maintain safe and comfortable distance between homes. The rear property line of the applicants' lot, the setback from which is at issue here, backs up to a tree-covered berm that runs along a road. There is no home on the other side of the rear setback line whose footprint will be encroached upon. Further, the porch/ pergola does not violate the side setbacks, and it does not expand the lateral footprint of the home. The spirit and purpose of Section 2.4 is preserved.

(vii) The requested variance is the minimum necessary to afford relief. The applicants built their porch/ pergola to the dimensions that initially represented to Lancaster County in their permit application. The structure as built sits approximately 8 feet inside the rear setback line. Applicants seek only such a variance as necessary to bring their completed porch/ pergola into compliance.

(viii) As described above the requested variance does not negatively impact the public health, safety, or general welfare. The spirit of Section 2.4, intended to promote safety and general welfare, is preserved given the property abutting the applicants' rear property line. The HOA, the entity tasked with protecting the welfare of the neighborhood, has signed off on the porch/ pergola. Substantial justice would be done by granting the requested variance, as the applicants endeavored from the start to adhere to the policies and procedures in place in Lancaster County and were approved to proceed with the construction of the porch/ pergola.

3. Exhibits A, B, C, and D, referenced above.

I HEREBY STATE THAT TO THE BEST OF MY 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 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.

P:TT343

SIGNED

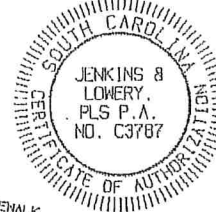
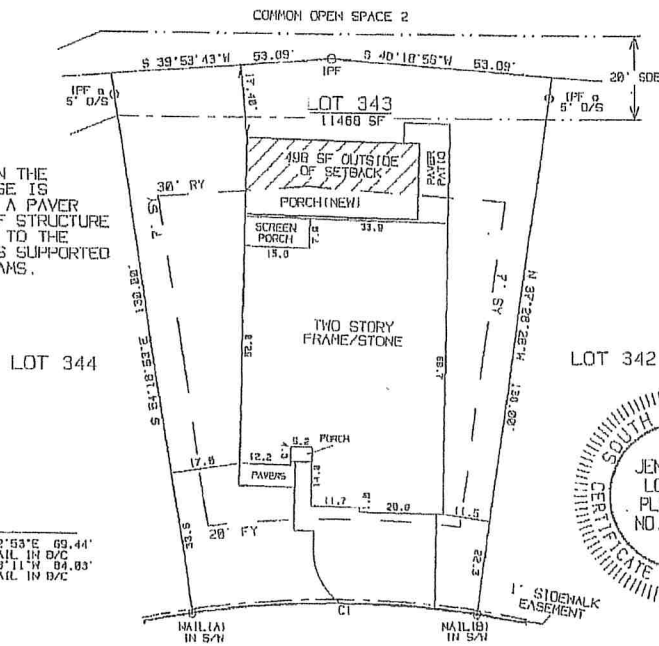
[Signature]
T. ANSON JENKINS SCPLS NO. 26601

NOTE: TO CLERK OF COURT
THIS SURVEY CREATES NO NEW
LOTS OR PROPERTY LINES.

DATED: JUNE 14TH, 2021



NOTE:
THE NEW PORCH ON THE
BACK OF THE HOUSE IS
BUILT ON TOP OF A PAVED
PATIO. THE ROOF STRUCTURE
IS NOT ATTACHED TO THE
RESIDENCE AND IS SUPPORTED
BY VERTICALS BEAMS.



TIES:
NAIL (A) N 17°02'53"E 69.44'
TO A NAIL IN D/C
NAIL (B) S 62°53'11"W 84.83'
TO A NAIL IN D/C

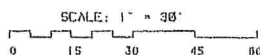
ARCHES BLUFF CIRCLE
50' PRIVATE R/W

CURVE	DELTA ANGLE	RADIUS	ARC	TANGENT	CHORD	CHORD BEARINGS
C 1	15°50'27"	237.00'	69.66'	35.00'	69.41'	N 44°06'20"E

NOTE: UTILITY EASEMENTS
5' EACH SIDE OF ALL LOT LINES.

NOTE: U.G. UTILITIES IN AREA
SERVING OTHER PROPERTIES
THIS PROPERTY MAY BE SUBJECT TO ANY
EASEMENTS AND/OR RIGHT-OF-WAYS OF RECORD.
SEE RECORD MAP FOR FURTHER NOTES.

IPF - IRON PIN FOUND
IP - IRON PIN SET
O/C - BACK OF CURB
O/S - OFFSET
PSDE - PUBLIC STORM DRAIN
EASEMENT
S.T. - RIGHT TRIANGLE
FY - FRONT YARD
SY - SIDE YARD
RY - REAR YARD
FPE - FLOOD PROTECTION ELEVATION



MAP RECORDED IN BOOK 2016
AT PAGES 200-204

PHYSICAL SURVEY
OF
3068 ARCHES BLUFF CIRCLE
LOT 343 OF TREE TOPS PHASE I A PARTIAL MAP I
INDIAN LAND TOWNSHIP, LANCASTER COUNTY, S.C.
PROPERTY OF DON HANSON

JENKINS & LOWERY P.L.S. P.A.
P.O. BOX 1949
INDIAN TRAIL, NC 28079
PHONE: (704) 821-3350

EXHIBIT

A

THIS IS A CURRENT AS BUILT, NOT WHAT WAS
SUBMITTED



May 25, 2021

Donald Hanson

3068 Arches Bluff Cir

RE: Notice of Violation (NOV)

Dear Mr. Hanson

Lancaster County Zoning Department was made aware of the porch/pergola permitted. After a physical inspection of the site, Lancaster County has confirmed you are in violation of the Unified Development Ordinance (UDO) and the adopted International Building Code. The following will provide you with a summary of identified violations, however please be advised this is not intended to be an exclusive list as more violations may be identified as additional information becomes available.

Violation Summary: Setbacks due to the size of the structure is larger than what was submitted on the application.

