

Board of Zoning Appeals Members

District 1: Beverly Williams
District 2: Kemesha Lowery
District 3: Harvey Carnes
District 4: Donald Duve
District 5: Darrell Reid, Vice-Chair
District 6: Mike Couch
District 7: Frances Liu, Chair

**County Attorney**

John K. DuBose III

Clerk to Board of Zoning Appeals

Mika Garris

Development Services Director

Rox Burhans

February 2, 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**

[While in-person Citizens Comments are not currently suspended, due to public health and safety considerations and the need for continued social distancing, the County is strongly encouraging citizen input and comments be submitted in writing prior to the meeting. Comments may be submitted via mail to ATTN: Sherrie Simpson, Post Office Box 1809, Lancaster, SC, 29721, by email to Sherrie Simpson at ssimpson@lancastersc.net 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. January 5, 2021 - Regular Minutes

6. **Public Hearing Items**

- a. VAR-021-0014

Application by Lucy and William Lane, requesting a variance from Section 12, Setbacks and Yards, of Lancaster County Ordinance No. 2015-1346. The subject property is located at 1048 Castle Road, Indian Land, SC (TM# 0010N-0A-126.00) in a Planned Development District (PDD).

7. **New Business**

8. **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/UCgSImrcYjcYcu1m-e6TV54w>***



MEMBERS OF LANCASTER COUNTY BOARD OF ZONING APPEALS

BEVERLY WILLIAMS, DISTRICT 1

KEMESHA LOWERY, DISTRICT 2

HARVEY CARNES, DISTRICT 3

DISTRICT 4

DARRELL REID, DISTRICT 5

MIKE COUCH, DISTRICT 6

FRANCES LIU, DISTRICT 7

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

JANUARY 5, 2021

Members Present: Frances Liu, Darrell Reid, Kemesha Lowery, Beverly Williams, Mike Couch. A quorum of Lancaster County Board of Zoning Appeals was present for the meeting.

Members Absent: Harvey Carnes

Others Present: Robert Tefft, Senior Planner; Mika Garriss, Zoning Secretary; John Dubose, County Attorney.

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.

Call Meeting to Order

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

Approval of Agenda

Member Lowery moved to approve the agenda, which was seconded by Member Reid. Motion passed by 5-0.

Approval of Minutes from December 1, 2020

Member Williams moved to approve the minutes, which was seconded by Member Couch. Motion passed by 5-0.

Public Hearing Items

VAR-020-2854

Application by Fun Outdoor Living on behalf of Donald J. Richburg, requesting a variance from Unified Development Ordinance Section 4.4.1.E, setbacks, reducing the rear setback from 30 feet to 18.7 feet. The subject property is located at 4013 Brandywine Terrace (TM# 00140-0A-045.00) in a Medium Density Residential (MDR) District / Cluster Subdivision Overlay (CSO) District.

Robert Tefft, Senior Planner, provided an overview of the variance request consistent with the staff report. Mr. Tefft also noted that staff has not received any calls on the matter, just those letters/emails provided by the applicant.

Chair Liu discussed specific variance criteria with the applicants.

Donald Richburg addressed the Board and stated that the reason for his request is medical in nature and that he recently moved here and wasn't aware of the zoning laws for Lancaster County.

Chair Liu question whether or not this would be a screened-in porch.

Mr. Richburg responded that it would be a screened-in porch.

Member Reid asked if they're any easements next to the property. He noted that they are buffers and a lot of open space at rear of property.

Mr. Richburg agreed that there was a lot of open space behind the property, but was unaware as to any easements.

Member Couch asked why they could not build the porch within the 7 feet outside of the setback area.

Mr. Richburg stated that it would be a tight fit for what they wanted to build and would like to have a larger porch for when family visits.

Member Williams asked if the applicant has a front porch on the house.

Mr. Richburg stated that the home only an overhang.

Chair Liu indicated her belief that this is a large request for this size of structure to try and give a minimum relief.

Member Reid stated that he feels this variance request does have a uniqueness to it because in the Bent Creek subdivision you have homes all around, yet Mr. Richburg's lot does not have homes behind him. There is a 10 acre common open space and nothing will be built in that area..

Chair Liu opened the public hearing and with there being no one to speak on the item, closed the public hearing and called for a vote.

Member Williams moved to approve the variance, which was seconded by Member Reid.

The Board reviewed the application against the variance criteria, and determined that the application failed to meet the following variance findings:

- i. That there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of this ordinance (vote of 0-5);
- 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 (vote of 0-5);
- 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 (vote of 0-5);
- iv. That the variance will not materially diminish or impair established property values within the surrounding area (vote of 0-5);
- vi. That the variance is in harmony with the general purpose and intent of this ordinance and preserves its spirit (vote of 0-5); and
- vii. That the variance is the minimum necessary to afford relief (vote of 0-5).

Motion failed. The Board unanimously agreed that the above criteria were not met. The variance is denied.

New Business:

Mr. Tefft provided an update on next month's agenda to include a variance for a rear yard setback for a single-family home in the Queensbridge neighborhood. Mr. Tefft also indicated that there would be training for the Board at the next meeting.

Adjournment:

With there being no further business to discuss, Member Williams moved to adjourn the meeting, which was seconded by Member Reid. Motion passed unanimously. The Board of Zoning Appeals adjourned at 6:42 PM.

CHAIR

ZONING OFFICIAL

Agenda Item Summary

Ordinance # / Resolution #:

Contact Person / Sponsor:

Department: Board of Zoning Appeals

Date Requested to be on Agenda: 2/2/2021

Issue for Consideration:

Points to Consider:

See Staff Report.

Recommendation:

See Staff Report.

ATTACHMENTS:

Description	Upload Date	Type
Staff Report	1/14/2021	Planning Staff Report
Ex 1: Application	1/14/2021	Exhibit
Ex 2: Location / Zoning Map	1/14/2021	Exhibit
Ex 3: Property Report	1/14/2021	Exhibit
Ex 4: Deed	1/14/2021	Exhibit
Ex 5: Ordinance	1/14/2021	Exhibit

REQUEST: Application by Lucy and William Lane, requesting a variance from Section 12, Setbacks and Yards, of Lancaster County Ordinance No. 2015-1346. The subject property is located at 1048 Castle Road, Indian Land, SC (TM# 0010N-0A-126.00) in a Planned Development District (PDD).

PROPERTY LOCATION: 1048 Castle Road (Queensbridge subdivision)

TAX MAP NUMBER: 0010N-0A-126.00

ZONING DISTRICT: Planned Development District (PDD)

OWNER / APPLICANT: Lucy and William Lane

OVERVIEW:

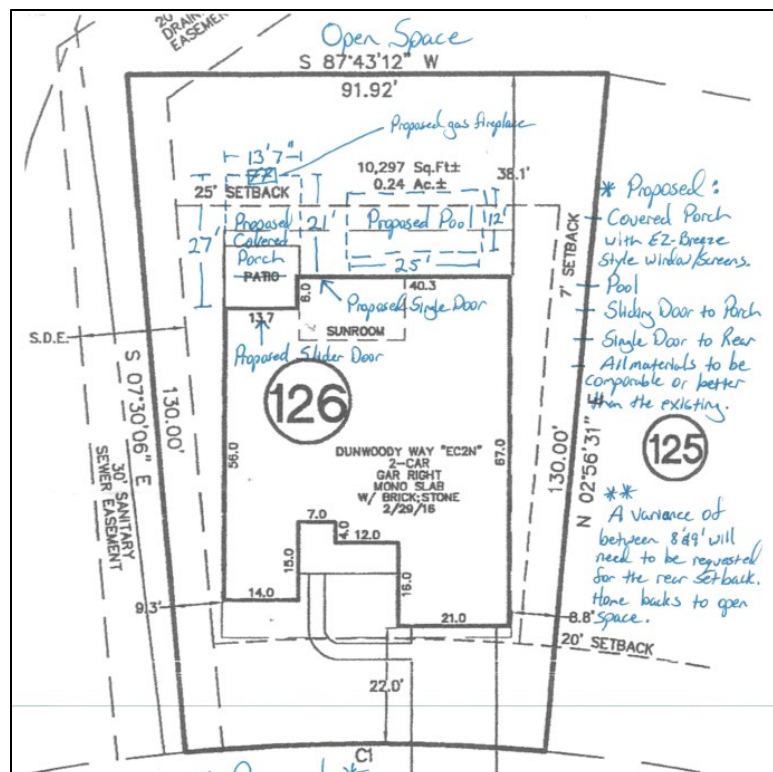
Background

The subject property is approximately 0.24 acres in size and is located on the south side of Castle Road within the Queensbridge neighborhood. The property is a part of a Planned Development District (PDD-26) approved by Ordinance No. 2015-1346 in 2015 consisting of 411 acres to be potentially comprised of approximately 1,110 single- and multi-family dwellings, as well as approximately 900,000 square feet of various office/medical/retail development. The various components of the overall development are within "Villages" each of which have their own unique development standards. The subject property is located within Village B, which was identified as being a single-family village and, pursuant to Ordinance No. 2015-1346, Section 12, requires a minimum rear yard setback of 25 feet.

Accordingly to the survey submitted as part of this application, the existing single-family dwelling is setback 38.1 feet from the rear property line. The applicant is proposing to construct a covered porch and swimming pool to the rear of this dwelling. The covered porch would extend 21 feet from the rear of the dwelling and encroach 8 feet into the rear yard setback. As such, the proposed variance would reduce the minimum required rear yard setback from 25 feet to 17 feet.

It should be noted that with regard to the swimming pool depicted on the proposed plan, the 25-foot setback does not apply. While Ordinance No. 2015-1346 does not specifically discuss accessory structures, such as swimming pools, Section 5.5(7) of the Unified Development Ordinance (UDO) in effect when this PDD was approved does contain the following language:

Uses that are accessory to the principal structure such as swimming



pools, (in ground and above), hot tubs, temporary or permanent, shall observe the same setback requirements as the principal use regardless of the size or type. The only exception to this requirement is that the rear setback for these types of structures shall be ten (10) feet instead of twenty-five (25) feet.

Accordingly, no variance is required for the swimming pool as depicted on the proposed site plan.

Summary of Adjacent Zoning and Uses

	Zoning District	Use
North	PDD	Open Space
South	PDD	Open Space
East	PDD	Open Space
West	PDD	Single-Family Detached Dwelling

PUBLIC COMMENT:

Staff has not received any letters or emails in support or opposition to this variance request.

RELATION TO THE UNIFIED DEVELOPMENT ORDINANCE:

Lancaster County Ordinance No. 2015-1346, Section 12

Section 12. Setbacks and Yards. (a) All lots within PDD-26 shall meet or exceed the following setback and yard requirements from a public right of way:			
Land Use	Min. Setback	Min. Side Yard	Min. Rear Yard
Single Family Village "A, B, C, & D"	20'	7'	25'

UDO Section 9.2.12.A, Purpose/Limitations

- 1. Purpose:** The variance process administered by the Board of Zoning Appeals is intended to provide limited relief from the requirements of this ordinance in those cases where strict application of a particular requirement will create a practical difficulty or unnecessary hardship prohibiting the use of the land in a manner otherwise allowed under this ordinance.
- 2. Financial Hardship Not Sufficient Ground for Variance:** It is not intended that variances be granted merely to remove inconveniences or financial burdens that the requirements of this ordinance may impose on property owners in general or to increase the profitability of a proposed development.
- 3. Use Variances Not Permitted:** In no event shall the Board of Zoning Appeals grant a variance which would allow the establishment of a use which is not otherwise allowed in a land development district or which would change the land development district classification or the district boundary of the property in question. Nor shall the Board grant a variance which would allow the establishment of a use set forth herein as requiring certain conditions or standards under conditions or standards less than those minimums.
- 4. Authority Limited to this Ordinance/ Conflicts with other Laws Prohibited:** In no event shall the Board of Zoning Appeals grant a variance which would conflict with the International Building Code,

as amended, or any other state code unless otherwise authorized by duly enacted applicable laws and regulations.

UDO Section 9.2.12.C.2, Standard of Review

- a. General Variance Requests:** The Board of Zoning Appeals shall not grant a variance unless and until it makes all of the following findings:
- i. That there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of this ordinance;
 - 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;
 - 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;
 - iv. That the variance will not materially diminish or impair established property values within the surrounding area;
 - 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;
 - vi. That the variance is in harmony with the general purpose and intent of this ordinance and preserves its spirit;
 - vii. That the variance is the minimum necessary to afford relief; and
 - viii. That the public health, safety and general welfare have been assured and substantial justice has been done.

ATTACHMENTS:

1. Variance Application
2. Location / Zoning Map
3. Property Report
4. Deed
5. Ordinance

STAFF CONTACT:

Robert G. Tefft, Senior Planner
rtefft@lancastersc.net | 803-416-9394



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: 0010N-0A-126.00
STREET ADDRESS: 1048 Castle Road
CITY/ STATE/ ZIP CODE: INDIAN LAND, S.C. 29707
LOT DIMENSIONS/ LOT AREA: 130' x 91.92' PLAT BOOK/PAGE: 2018 PAGE 164-165
CURRENT ZONING CLASSIFICATION: PDD

PROPERTY OWNER OF RECORD:

NAME: William A. Lane and Lucy A. Lane
ADDRESS: 1048 Castle Road
CITY/STATE/ZIP CODE: Indian Land, SC 29707 TELEPHONE/FAX NUMBER: 704-578-8528
EMAIL ADDRESS: WLANE1989@gmail.com
SIGNATURE OF OWNER/ DATE: Will A. Lane 12/30/2020

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: _____
ADDRESS: _____
CITY/STATE/ZIP CODE: _____ TELEPHONE/FAX NUMBER: _____
EMAIL ADDRESS: _____
SIGNATURE OF AGENT/ DATE: _____
SIGNATURE OF OWNER/ DATE: _____

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:

PLANNED DEVELOPMENT DISTRICT. Sect 12 ORD 2015-1346

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:

REQUEST A VARIANCE OF THE 25 FOOT MIN. REAR YARD SETBACK TO ACCOMMODATE A PORCH DESCRIBED IN THE ATTACHED DOCUMENTS.