UDO chapter 9 affords you the opportunity to request a hearing with the Administrator within the time prescribed for correction of the violations. You may also file an Appeal to this Notice of Violation/Order with the Board of Zoning Appeals within the same timeframe. You have thirty (30) days from the date of this letter to contact our office.

The fine for this could be up to 500.00 per day for everyday in violation. Please feel free to contact me using the information below should you have any questions regarding this NOV, if you wish to request an administrative hearing, and/or if you wish to file an appeal. Lancaster County Zoning staff also welcomes the opportunity to meet with you to help clarify the NOV.

Kindest regards,

Jeff Mullis

Jeff Mullis

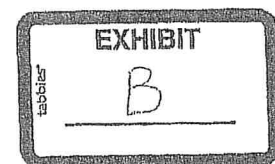
Lancaster County Code Enforcement

803-416-9449 direct

803-416-9777 office main

E mail: jmullis@lancastersc.net

Lancaster County Government | Development Services Division
101 N. Main Street, P.O. Box 1809, Lancaster SC 29721-1809
Phone: (803)416-9777
www.mylancastersc.org



Lancaster County

South Carolina

DEVELOPMENT SERVICES

101 N. MAIN STREET, P O BOX 1809, LANCASTER SOUTH CAROLINA, PHONE (803) 285-1969 EMAIL PERMITS@LANCASTERCOUNTYSC.NET

RESIDENTIAL PERMIT APPLICATION

Date: 12/14/2020

Permit Type (Please Check All that apply):						
Building w/zoning ☒	Demo ☐	Zoning Only ☐	Gas ☐	Plumbing ☐	Mechanical ☐	Electrical ☒
Interior Remodeling only ☐	Pool ☐	House Move ☐	Job Cost \$ <u>approx. \$20,000</u>			

- New building must provide well/septic approval or tap fee verification.

Address of Construction Location: 3068 Arches Bluff Circle Lancaster, SC 29720

Description of work: Freestanding covered wood pergola with cement footings per SC R403 - 20" deep - 8 (6"x6") wood posts in cement footings

Subdivision: Tree Tops - Lennar Homes Lot Number: 343 Parcel ID: 0019J - 0A-343.00

Other structure on property Main Home

Property Owner(s): Haydee and Donald Hanson Phone #: 949-374-4193

Mailing Address: 3068 Arches Bluff Cir Lancaster, SC 29720

Email: dhanson2120@gmail.com

Contractor: Owner SC Contractors License #: STATE LICENSE EXEMPTION REQUEST ATTACHED

Phone # _____ Address: _____

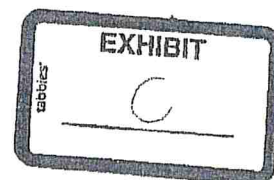
Email: _____

Electrical Sub: _____	SC License #: _____
Mechanical Sub: _____	SC License #: _____
Plumbing Sub: _____	SC License #: _____
Water provider: <u>LCWSD</u>	Electrical Provider: <u>York Electric Coop</u>
Sewer provider: <u>LCWSD</u>	Gas Provider: <u>LCNGA</u>

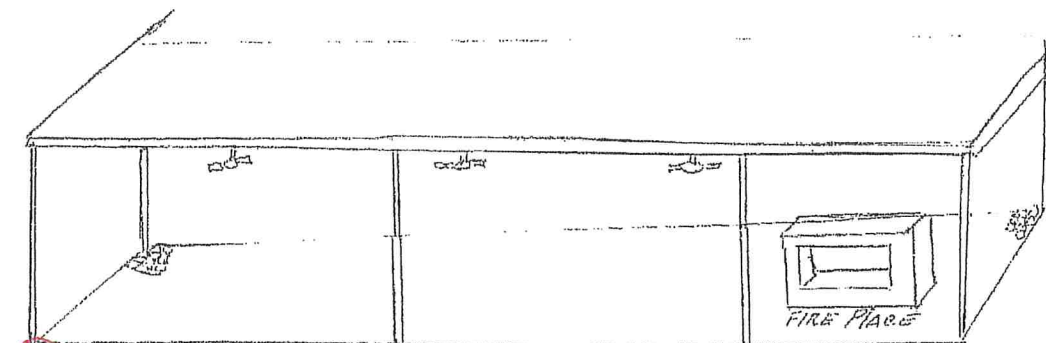
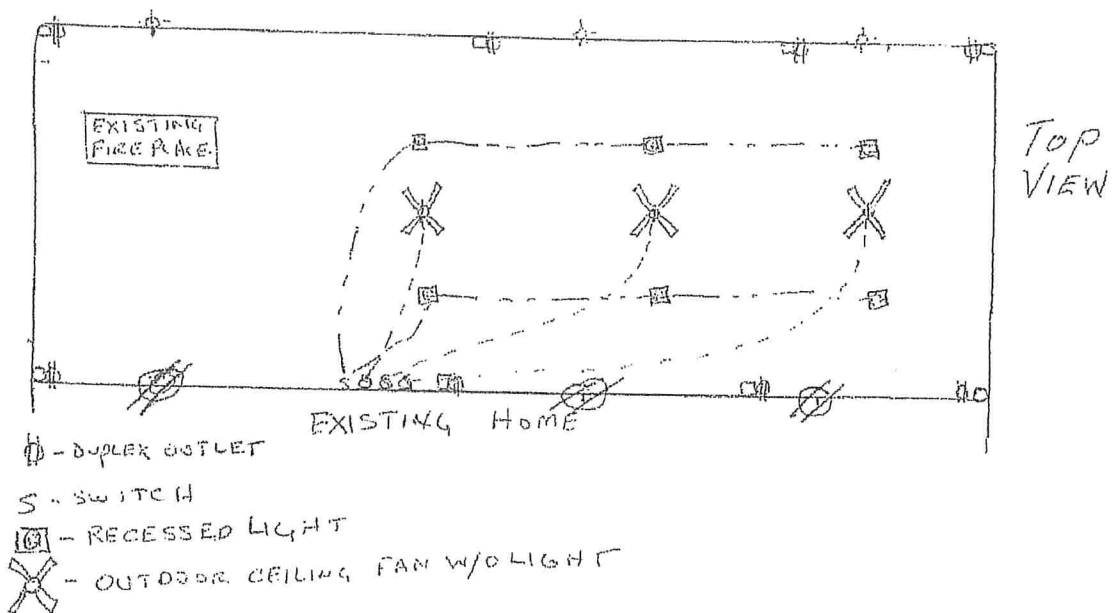
Heated Sq Ft _____	Unheated Sq Ft _____	Basement Sq Ft _____	Garage Sq Ft _____
Porch Sq Ft _____	Deck Sq Ft _____	Number of stories: _____	Number of Bedrooms _____
Bathrooms _____	Heat source _____	Gas _____	(half pound or two-pound system) Electric source _____
Water Type _____	Sewer Type _____		