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.

PERMIT HAS BEEN APPROVED

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;

THE ORDINANCE IS MEANT TO PROVIDE A BUFFER (INTERNAL) BETWEEN RESIDENCES. THE SUBJECT PROPERTY REAR YARD DOES NOT ADJOIN ANY RESIDENCE, BUT DOES AN AREA RESTRICTED FROM DEVELOPMENT. (SEE BELOW AND PROPERTY SITE PLANS).

- 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;

THE MINIMUM REAR SETBACK LIMITS IMPROVEMENTS TO THE REAR OF THE RESIDENCE TO 1/3 OF THE REAR YARD.

- 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;

THE RESIDENCE BACKS UP TO A DRY POND (ETHAN'S FINE POND) AND IS ADJACENT TO A HED/SPLITTER BUFFER LINE. THEREFORE PER SECTION 16(C) OF THE ORDINANCE (ORD. NO. 2015-1346) STRICT ADHERANCE TO THE BUFFER SERVE NO MEANINGFUL PURPOSE.

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

THE 100 FOOT HED/SPLITTER BUFFER LINE AND AREA CREATED BY THE DRY POND SERVE AS AN ACCEPTABLE BUFFER AND DOES NOT DIMINISH OR IMPAIR PROPERTY VALUES OF NEIGHBORING RESIDENCES.

- 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;

Application of this Ordinance requires a buffer between residential properties. In the subject case there are no adjoining residential properties.

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

THE VARIANCE WOULD PERMIT THE ADDITION WHICH WILL COMPLIMENT THE EXISTING STRUCTURE WITH A SIMILAR ROOF LINE. IF IT WERE NOT FOR THE LOCATION OF THE RESIDENCE WITH THE NATURAL AND MAN MADE BUFFER, THE DEDUCTION THE VARIANCE WOULD NOT PRESERVE THE SPIRIT OF THE ORDINANCE.

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

THE VARIANCE TO THE MINIMUM REAR YARD SETBACK WILL PERMIT AN ADDITIVE ADDITION THAT COMPLIMENTS THE RESIDENCE AND WILL NOT DIMINISH OR IMPAIR ESTABLISHED PROPERTY VIEWS OR VALUES.

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

THE SUBJECT PROPERTY'S LOCATION AS DESCRIBED ABOVE WILL BEAR NO NEGATIVE IMPACT TO ADJACENT PROPERTY OWNERS. IN CONSIDERATION OF THE EVIDENCE PRESENTED, THE PUBLIC HEALTH, SAFETY AND GENERAL WELFARE HAVE BEEN ASSURED AND SUBSTANTIAL JUSTICE HAS BEEN DONE.

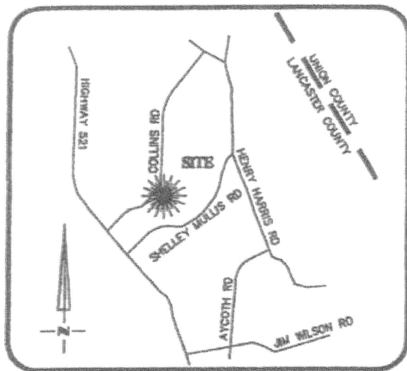
3. THE FOLLOWING DOCUMENTS ARE SUBMITTED IN SUPPORT OF THIS APPLICATION: (A PLOT PLAN MUST BE SUBMITTED)

① EXISTING / PROPOSED SITE PLAN, ② HOA APPROVAL, ③ DRAWING, ④ PHOTO OF PORCH AT PREVIOUS RESIDENCE, ⑤ PHOTOS OF YARD VIEW AND BACK OF HOME.

Date: 12/30/2020

Applicant Signature:

Delia R. R.



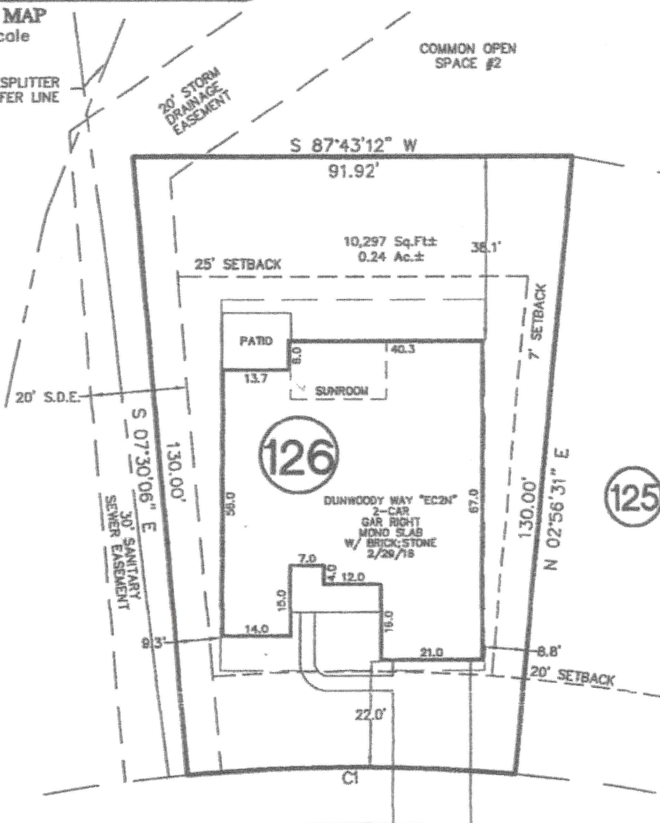
VICINITY MAP
Not To Scale

PROPOSED IMPERVIOUS SURFACE AREA	
DESCRIPTION	AREA
PATIO/AC	171 S.F.±
DRIVEWAY & LEADWALKS	461 S.F.±
PROPOSED 4' CITY S/W	0 S.F.±
DRIVEWAY WITHIN R/W ASSUMED 12' TO BOC	194 S.F.±
TOTAL (PROPOSED)=	826 S.F.±

100' HEELSPLITTER
BUFFER LINE

20' STORM
DRAINAGE
EASEMENT

COMMON OPEN
SPACE #2



BK. 2018 PG. 164-165

#1048 CASTLE ROAD

50' PUBLIC R/W

** Existing **

CURVE TABLE				
CURVE	BEARING	CHORD	LENGTH	RADIUS
C1	N87°43'12"E	68.26	68.35	375.00

NOTE:

1. BUILDER ASSUMES RESPONSIBILITY FOR GRADING LOT AND/OR DESIGNING STEPS, PORCHES, DECKS, ETC. AS NECESSARY TO PREVENT ENCROACHMENT INTO SETBACKS.
2. HOUSE DIMENSIONS AND OPTIONS SHOULD BE VERIFIED WITH CONTRACTOR PRIOR TO CONSTRUCTION.
3. SETBACKS/ EASEMENTS SHOULD BE VERIFIED WITH DEVELOPER AND LOCAL OFFICIALS PRIOR TO CONSTRUCTION.
4. THIS IS A CONCEPTUAL DRAWING AND CONTENTS SHOWN HEREON ARE SUBJECT TO CHANGE UPON FINAL CONSTRUCTION.