Is this a part of a Homeowner Association? Yes/No, if yes please provide letter of approval.

***Acknowledgement of SC 6-29-1145: IS THIS TRACT OR PARCEL OF LAND RESTRICTED BY ANY RECORDED COVENANT THAT CONFLICTS WITH OR PROHIBITS THE ACTIVITY YES/NO?



ELECTRICAL WORK



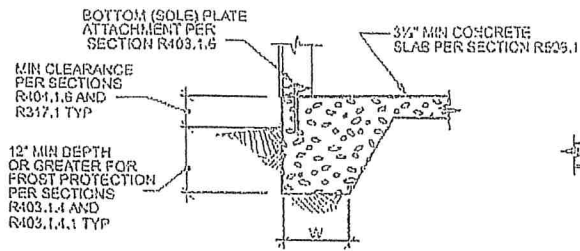
- 8 - 6X6 WOODEN VINYLE CLAD POSTS
- 8 - CEMENT FOOTINGS PER SC RAOS
(20 INCHES DEEP FOOTING / BELOW FROST LINE)

OWNER / CONTRACTOR

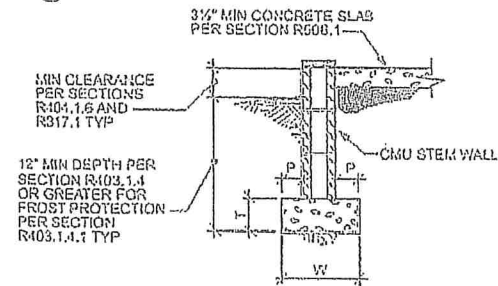
Don R. Han 12/16/2020

- THIS DOCUMENT WAS NOT RECEIVED BY HOA
- SHOWS 8 POSTS TOTAL NOW 16 ARE INSTALLED

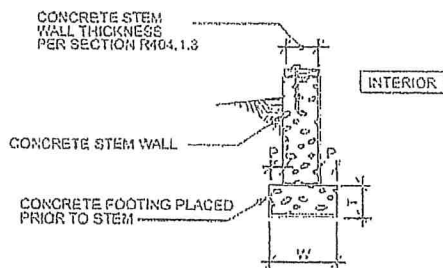
SC Footing (Code 403)



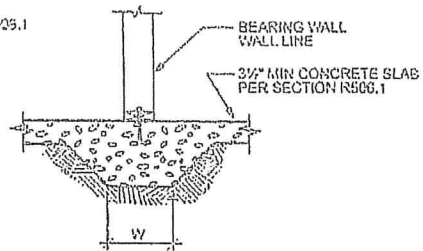
1 MONOLITHIC SLAB-ON-GROUND WITH TURNED-DOWN FOOTING
SCALE: NOT TO SCALE



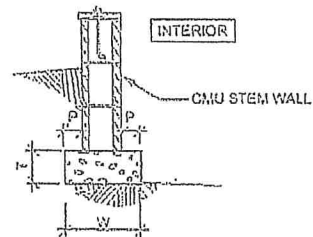
3 SLAB-ON-GROUND WITH MASONRY STEM WALL AND SPREAD FOOTING
SCALE: NOT TO SCALE



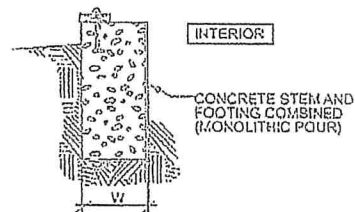
5 BASEMENT OR CRAWL SPACE WITH CONCRETE WALL AND SPREAD FOOTING
SCALE: NOT TO SCALE



2 THICKENED SLAB-ON-GROUND FOOTING AT BEARING WALLS OR BRACED WALL LINES
SCALE: NOT TO SCALE



4 BASEMENT OR CRAWL SPACE WITH MASONRY WALL AND SPREAD FOOTING
SCALE: NOT TO SCALE



6 BASEMENT OR CRAWL SPACE WITH FOUNDATION WALL BEARING DIRECTLY ON SOIL
SCALE: NOT TO SCALE



State License Exemption Request For Homeowners
Lancaster County, South Carolina

Owner Builder Form To Act As Builder

State law requires residential construction in excess of two hundred dollars (\$200.00) in labor and material to be done by licensed builders and specialty contractors. You have applied for a permit under an exemption to that law. The exemption allows you, as the owner of the property, to act as your own builder even though you do not have a license. You must supervise the construction yourself. You may build or improve a one-family or two-family residence. The building must be for your own use and occupancy. It may not be built for sale or rent. If you sell or rent a building you have built yourself within two years after construction is complete, the law will resume that you built it for sale or rent, which is a violation of this exemption. You may not hire an unlicensed person as your residential builder or specialty contractor. It is your responsibility to make sure that people employed by you have licenses required by state law and by county or municipal licensing ordinances. Your construction must comply with all applicable laws, ordinances, building codes, and zoning regulations.

JR HOME
RENOVATIONS?
LICENSED?