NOTE:
ALL LOTS ARE SUBJECT TO PUBLIC UTILITY
EASEMENTS (P.U.E.). 20' IN WIDTH TOTAL
ALONG REAR AND FRONT LOT LINES AND 5'
ON EACH SIDE OF SIDE LOT LINES

PARCEL ID: 0010N-0A-126.00

REV. # DATE COMMENTS

REV. #	DATE	COMMENTS

THIS DRAWING DOES NOT
REFLECT AS-BUILT INFORMATION

PRELIMINARY PLAT
NOT FOR RECORDATION, CONVEYANCES, OR SALES

HOUSE LOCATION PLOT PLAN FOR

LOT 126, QUEENSBRIDGE, PHASE 2B MAP 1

Indian Land Township, Lancaster County, South Carolina

PROPERTY OF: PULTE HOMES / CENTEX HOMES

BOOK 2018 PAGE 164-165 DEED REFERENCE

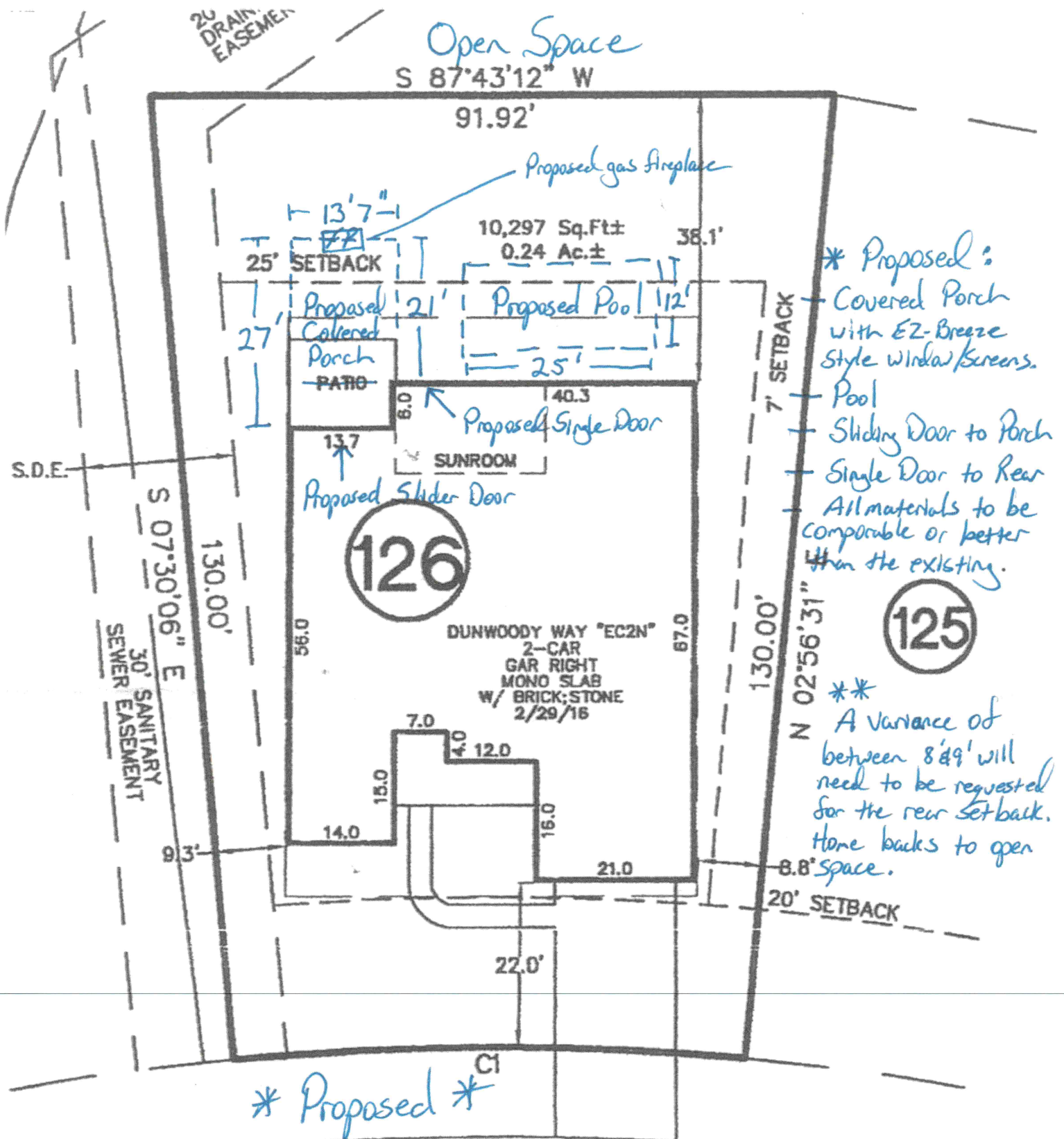
DRAWN BY: CRP

DATE: FEBRUARY 28, 2019

EASTOVER
LAND SURVEYING COMPANY, P.A.

LAND SURVEYORS - PLANNERS
10430 PARK ROAD, SUITE #300
CHARLOTTE, NORTH CAROLINA 28210
PHONE (704) 927-8080
FAX (980) 309-0842

ENVELOPE:
A



#1048 CASTLE ROAD

50' PUBLIC R/W

E TABLE		
CHORD	LENGTH	RADIUS
00.00	00.00	00.00

QUEENSBRIDGE HOMEOWNERS ASSOCIATION

c/o Cusick Community Management -- 8008 Corporate Center Drive, Suite 100, Charlotte, NC 28226
Ph: 704.544.7779; Fax: 704.542.0918
www.cusickcompany.com

September 21, 2020

William & Lucy Lane
1048 Castle Road
Fort Mill, SC 29707

**RE: 1048 Castle Road
Porch**

Dear William & Lucy Lane,

Thank you again for your recent request for modification(s) to the above referenced address. Your request as noted above is **APPROVED Porch with fireplace**

Porch is conditionally approved based on the following stipulation: Applicant is solely responsible for acquiring permits and/or zoning variance for rear yard setback encroachments.

You may proceed with your improvements as detailed in your application, contingent upon all conditions set therein. In addition, your projects must be completed within three (3) months as of date of approval letter. Once a part of the project is started, that part must be worked on continuously until it is completed. No longer than three (3) months construction time will be permitted without special approval and must comply with the Declaration of Covenants, Conditions and Restrictions as well as the Rules and Regulations stated in your Association Handbook.

The Architectural Review Committee (ARC) and/or your Board of Directors is entitled to inspect your modification(s) during construction and may do so after completion to ascertain whether your modification(s) have been constructed in accordance with the approved plans. Additionally, they reserve the right to require that any errors or omissions in plans observed during or after construction be addressed and rectified immediately.

Approval by the ARC does not in any way guarantee approvals by federal, state and local authorities, or other such agencies, and all such approvals or permitting are the responsibility of the applicant.

Please retain a copy of this letter with your important documents, this will also be located online your community profile under your account.

Respectfully,

Cusick Community Management
On behalf of Queensbridge Homeowners Association

1048 Castle Road

Existing Home
(Photo of existing home included)

Shingles
Fascia
Soffit
Gutters

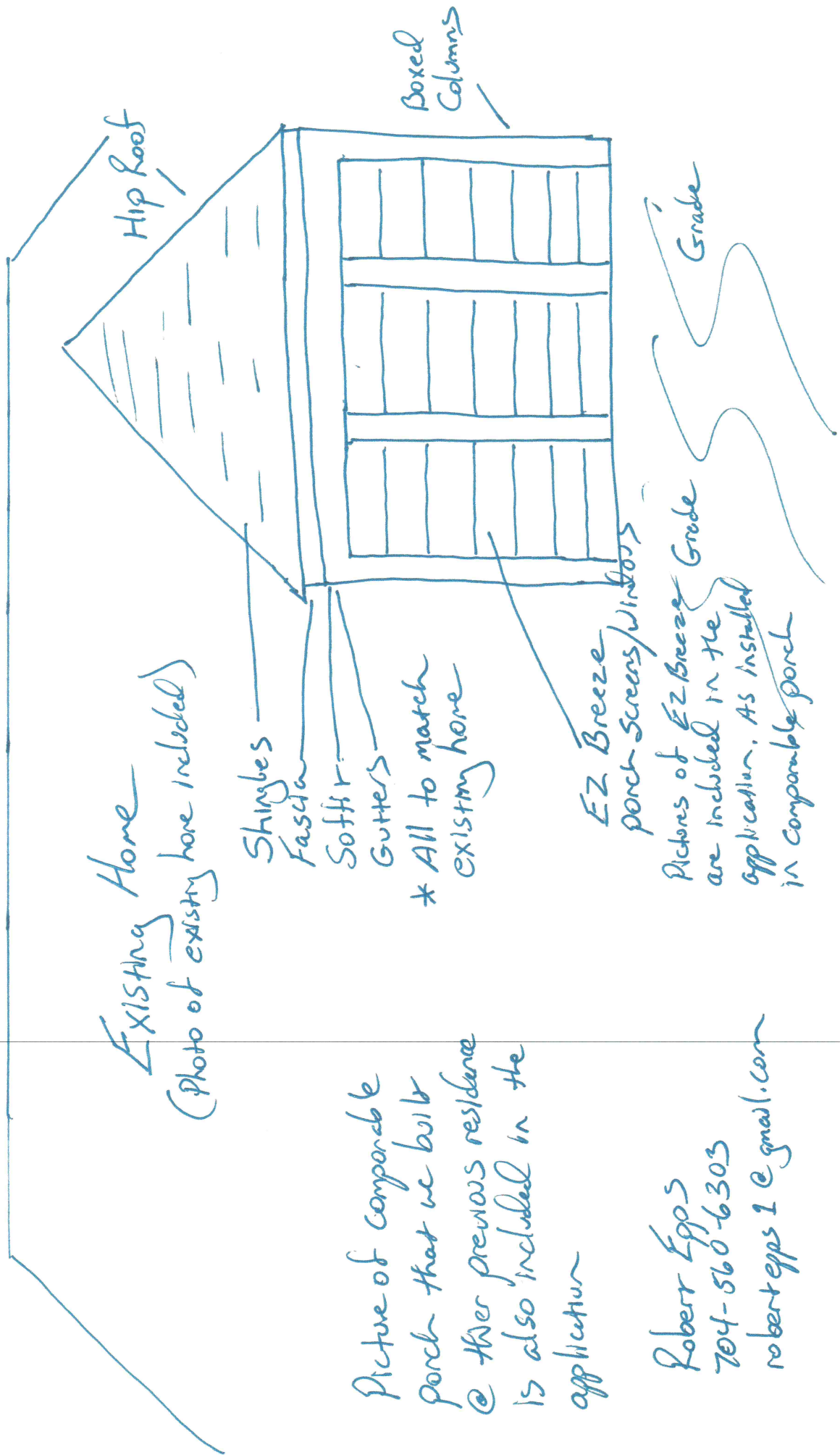
* All to match
existing home

EZ Breeze
porch screens/windows

Pictures of EZ Breeze Grade
are included in the
application. As installed
in comparable porch

Picture of comparable
porch that we built
@ their previous residence
is also included in the
application