To qualify for this exemption, you as the owner of the residential building or structure must promptly file as a matter of public record a notice with the Register of Deeds, indexed under the owner's name in the grantor's index, stating that the residential building or structure was constructed by the owner as an unlicensed builder. Failure to do so revokes the statutory exemption. By signing this form, you acknowledge receiving the "Disclosure Statement" required to be filed, your responsibility as outlined and will abide by all applicable laws, ordinances, building code and zoning code regulations.

Description of work: Installation of freestanding covered pergola

Address: 3068 Arches Bluff Circle Lancaster, SC 29720 TMS#

Owner(s) signature: Haydee and Donald Hanson

Printed Name(s): Haydee and Donald Hanson

Witness 1: Kathryn Easton Witness 2: Leigh Shipman

Printed Name: Kathryn Easton Printed name: Leigh Shipman

State of South Carolina
County of Lancaster

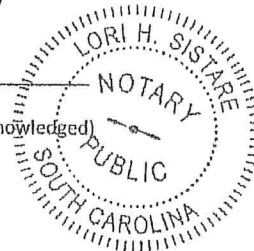
The foregoing instrument was acknowledged before me this date: 12-15-2020

By: Donald Hanson (name of person acknowledged)

Sworn and subscribed before me this 15th day of December 2020

Lori H. Sistare (Seal)
Notary Public for South Carolina

My Commission Expires: 12-31-2023



Acknowledgement of Asbestos RegulationsFederal and State Asbestos regulations require responsible parties to have SCDHEC licenses building inspector inspect regulated structures for the presence of asbestos and to obtain SCDHEC required project licenses. Please ensure that these requirements are met prior to conducting any abatement, renovations or demolition activities. Contact the SCDHEC Asbestos Section if you have any questions.

The homeowner acting as his/her own contractor assumes all risks, liability and the responsibility for the structural integrity of this structure and agrees to live in the home and not offer it for rent for a period of two years per the South Carolina Homeowner exemption. I further understand that the Development Services Department will not intervene in any dispute between the homeowner and contractor.

I understand that if this statement is found to be false then the permit issued pursuant to this application will be rendered null and void and the sole recourse of any one relying upon this permit in purchasing the property or in providing goods or services to the applicant or for the benefit of the property shall be against the applicant and not against Lancaster County who, pursuant to South Carolina Code 6-29-1145 is issuing the permit in reliance of this statement by applicant.

Any information provided on this document may be subject to the South Carolina Freedom of Information Act and may be disclosed to third parties in accordance with applicable law.

X Haydee and Donald Hanson
Contractor/Agent Signature

X Haydee and Donald Hanson
Print

X Haydee and Donald Hanson
Property Owner Signature

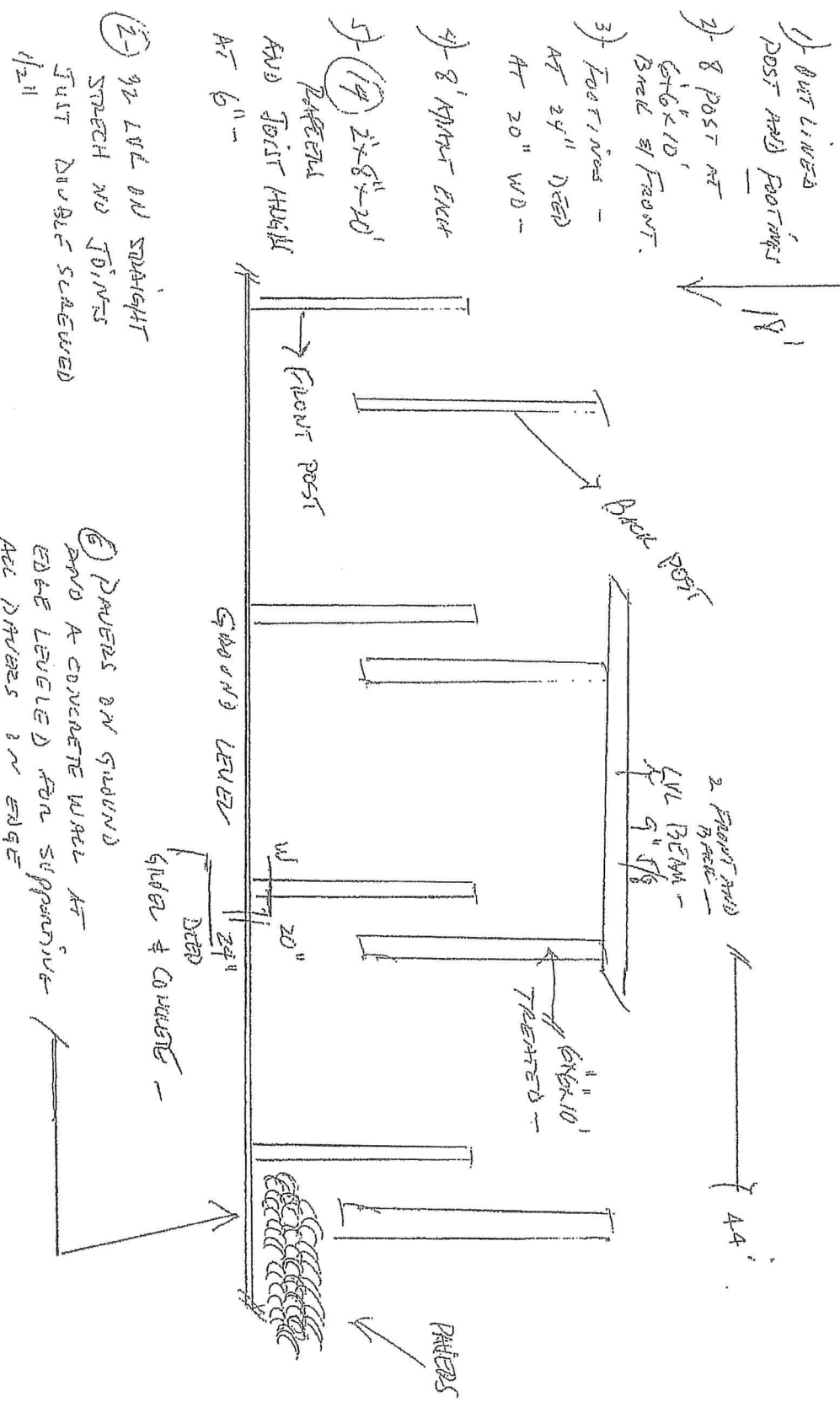
X Haydee and Donald Hanson
Print

CONTRACTOR: JAMES ROGERS
J.R. HOME RENOVATIONS

EXISTING WALL

FOR: DON AND HARRY
SOUTH CAROLINA
VAN DYKE RD - 944.374-4199

18' x 44' = 580 APPROXIMATE SF.



- 1) BUT LINED POST AND FOOTINGS
- 2) 8 POST AT 6'x10' BACK & FRONT.
- 3) FOOTINGS - AT 24" DEEP AT 20" WD -
- 4) 8'x10' EACH
- 5) (14) 2'x8'x20' PATTERN AND JOIST HULL AT 6" -
- 6) 3/2 LVL ON STRAIGHT STRECH AND JOISTS JUST DOUBLE SCREWED 1/2"

- 7) PATTERNS ON GROUND AND A CONCRETE WALL AT EDGE LEVELED FOR SUPPLYING ALL PATTERNS IN EDGE

Tree Tops Homeowners Association, Inc.
1515 Mockingbird Lane
Charlotte, NC 28209

Donald Ray & Haydee Hanson
3068 Arches Bluff Circle
Lancaster, SC 29720

ARC APPROVAL

Reference: 3068 Arches Bluff Circle, Lancaster, SC 29720 | Request #: XN13676309

November 19, 2020

Dear Donald Ray & Haydee Hanson,

Your Request for an Architectural Modification on your property at 3068 Arches Bluff Circle has been approved by the Architectural Review Committee (ARC) of Tree Tops Homeowners Association, Inc. Specifically, you have approval to proceed with the following request as submitted:

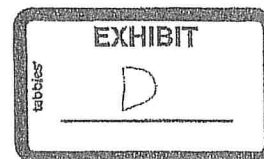
- Installation of CityStone Demi pavers in back of house in patio area. Installation of pergola/patio cover in back of house that will be freestanding and not attached to house.

Please note that the ARC may perform a final inspection once work is completed to ensure that your project is compliant with all CC&R's and that the Architectural Design Standards are applicable to your neighborhood. Please notify CAMS when work is completed to schedule the final inspection.

This approval is granted on the aesthetics of your project. The ARC does not take responsibility for, or infer by its approval, the project's structural soundness or that it meets any restricting state or local codes. Where applicable, all local building codes and setback requirements must be followed. If a building permit is required, applications must be submitted to your local planning and inspections department.

Thank you for adhering to the architectural guidelines of the community.

Sincerely,
Tree Tops Homeowners Association, Inc.



This Community is Professionally Managed By: CAMS | (704) 731-5560 www.camsmgt.com

From: [Gail](#)
To: [Jennifer Bryan](#)
Subject: [EXTERNAL]
Date: Friday, July 30, 2021 4:44:00 PM



The System couldn't recognize this email as this is the first time you received an email from this sender gyann1@aol.com

THIS IS AN EXTERNAL E-MAIL — Use caution when clicking on links as they could open malicious websites.
—IT Helpdesk, support.lancastercountysc.net

Hi Jennifer:

I would like to voice my concerns on the above variance (3068 Arches Bluff Circle) that was requested by one of my neighbors on Arches Bluff Circle in the Tree Tops community. I live up the street from this house and I walk by it ever day on my way home from Pickleball. I cannot believe that someone would want to deliberately construct an addition in the back of their house that is out of compliance with our HOA guidelines.

If this is not compliant with our HOA regulations (which all of the existing TT homeowners had to follow prior to this homeowner) and current county building codes, why is this being discussed and looking for approval at all?

The size and materials used are not in compliance with current county building code. This variance should not be allowed.

Thank you,

Gail G. Yannello

Sent from my Verizon, Samsung Galaxy smartphone

Lancaster County Board of Zoning

Subject: Public Hearing on Variance Application VAR-2021-1623

Dear Board Members,

I am in opposition to a variance being granted to 3068 Arches Bluff Circle. I live next door to the Hansons and see the structure every day. I have long felt this structure does not follow HOA guidelines. The circumstance of this hearing is the first time I have been permitted to see submitted material. This is my response to his application.

2(I) I believe this is a self-created hardship and not justification for a dimensional variance. Though structure was initially approved by County of Lancaster and HOA, the fact is that the structure, as built, considerably exceeds the application details.

2(II) Owner is not denied reasonable use of his property but, just as everyone else, has to be within confines of building and zoning regulations and HOA rules. There are no special circumstances under which this structure would be permitted.

2(III) While building inspectors were on site, they deal with materials used and structural integrity. Once code enforcement was called in, owner was immediately informed he was in violation and ordered to stop all work. Despite stop order, owner continued work and code enforcement inspector had to come by a second time.

2(IV) Contrary to statement, variance will diminish and impair value of surrounding homes based on complaints of neighbors and concern about unsightliness and size of structure.

Regarding approval from HOA, a letter was sent from HOA but doesn't show what was approved. Existing structure is not what was indicated on submitted plan. In addition, HOA does not take responsibility for codes and setbacks and a final inspection has to be completed to make sure structure is in compliance.(Exhibit D)

2(V) Though homeowner cites contractor for issues, the homeowner is an engineer and signed off as the contractor himself. As such, it is his responsibility for all measurements, costs, and awareness of setbacks.

2(VI) Structure is not in harmony with area. It does not fit in or conform with any other structures in neighborhood. All pergolas in neighborhood have 4 posts and none come close in size.

2(VII) Structure as exists sits well over rear setback requirements and should be required to conform to those standards.