Robert Eggs
704-560-6303
roberteggs1@gmail.com











Location Map

Map Date: January 11, 2021

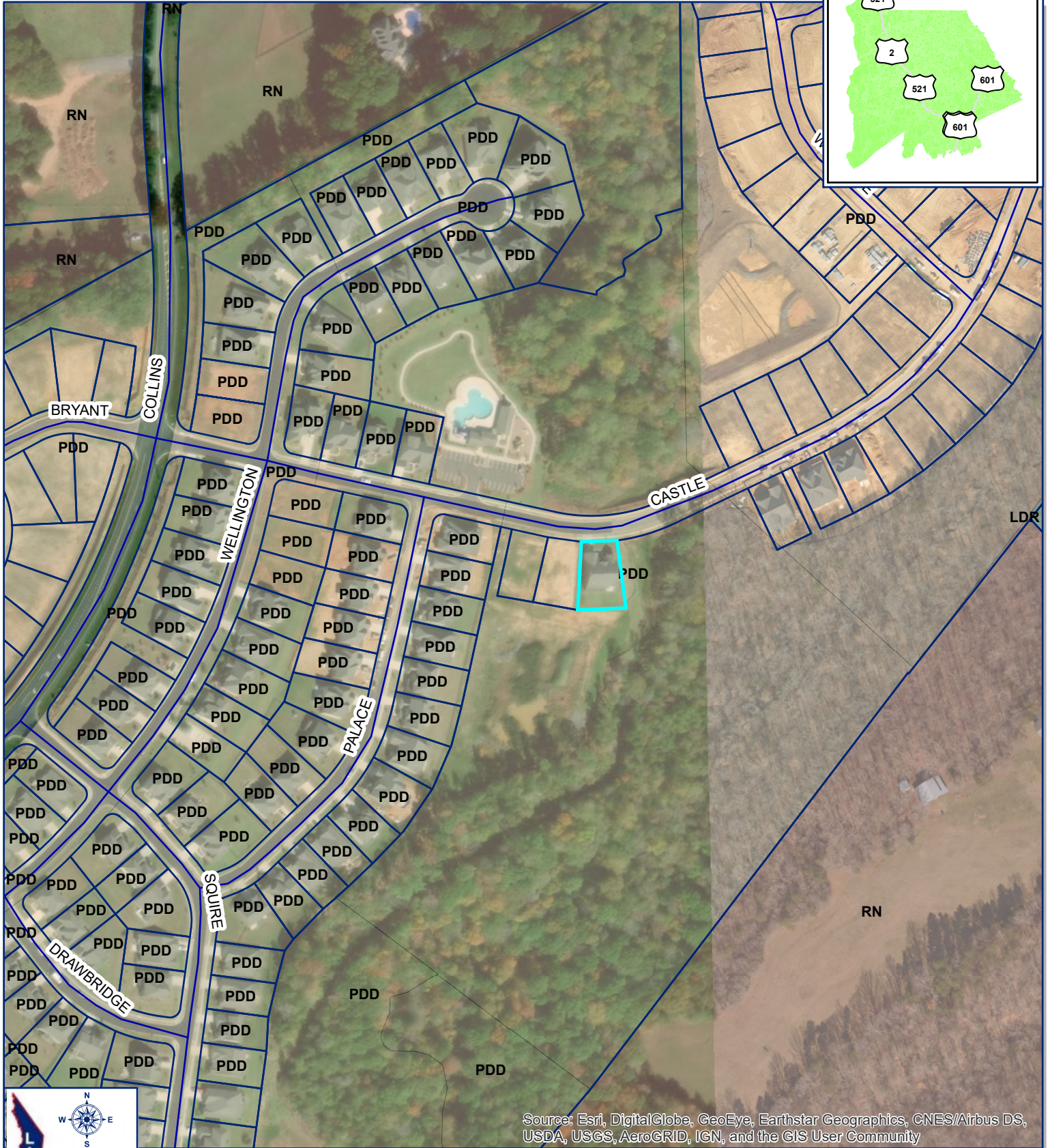
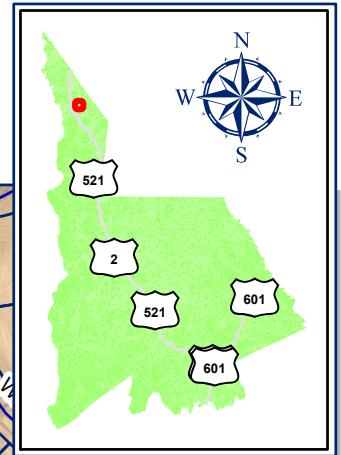
Map Created by: RT

Case Number: VAR-021-0014

Proposal: Variance from Section 12, Setbacks and Yards, of Lancaster County Ordinance No. 2015-1346.

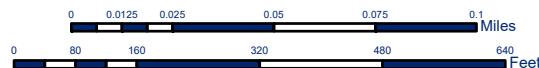
Tax Map #: 0010N-0A-126.00

Applicant: Lucy and William Lane



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

The County of Lancaster provides this data for reference only. All data must be field verified before the information is used for design/project work. The County of Lancaster is not responsible or liable for any inaccuracies. Any design using this data is at users' sole risk. Also note that information is subject to change at any time.



Parcel Summary

Parcel ID

Account #

Millage Group

Land Size

Location Address

Zoning

Neighborhood

Property Usage

Plat Book/Page

Block # / Lot #

0010N-0A-126.00
96812
01 - County - County - (1)
1 LOT
1048 CASTLE RD , Indian Land

(Note: Not to be used on legal documents)
75
Qualified Residential (QR)
2018/164
126/2B

Scanned Property Card

Property Card

Note: Property Cards are current as of 4/1/2020 and are no longer updated

Owner Information

LANE WILLIAM A
1048 CASTLE RD
INDIAN LAND SC 29707

LANE LUCY A
1048 CASTLE RD
INDIAN LAND SC 29707

Land Information

Land Use	Number of Units	Unit Type	Land Type	Frontage	Depth	AgUse Value
QualRes (QR)	1.00	LOT	SITE	0	0	\$281
QualRes (QR)	1.00	LOT	SITE	0	0	\$0

Building Information

Building ID

Style

Gross Sq Ft

Finished Sq Ft

Stories

Condition

Interior Walls

Exterior Walls

Year Built

Garage

Porch

Effective Year Built

Foundation

Roof Type

Roof Coverage

Flooring Type

Heating Type

Bedrooms

Full Bathrooms

Half Bathrooms

3/4 Bathrooms

Grade

Grade Description

Number of Fire Pl

Unit Description

56387
Single Family Dwelling / 37
4,834
4,050
1 Story
Good
DRY WALL
Brick with 25% Stone
2019

2019
Continuous Slab
Gable
Composition
Carpet with 30% Hardwood
Pack Heat\Cool

3
1
0
B+10

0

RoomsBedrooms

Code	Description	Sketch Area	Finished Area	Perimeter
02	BRK GAR FIN	484	0	88
06	COVERED PRCH	132	0	56
FUS	FIN UP STORY	1,360	1,360	0
50	ONE STORY	2,690	2,690	242
26	SLAB	168	0	52
TOTAL		4,834	4,050	438