Building Specifics

Physical survey (Exhibit A)

Shows 18' X 44' paver patio

Pergola/patio cover shows 8 - 6" x 6" x 10" posts with an 8" separation. That equals a 24' wide structure. There is no other submission that shows more than 8 posts with any other dimensions or separations.

In actuality there are 16 posts that are about 10" at widest point, not 6" X 6".

Structure is now 44' across.

There are no drawings that show scale. There are no dimensions on permit.

Regarding roof

It is important to note that a free-standing structure is not permitted per HOA regulations. A pergola is permitted however over a rear patio.

Homeowner only refers to pergola/patio cover in submission to HOA. On permit application (Exhibit C) he writes covered pergola making his roof a fixed roof with shingles and a steel beam for support. A detailed description of roof design and roofing material, which would be required for a structure of this nature, was never shown on plans.

The fact that considerable changes were made, the homeowner should have resubmitted an accurate revised plan with both the HOA and Lancaster County. The fact that he did not, falls on him.

In conclusion I feel intent is very important. I feel by having this structure extend under the eaves and inches from the house to make it free-standing, is not in the spirit of the HOA regulations regarding pergolas. He has twice submitted to have structure screened in which would make his porch much larger than what would be permitted if attached to house. I feel a pergola was never the intent.

I am also enclosing signatures from my neighbors, also submitted to HOA, who are opposed to this structure as it stands and want to see it removed or extremely modified to be in accordance with all regulations.

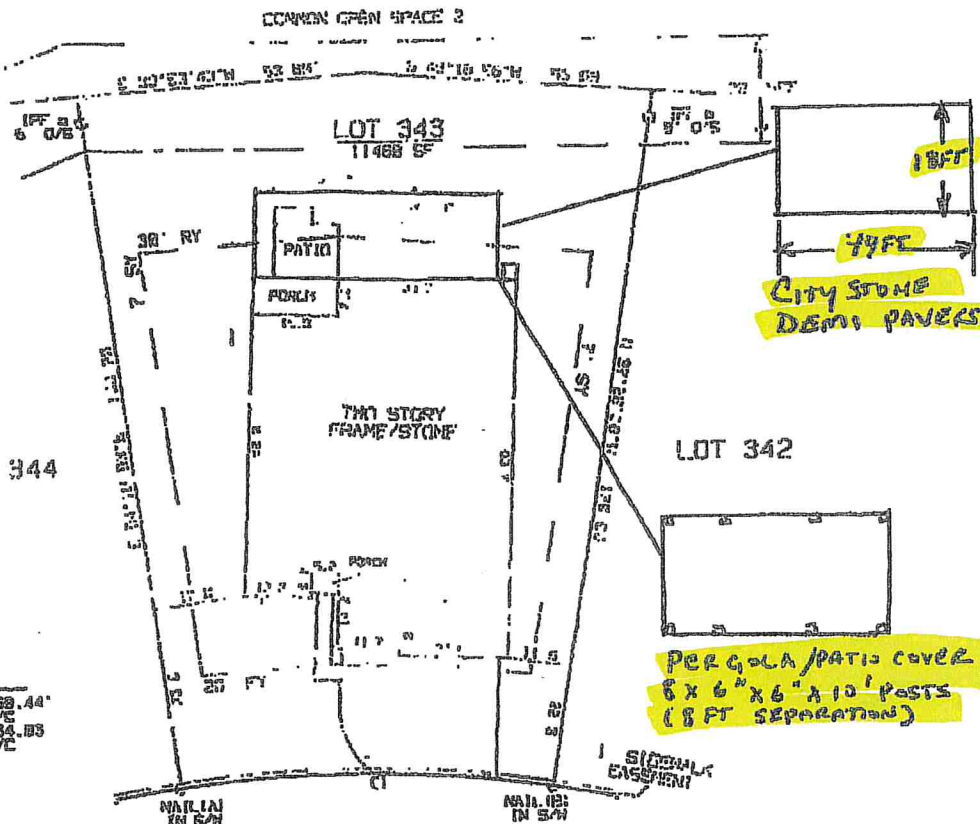
Also enclosed are photos of structure.

Thank You.



Barbara Winkler
3074 Arches Bluff Circle
Lancaster, S.C 29720

basha321 @hotmail.com



TIES:
 MARK 1A1 N 17°22'33"E 68.44'
 TO A NAIL IN B/C
 MARK 1B1 S 62°33'11"W 64.03'
 TO A NAIL IN B/C

ARCHES BLUFF CIRCLE 50' PRIVATE R/W

CURV	DELTA ANGLES	RADIUS	ARC	TANGENT	CHORD	CHORD BEARING
C 1	10°50'27"	237.80'	88.63	35.82	62.41	N 44°08'20"E

NOTE: UTILITY EASEMENTS
 5' EACH SIDE OF ALL LOT LINES
 NOTE: U.S. UTILITIES IN AREA
 SERVING OTHER PROPERTIES
 THIS PROPERTY MAY BE SUBJECT TO ANY
 EASEMENTS AND/OR RIGHT-OF-WAYS OF RECORD
 SEE RECORD MAP FOR FURTHER NOTES.

- IPF - IRON PIN FOUND
- IPS - IRON PIN SET
- B/C - BACK OF CURB
- U/S - OFFSET
- PSDE - PUBLIC STORM DRAIN
- EASEMENT
- S.T. - SIGHT TRIANGLE
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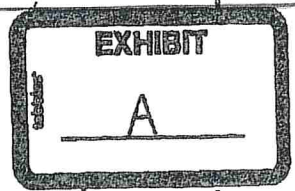


MAP RECORDED IN BOOK 2016
 AT PAGES 280-284

PHYSICAL SURVEY

OF
 3066 ARCHES BLUFF CIRCLE
 LOT 343 OF TREE TOPS PHASE 1A PARTIAL MAP 1
 INDIAN LAND TOWNSHIP, LANCASTER COUNTY, S.C.
 PROPERTY OF DON HANSON

JENKINS & LOWERY PLS. P.A.
 P.O. BOX 1949
 INDIAN TRAIL, NC 28079
 PHONE: (704) 821-5350



Lancaster County

South Carolina

DEVELOPMENT SERVICES

101 N. MAIN STREET, P O BOX 1809, LANCASTER SOUTH CAROLINA, PHONE (803) 285-1969 EMAIL PERMITS@LANCASTERCOUNTYSC.NET

RESIDENTIAL PERMIT APPLICATION

Date: 12/14/2020

Permit Type (Please Check All that apply):						
Building w/zoning ☒	Demo ☐	Zoning Only ☐	Gas ☐	Plumbing ☐	Mechanical ☐	Electrical ☒
Interior Remodeling only ☐	Pool ☐	House Move ☐	Job Cost\$ approx. <u>\$20,000</u>			

- New building must provide well/septic approval or tap fee verification.

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Subdivision: Tree Tops - Lennar Homes Lot Number: 343 Parcel ID: 0019J - 0A-343.00

Other structure on property Main Home

Property Owner(s): Haydee and Donald Hanson Phone #: 949-374-4198

Mailing Address: 3068 Arches Bluff Cir Lancaster, SC 29720

Email: dhanson2120@gmail.com

Contractor: Owner SC Contractors License #: STATE LICENSE EXEMPTION REQUEST ATTACHED

Phone # _____ Address: _____

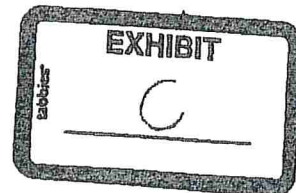
Email: _____

Electrical Sub: _____	SC License #: _____
Mechanical Sub: _____	SC License #: _____
Plumbing Sub: _____	SC License #: _____
Water provider: <u>LCWSD</u>	Electrical Provider: <u>York Electric Coop</u>
Sewer provider: <u>LCWSD</u>	Gas Provider: <u>LCNGA</u>

Heated Sq Ft _____	Unheated Sq Ft _____	Basement Sq Ft _____	Garage Sq Ft _____
Porch Sq Ft _____	Deck Sq Ft _____	Number of stories _____	Number of Bedrooms _____
Bathrooms _____	Heat source _____	Gas _____	(half pound or two-pound system) Electric source _____
Water Type _____	Sewer Type _____		

Is this a part of a Homeowner Association? Yes/No, If yes please provide letter of approval.

***Acknowledgement of SC 6-29-1145: IS THIS TRACT OR PARCEL OF LAND RESTRICTED BY ANY RECORDED COVENANT THAT CONFLICTS WITH OR PROHIBITS THE ACTIVITY YES/NO?



Tree Tops Homeowners Association, Inc.
1515 Mockingbird Lane
Charlotte, NC 28209

Donald Ray & Haydee Hanson
3068 Arches Bluff Circle
Lancaster, SC 29720

ARC APPROVAL

Reference: 3068 Arches Bluff Circle, Lancaster, SC 29720 | Request #: XN13676309

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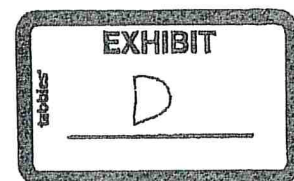
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Thank you for adhering to the architectural guidelines of the community.

Sincerely,
Tree Tops Homeowners Association, Inc.



A		B
1	Name	Address
15	Susan Lemond	3080 Treves Bluff Circle - Lancaster
16	Carol Spahr	3086 Arches Bluff Circle - Lancaster
17	LARRY SPADA	3086 ARCHES BLUFF CIRCLE
18	R. Stachert	4018 Bryce Canyon Valley
19	Bill	3125 Arches Bluff Circle
20	Bill	3132 ARCHES BLUFF CIR
21	Bergbald	3132 Arches Bluff Cir
22	Joel Brady	3164 Arches Bluff Cir
23	Mary O'Shea	3164 Arches Bluff Circle
24	Jeanne Smith	3091 Arches Bluff Circle
25	Mary O'Shea	3091 Arches Bluff Circle
26	Susan Stephens	3414 Arches Bluff Cir
27	Charles Hunter	3109 Arches Bluff Cir

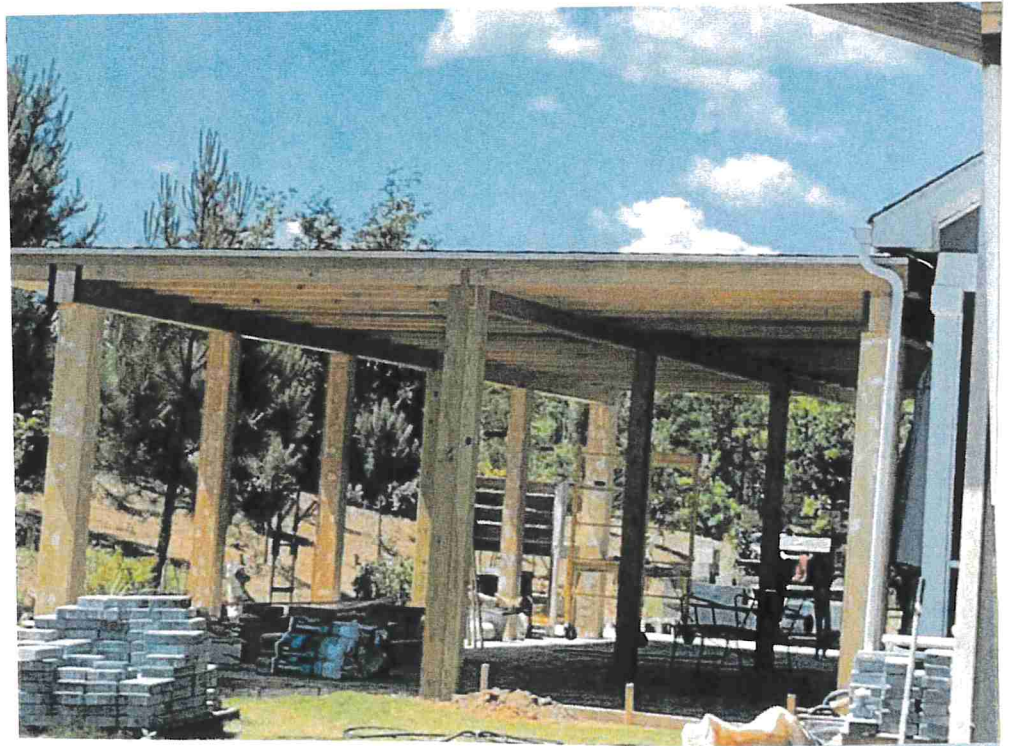
A		B
1	Name	Address
28	Tony Hill	1509 Tranquility Blvd.
29	Tacy Hill	1509 Tranquility Blvd.
30	Charlie Allen	1514 Tranquility Blvd
31	STEVEN D. JENSEN	1515 Tranquility Blvd
32	Baron Hoedel	1521 Tranquility Blvd.
33	Steven Inerman	1503 Tranquility Blvd
34	Shirley Ferguson	6037 Kings Canyon Way
35	Quentin Decker	6037 Kings Canyon Way
36	Ray Hineman	3109 Arches Blvd Cir
37	Kay Mersack	3113 Arches Blvd Cir
38	Ronald Anderson	3174 Arches Bluff
39	Michael Bantosh	3562 Arches Bluff Cir
40	Sherry Michael	2275 Heavies Falls Ln