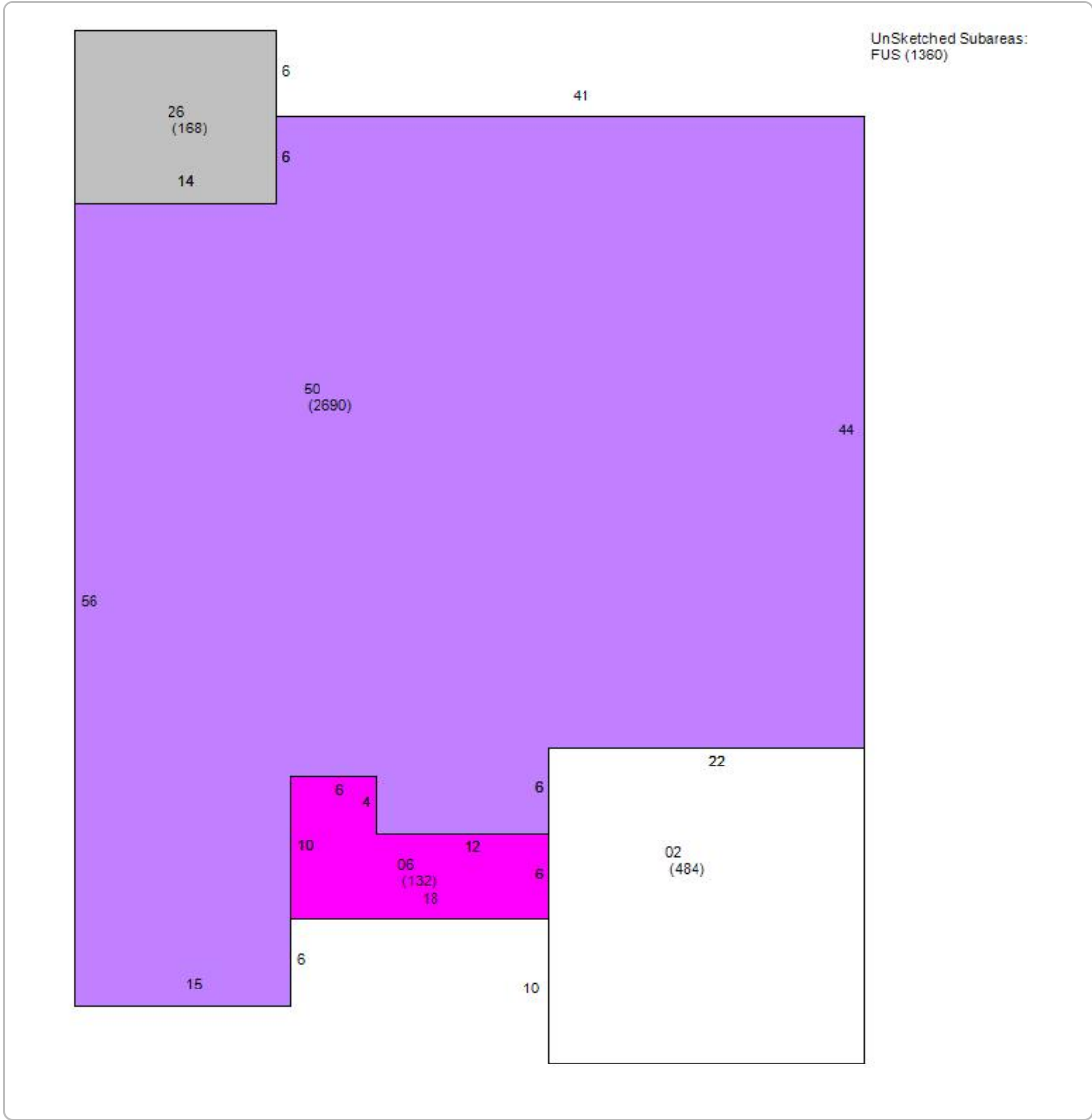
Sales Information

Sale Date	Sale Price	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved	Grantor	Grantee
9/17/2019	\$520,715	DEED	1276	262	Unqualified - NEW CONSTRUCTION	Improved	PULTE HOME COMPANY LLC	LANE WILLIAM A
5/10/2017	\$1,683,000	DEED	1052	125	Qualified	Improved	ILTCP INC	PULTE HOME COMPANY LLC
2/19/2014	\$0	DEED	789	167	Unqualified - CORRECTIVE DEED	Improved	ILTCP INC	ILTCP INC
7/31/2013	\$1,778,241	DEED	745	297	Qualified	Improved	WELLS FARGO BANK TRUSTEE STEWART W CRAMER 111	ILTCP INC
7/16/2013	\$10	DEED	742	162	Unqualified - INTER-COMPANY TRANSFER	Improved	WACHOVIA BANK, N A TRUSTEE ETAL	WELLS FARGO BANK TRUSTEE STEWART W CRAMER 111
6/18/2013	\$0	DEED	738	8	Unqualified - NON ATI	Improved	WACHOVIA BANK, N A ETAL	WACHOVIA BANK N A TRUSTEE ETAL

Assessed Values

	2020	2019
Market Land Value	\$75,000	\$14,400
+ Market Improvement Value	\$409,100	\$0
+ Market Misc Value	\$0	\$0
= Total Market Value	\$484,100	\$14,400
Taxable Land Value	\$75,000	\$14,400
+ Taxable Improvement Value	\$409,100	\$0
+ Taxable Misc Value	\$0	\$0
- Ag Credit Value	\$0	\$0
= Total Taxable Value	\$484,100	\$14,400
Assessed Land Value	\$3,000	\$864
+ Assessed Improvement Value	\$16,364	\$0
+ Assessed Misc Value	\$0	\$0
= Total Assessed Value	\$19,364	\$864

Sketches



No data available for the following modules: Commercial Building Information, Mobile Home Information, Accessory Information, Photos.

The data contained on this site is intended for information purposes only. It is based on the best information available at the time of posting and is not warranted. The data may not reflect the most current records.

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RECORDED THIS 23rd DAY
OF OCTOBER, 2019
IN BOOK 00 PAGE 00


Auditor, Lancaster County, SC

LANCASTER COUNTY ASSESSOR
Tax Map:
0010N 0A 126 00

After recording, Return to: Prepared by:
LANDO LAW FIRM, LLC
6277-600 Carolina Commons Drive
PMB #210
Fort Mill, South Carolina 29707

2019015656
 DEED
RECORDING FEES \$15.00
STATE TAX \$1354.60
COUNTY TAX \$573.10
PRESENTED & RECORDED:
10-15-2019 12:30 PM
Brittany Grant
REGISTER OF DEEDS
LANCASTER COUNTY, SC
By: CANDICE PHILLIPS DEPUTY
BK:DEED 1276
PG:262-265

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made as of the 17th day of September 2019, by and between **PULTE HOME COMPANY, LLC, a Michigan Limited Liability Company, an entity legally converted from Pulte Home Corporation, a Michigan Corporation**, as party of the first part, hereinafter referred to as "Grantor," and **William A. Lane and Lucy A. Lane, as joint tenants with right of survivorship and not as tenants in common**, of **1048 Castle Road, Indian Land, SC 29707** (address) as party of the second part, hereinafter referred to as "Grantee," the words "Grantor" and "Grantee" to include the successors and assigns of the parties hereto.

WITNESSETH:

WHEREAS, the parties hereto are mutually obligated unto the other by virtue of that certain Purchase Agreement ("Agreement") dated **February 23, 2019**; and

WHEREAS, Grantee is obligated under the Agreement to purchase a certain tract of real property known as **Lot 126** of Queensbridge development from Grantor upon Grantor's preparation and completion of certain improvements to the property; and,

WHEREAS, the parties are in agreement that the above referenced real property has been improved by Grantor as required in the Agreement, and that Grantee is now obligated to purchase same.

NOW, THEREFORE, FOR AND IN CONSIDERATION of the sum of **Five Hundred Twenty Thousand Seven Hundred Fifteen and 00/100 (\$520,715.00) Dollars** in hand paid and other good and valuable consideration delivered to Grantor by Grantee at and before the execution, sealing and delivery hereof, the receipt and sufficiency of which is hereby acknowledged, Grantor has and hereby does grant, bargain, sell and convey unto Grantee and the heirs, legal representatives, successors and assigns of Grantee, all of its right, title, and interest in and to that certain tract of real property ("Property") described or depicted in Exhibit "A," which

is attached hereto and incorporated herein by this reference, together with all rights of ways or easements appurtenant to the Property.

The Property is hereby conveyed to the Grantee subject to the following easements, conditions, restrictions, or exceptions, all of which are excepted from the warranties contained hereinafter:

- (i) Taxes and special assessments are not yet and due and payable for the 2019 tax year; and
- (ii) Assessments, patent reservations, covenants, conditions, restrictions, rights of way, and easements first appearing of record prior to the date hereof; and
- (iii) Water rights and the riparian rights of others; and
- (iv) All matters of survey shown on plats of record recorded prior to the date hereof; and
- (v) Other matters appearing of record prior to the date hereof not adversely affecting the marketability of the Property.

The above recitals are incorporated herein by this reference.

TO HAVE AND TO HOLD the Property, subject to the above easements, restrictions, and exceptions, together with any and all of the rights, members and appurtenances thereof, the same being, belonging or in anywise appertaining to, the only proper use, benefit and use of the Grantee forever, as joint tenants with right of survivorship and not as tenants in common

GRANTOR SHALL WARRANT and forever defend the right and title to the Property unto the Grantee against the claims of all persons whomsoever claiming by, through or under Grantor, but against no others.

[SIGNATURE PAGE TO FOLLOW]

WITNESS the Hand and Seal of Pulte Home Company, LLC, a Michigan Limited Liability Company, f/k/a Pulte Home Corporation, a Michigan Corporation this 4th day of September, 2019.

Signed, Sealed and Delivered
in the presence of

Sandra French
Witness No. 1

Deborah A Steele
Witness No. 2 (NOTARY)

Pulte Home Company, LLC, a Michigan Limited Liability Company, f/k/a Pulte Home Corporation, a Michigan Corporation

BY: Fred Matrulli
Name: Fred Matrulli
Title: VP of Land Acquisitions

State of North Carolina
County of Union

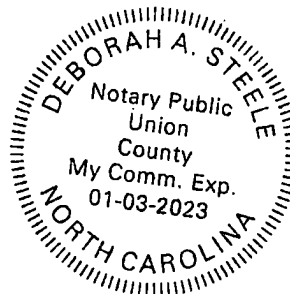
I, Deborah A Steele, a Notary Public for the said County and State, do hereby certify that Fred Matrulli VP of Land Acquisitions personally appeared before me this day and acknowledged that (s)he is the VP of Land Acquisitions of Pulte Home Company, LLC, a Michigan Limited Liability Company, f/k/a Pulte Home Corporation, a Michigan Corporation, and that by authority duly given and as the act of such entity, (s)he signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and official seal, this the 4th day of September, 2019.

Deborah A Steele Notary Public

Deborah A Steele
Notary's Printed or Typed Name

My Commission Expires:

January 3, 2023



“Exhibit A”

All that certain piece, parcel or lot of land, lying, being and situate in Indian Land Township, Lancaster County, State of South Carolina and being shown and as Lot 126, Queensbridge Subdivision, Phase 2 shown on plat recorded in Plat Book: 2018 Page:164, in the Office of the Clerk of Court for Lancaster County, South Carolina, which plat is incorporated herein by reference, and having such metes, bounds, courses, and distances as by reference to said plat will more fully appear.

Derivation: This being a portion of the property conveyed to Pulte Home Company, LLC recorded in Book 1052 at Page 125 in the Office of the Clerk of Court for Lancaster County, South Carolina.

Property Address: 1048 Castle Road, Indian Land, SC 29707

is not utilized, as determined with reference to approved site plans for all areas within the Component, the unused density shall revert to the Master Developer for allocation to any other Component.

(2) As used in this subsection, "Assignment of Property Owner Rights" means a written instrument in recordable form by which the property owner assigns its rights as property owner under this ordinance to another person or entity with respect to a particular Component designated in the Assignment of Property Owner Rights. The Assignment of Property Owner Rights may include such limitations on the assignee as the property owner desires including, without limitation, restrictions on the type of units that may be constructed within a Component, the location where those units may be constructed within the Component, the number of units of a particular type that may be constructed within the Component, the minimum lot requirements for the Component (including requirements for setback, lot area, building height, lot width, buffers, and number of units per lot). All restrictions contained within the Assignment of Property Owner Rights are binding on the assignee and each person who ultimately owns any real estate within the designated Component. Any such limitations shall be in addition to any private contractual restrictions placed upon all or any part of any Component by the property owner.

(3) The Property Owner shall issue a certificate stating the maximum development intensity allowable on any tract within the Property consistent with this ordinance prior to the sale of any such parcels or before building permits are issued for that specific area of the property. The certificate will state the number of dwelling units and/or the amount, in acres, of Commercial, Retail, or Office uses, as applicable, that may be developed on the applicable various tracts. The property owner must file a copy of the certificate with the Planning Department. The County shall be responsible for creating and maintaining a record of the number of dwelling units and/or acres allocated to each tract as well as the total number of dwelling units or floor area actually constructed on each tract.

Section 12. Setbacks and Yards. (a) All lots within PDD-26 shall meet or exceed the following setback and yard requirements from a public right of way:

Land Use	Min. Setback	Min. Side Yard	Min. Rear Yard
Single Family Village "A, B, C, & D"	20'	7'	25'
Multi-Family Village "E"	20'	7'	25'
Mixed Use Village "F"	25'	5'	15'
Flex/Office/ Commercial/ Retail Village "G"	25'	5'	15'
Hospital or Medical Institutional Living/	25'	5'	15'

Office Village "H"	25'	5'	15'
Park/Open Space	20'	10'	20'

(b) The setbacks on internal private roads and parking within a commercial, office, or institutional use development will have no setback requirements.

(c) Eaves, cornices, chimneys, gutters, vents and other minor architectural features may project up to 24" into the setback area.

(d) HVAC equipment may encroach 4' into side or rear yards. HVAC units shall be located on opposite sides of the lots for adjacent homes, in prevention of HVAC units being located next to each other.

(e) Alley product is allowed in Village "D" with the 60 min lot width. If alley loaded product is utilized in Village "D" the rear yard shall be 10' from the edge of the alley for those lots.

(f) Setbacks along a private road within a residential/ multi family use shall be measured from the back of curb.

Section 13. Building Height. (a) Maximum building heights must comply with the UDO unless otherwise authorized in this item:

Land Use	Maximum Building Height
Single Family Village "A, B, C, & D"	35'
Multi-Family Village "E"	35'
Mixed Use Village "F"	50'
Flex/Office/Commercial/Retail Village "G"	50'
Hospital or Medical Institutional Living/ Office Village "H"	50'
Park/Open Space	N/A

(b) A sprinkler system is required for non-residential structures greater than 35 feet in height. No structure may be over 50' in height unless approval is obtained from the county Fire Marshal and Building Official.

Section 14. Lot Size. (a) All lots shall have the minimum number of square feet (sf) indicated in the following table:

Land Use	Minimum Lot Size*
Single Family Village "A, B, C, & D"	7,800 S.F. (detached)