A		B	
	Name		Address
1			
54	Ginger Schenmayer	3183	Arches Bluff Cr.
55	Tom Schenmayer	3183	Arches Bluff Circle
56	Tony Trade	3180	ARCHES BLUFF Circle
57	Bill Anderson	3168	Arches Bluff Circle.
58	Deborah Gardner	3168	Arches Bluff Circle
59	Carol Baker	8978	Arches Bluff Circle
60	Henry Beaul	4070	Bye Canyon Way
61	MERCIE GREGG	3150	Arches Bluff Circle
62	Ed Beaul	4070	Bye Canyon Way
63	Shirley Adakollis	3204	Arches Bluff Circle
64	Paul & Diane Albano	3144	Arches Bluff Circle
65	Tracy and Dennis	4350	Bye Canyon Way
66	Bernie Howell	3520	Arches Bluff Circle

the library

3176 Arches Bluff Circle

A	B
Name	Address
Jacey Kuller	2408 Acadia Falls Cir
Kynette Thompson	2189 Acadia Falls Lane
Cathy Beckin	4946 Asher Chase Trail
Ken Allen	8050 Asher Chase Trail
Bob Boney	3081 Ames Bluff Circle
Marilyn Schenk	1479 Tranquility Blvd.
Stephen Johnston	5075 Sunset Ridge Dr
Martha & Lane Pintal	1590 Tranquility Blvd.
Paula M. Dwyer	8100 Asher Chase Tr
Eileen Davies	3061 Cedar Stanley Dr
M. Taylor Hurdley	5113 Sunset Ridge Drive
William Brown	6942 Sunset Cedar Place
Harry Jordan	4047 Chapel Islands Way
Barbara Welch	6937 Sunset Cedar Place





Written comments submitted for Item 6b: VAR 2021-1624 Roney

From: jevan.williams
To: [Jennifer Bryan](#)
Subject: VAR-2021-1624
Date: Monday, July 19, 2021 11:26:22 AM



The System couldn't recognize this email as this is the first time you received an email from this sender jevan.williams@yahoo.com

I am opposed to the granting of a variance that would allow an additional mobile home at Lee Park Lane. This mobile home park was established prior to zoning (grandfathered) in a community of stick built homes. There is no public sewer in the area. I would be surprised if DHEC would approve an additional septic system on such a small parcel with those already in place.

Furthermore, additional mobile homes depreciate the value of neighboring home owners' properties in the rest of the community including mine.

Sincerely,
C. Jevan Williams
1294 Cedar Pines Lake Road
Lancaster, S.C. 29720

TM# 0063-00-028.00
TM# 0063-00-028.01

Sent from my Verizon, Samsung Galaxy Tablet

July 26, 2021

Via email (ssimpson@lancasterse.net) and First Class Mail:

Clerk to Council
101 N. Main Street
Lancaster, SC 29720

RE: Variance Application VAR-2021-1624
Parcel – 0 Cedar Pines Lake Road (TM# 0063-00-054.01)

To the Lancaster County Board of Zoning Appeals,

I am unable to attend the meeting on August 3, 2021, so I submit this written objection to the variance application of Lori O. and James D. Roney. I am an adjacent land owner to 0 Cedar Pines Lake Road, having maintained my property in Lancaster for nearly 20 years.

As the Board is aware, § 5.2.7.C.2 of the Unified Development Ordinance of Lancaster County states that, “no manufactured home park shall be approved for a site less than 5 contiguous acres under single ownership or control.” According to the Online GIS for Lancaster County, the above-referenced Parcel is only three acres of contiguous property. To my knowledge, there are already six manufactured homes/structures on the Parcel. Adding a seventh structure, or replacing an existing structure with one that is larger, may violate the maximum density allowed by §§ 5.2.7.C.7 and .8 as well.

As neighbors to the Parcel, we are concerned about increased density and overcrowding, and accordingly object to this variance application. We trust that the Board will make the correct decision to maintain the qualities of Lancaster County. Thank you for your time and consideration.

Sincerely,



D. Edwin Rose
1240 Cedar Pines Lake Rd.
Lancaster, SC 29720

D. Edwin Rose, Managing Member
Cane Creek Ventures, LLC
1240 Cedar Pines Lake Rd.
Lancaster, SC 29720

received
7-29-2021



Agenda Item Summary

Ordinance # / Resolution #:

Contact Person / Sponsor:

Department: Planning

Date Requested to be on Agenda: 10/5/2021

Issue for Consideration:

Points to Consider:

Recommendation: