

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

January 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**

[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. Minutes for the December 1, 2020 Regular Meeting
6. **Public Hearing Items**
 - a. VAR-020-2854

Application by Fun Outdoor Living on behalf of Ronald 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# 0014O-0A-045.00) in a Medium Density Residential (MDR) District / Cluster Subdivision Overlay (CSO) District.

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

Agenda Item Summary

Ordinance # / Resolution #:

Contact Person / Sponsor:

Department: Board of Zoning Appeals

Date Requested to be on Agenda: 1/5/2021

Issue for Consideration:

Points to Consider:

Recommendation:

ATTACHMENTS:

Description

Minutes of December 1, 2020

Upload Date

12/17/2020

Type

Exhibit



MEMBERS OF LANCASTER COUNTY BOARD OF ZONING APPEALS

BEVERLY WILLIAMS, DISTRICT 1
KEMESHA LOWERY, DISTRICT 2
HARVEY CARNES, DISTRICT 3
VACANT, 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**

December 1, 2020

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

Members Absent: None

Others Present: Robert Tefft, Senior Planner; Mika Garris, 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 p.m.

Approval of Agenda

Member Lowery moved to approve the agenda, which was seconded by Member Reid. Motion passed 6-0.

Approval of Minutes from November 4, 2020

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

Public Hearing Items

VAR-020-2366 [Continued from the Meeting of November 4, 2020]

Application by Donna Zielinski, St. Clair Signs, requesting a variance from Unified Development Ordinance Section 7.4.5.A, Attached Sign Standards. The subject property is located at 9990 Charlotte Highway (TM# 0005-00-101.01) in a General Business (GB) District.

Robert Tefft, Senior Planner, provided an overview of the variance request consistent with the staff report.

Chair Liu asked if applicant was in attendance. Staff indicated that the applicant was not.

Discussion occurred between Chair Liu, Attorney DuBose and Mr. Tefft on how to proceed give the lack of revisions and applicant.

Chair Liu asked for a motion.

The matter died for lack of a motion. The variance is denied.

Chair Liu announced a conflict of interest with regard to the next item on the agenda. Chair Liu recused herself and stepped down from the dais.

Vice-Chair Reid assumed the Chair for the next item.

VAR-020-2606

Application by the Legacy Park Homeowners Association, Inc., requesting a variance from Unified Development Ordinance Section 7.4.6.C.2, Electrically-Activated Changeable Signs (On-Premises). The subject property is located at 1101 W. Arrow Lake Court (TM# 0014A-0B-027.01) in a Medium Density Residential (MDR) District.

Robert Tefft, Senior Planner, provided an overview of the variance request consistent with the staff report.

John Morony, President of the Legacy Park Homeowner's Association, provided testimony as to the reasons and need for the proposed sign (efficiency of notice). Mr. Morony noted that the proposed sign would not face a residence, and would automatically shut-off at 9:00 p.m. and turn-on at 7:00 a.m.

Vice-Chair Reid opened the public hearing.

Leslie McCorkle spoke that there was no discussion with the neighborhood regarding the proposed sign. Mrs. McCorkle also indicated that the neighborhood has five entrances and the proposed sign at this location won't help with notifying residents.

Robert Reynolds spoke that had heard nothing of the proposed sign previously and that a large portion of the neighborhood does not live near the sign, but on the other side of Shelley Mullis Road. Mr. Reynolds noted that he believes emailing the residents to be a better means of notifying residents than the proposed sign.

With there being no one else having signed-in to speak, Vice-Chair Reid closed the public hearing.

Member Couch asked staff how is this sign permissible.

Mr. Tefft responded that this type of sign would be allowable in the GB, RB, LI and HI Districts, or in any other zoning district provided it is on a road with two travel lands in each direction, and that as the adjacent roads do not have two travels lanes in each direction, the variance is needed.

Member Williams asked the applicant if the Homeowners Association has discussed the proposed sign with the community.

Mr. Morony responded that pursuant to their bylaws that is not required, but the matter was brought before the neighborhoods Common Area Committee.

Member Williams asked the cost of the proposed sign.

Mr. Morony answered that the proposed sign would cost \$20,000.

Member Couch asked why the applicant is asking for a larger sign.

Mr. Morony responded that the proposed sign is not larger than the existing sign other than the columns.

Vice-Chair Reid asked for a motion.

Member Williams moved to deny the application as the proposed sign would materially diminish or impair established property values within the surrounding area. Member Couch seconded the motion.

Vice-Chair Reid recognized Michael Leonard, owner of the sign company that would be selling the sign to the Legacy Park Homeowners Association.

Mr. Leonard stated that the light from the sign would be limited so as to be less than a bright cell phone, and that the sign could be controlled remotely.

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

- 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);
- vii. That the variance is the minimum necessary to afford relief (vote of 0-5).

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

Chair Liu returned to the dais.

New Business

Mr. Tefft provided an update on next month's agenda to include a variance for a rear yard setback at 4013 Brandywine Terrace.

Adjournment

Member Reid moved to adjourn, which was seconded by Member Williams. Motion passed 6-0. Board of Zoning Appeals adjourned at approximately 6:59 p.m.

CHAIR

ZONING OFFICIAL

REQUEST: Application by Fun Outdoor Living on behalf of Ronald 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.

PROPERTY LOCATION: 4013 Brandywine Terrance (Bent Creek subdivision)

TAX MAP NUMBER: 00140-0A-045.00

ZONING DISTRICT: Medium Density Residential (MDR) / Cluster Subdivision Overlay (CSO)

OWNER: Ronald Richburg

APPLICANT: Fun Outdoor Living
4218 Old Monroe Road
Indian Trail, NC 28079

OVERVIEW:

Background

The subject property is approximately 0.2 acres (9,100 square feet) in size and is located on the west side of Brandywine Terrace south of Bronwood Place. The property is a part of a Cluster Subdivision Overlay (CSO) District developed in 2018 and consists of a finished 2,623 square foot single-family detached dwelling.

The existing dwelling includes an approximately 21-foot wide by 7-foot deep open porch at the rear of the dwelling, which is set back 30.7 feet from the rear property line. The property owner is seeking to expand this porch an additional 12 feet to a total depth of 19 feet. This would result in the porch having a setback of 18.7 feet from the rear property line.

Pursuant to Unified Development Ordinance (UDO) Section 4.4.1.E, the minimum rear setback for lots within the CSO District is 30 feet. The proposed variance would reduce this setback 11.3 feet to an 18.7-foot rear setback.



View of dwelling from rear yard



Rendering of proposed porch expansion

Summary of Adjacent Zoning and Uses

	Zoning District	Use
North	MDR / CSO	Single-Family Detached Dwelling
South	MDR / CSO	Open Space / Single-Family Dwelling
East	MDR / CSO	Single-Family Detached Dwelling
West	MDR / CSO	Open Space

PUBLIC COMMENT:

The property owner provided staff with two signed letters of support from neighboring property owners. These letters are attached to this staff report as Exhibit 6. No letters of opposition have been received.

RELATION TO THE UNIFIED DEVELOPMENT ORDINANCE:

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
 - 6. Letters of Support
-

STAFF CONTACT:

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



Lancaster County Zoning Department

101 N. Main Street
P.O. Box 1809
Lancaster, South Carolina 29721-1809

Telephone (803) 416-9777

Fax (803) 416-9797

BOARD OF ZONING APPEALS APPLICATION

IF YOU NEED ASSISTANCE WITH THIS APPLICATION, PLEASE CONTACT OUR OFFICE AT 803-416-9777.
PLEASE SUBMIT THE COMPLETED APPLICATION, ALL ADDITIONAL MATERIAL ALONG WITH THE REQUIRED FEE
\$325.00

THE FOLLOWING INFORMATION MUST BE PROVIDED FOR THE REQUEST:

PROPERTY INFORMATION:

TAX MAP NUMBER: 00140-0A-04500
STREET ADDRESS: 4013 Brandywine Terrace
CITY/ STATE/ ZIP CODE: Lancaster, S.C. 29720
LOT DIMENSIONS/ LOT AREA: 9,100 sq. ft. PLAT BOOK/PAGE: 379
CURRENT ZONING CLASSIFICATION: Residential

PROPERTY OWNER OF RECORD:

NAME: Ronald & Myra Richburg
ADDRESS: 4013 Brandywine Terrace
CITY/STATE/ZIP CODE: Lancaster, S.C. 29720 TELEPHONE/FAX NUMBER: 803-288-0069
EMAIL ADDRESS: r1richburg@aol.com
SIGNATURE OF OWNER/ DATE: Ronald Richburg 11-17-2020

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: Fun Outdoor Living
ADDRESS: 4218 Old Monroe Road
CITY/STATE/ZIP CODE: Indian Trail NC 28079 TELEPHONE/FAX NUMBER: 704-898-1538
EMAIL ADDRESS: Andrey@Funoutdoorliving.com 11/16/2020
SIGNATURE OF AGENT/ DATE: Andrey
SIGNATURE OF OWNER/ DATE: Ronald Richburg 11-17-2020

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:

Appeal to property setback restriction on property to build a porch on to existing home

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:

We are asking for a variance so that a porch may be built for customer's home,
which currently encroaches on the property setback approx. 12'.

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.

Asking for an exemption to the 12' setback encroachment porch will violate.

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;

Customer has respiratory considerations that require being outside as often as possible,
but has adverse reaction to prolonged sunlight. Yard is in direct sun all day. Porch area is
needed to be able to sit outside while having protection from sun.

- 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;

Customer purchased this home as a retirement property after a dedicated career in law
enforcement, and did so with the intention of building on an outdoor porch area to facilitate
a better quality of life. Not having an area to enjoy for his health would have long term affects.

- 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 setback of current property goes right up to the house. Home owner is from
a different state and has never encountered setbacks. Selling agent did not disclose
what the setback means. Other homes in neighborhood have more forgiving setback.

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

We believe the porch addition will enhance property values and the homes aesthetic,
and will not diminish this in any way.

- 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;

The special conditions arise from the zoned setback for the lot from the builder, and not
from any actions of the applicant

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

We believe that based on the hardship this setback will create for home owner to enjoy their retirement and have the benefit of a porch for their health and well being, and the lack of harm caused to anyone if this was granted, the variance request is in keeping with the spirit of the ordinance.

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

We believe the variance request is the minimum necessary to create
a functional porch area.

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

The granting of this variance would have no adverse affect on health, safety, and general welfare of the community, but it would allow home owner to enjoy their home for the duration of their retirement and benefit their health and well being.

3. THE FOLLOWING DOCUMENTS ARE SUBMITTED IN SUPPORT OF THIS APPLICATION: (A PLOT PLAN MUST BE SUBMITTED)
Plot plan, Drawings, 3D screen views, medical documentation

Date: 11-17-2020

Applicant Signature:





November 25, 2020

To whom it may concern:

Myra McKoy is my patient and has been under my care since March 2020 after moving here from New York. I am aware of her medical history and restrictions brought by her psychological condition.

As a result of her psychological disorder, Mrs. McKoy has certain limitations related to anxiety and social interactions. Along with pharmacotherapy and psychotherapy, Mrs. McKoy treats her anxiety with being outdoors and surrounded by nature. Being outdoors greatly improves her psychological and emotional well-being. Unfortunately, due to a dermatological medical condition, Mrs. McKoy must avoid direct sun light. In order to assist in alleviating these difficulties, and to improve her ability to lead a better life, please consider allowing her to build a screened in porch at her house in Bent Creek subdivision. This will allow her to enjoy the outdoors and cope with her anxiety while not harming her skin with the direct sun light exposure.

Should you have any further questions, please do not hesitate to get in touch with me.

Sincerely,

Madelyn Eudy, PA-C

License Number: 0010-09701

15640 Don Lochman Lane, Suite A Charlotte, NC, 28277 Phone: 704 540 1640 Fax: 704 540 1639
ballantynemedical.com



Location Map

Map Date: December 4, 2020

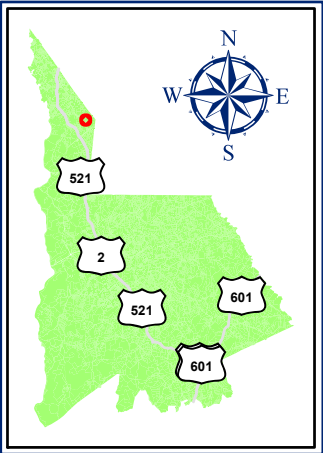
Map Created by: RT

Case Number: VAR-020-2854

Proposal: Variance from Unified Development Ordinance Section 2.4, District Development Standards, reducing the rear setback from 25 feet to 18.7 feet.

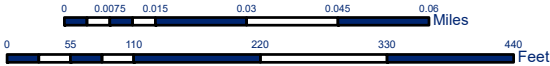
Tax Map #: 00140-0A-045.00

Applicant: Fun Outdoor Living on behalf of Ronald J. Richburg



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.

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



Parcel Summary

Parcel ID 0014O-0A-045.00
Account # 95698
Millage Group 01 - County - County - (1)
Land Size 1 LOT
Location Address 4013 BRANDYWINE TER, Lancaster
Zoning (Note: Not to be used on legal documents)
Neighborhood 50
Property Usage Qualified Residential (QR)
Plat Book/Page 2017/379
Block # / Lot # 45/1-A



Scanned Property Card

Property Card

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

Owner Information

RICHBURG RONALD J
 4013 BRANDYWINE TER
 LANCASTER SC 29720

Land Information

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

Building Information

Building ID 55496
Style Single Family Dwelling / 37
Gross Sq Ft 3,342
Finished Sq Ft 2,623
Stories 1 Story
Condition
Interior Walls DRY WALL
Exterior Walls Hardi-Plank with 20% Stone
Year Built 2018
Garage
Porch
Effective Year Built 2018
Foundation Continuous Slab
Roof Type HIP
Roof Coverage Composition
Flooring Type Hardwood with 0% Hard Tile
Heating Type Reverse Cycle Pump
Bedrooms
Full Bathrooms 2
Half Bathrooms 1
3/4 Bathrooms 0
Grade B+10
Grade Description
Number of Fire Pl 1
Unit Description

		Rooms		Bedrooms
Code	Description	Sketch Area	Finished Area	Perimeter
06	COVERED PRCH	207	0	95
13	FRM GAR FIN	512	0	92
50	ONE STORY	2,623	2,623	232
TOTAL		3,342	2,623	419

Sales Information

Sale Date	Sale Price	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved	Grantor	Grantee
11/5/2018	\$416,463	DEED	1185	287	Unqualified - NEW CONSTRUCTION	Improved	TOLL SOUTHEAST LP COMPANY INC	RICHBURG RONALD J
7/13/2017	\$2,590,000	DEED	1068	306	Unqualified - SOLD DOES NOT MATCH APPRAISAL RECORD	Improved	TWELVE MILE CREEK LAND VENTURES LLC	TOLL SOUTHEAST LP COMPANY INC
11/25/2014	\$1,118,188	DEED	835	49	Unqualified - SOLD DOES NOT MATCH APPRAISAL RECORD	Improved	WYATT SUSAN KATHERINE HASS ETAL	TWELVE MILE CREEK LAND VENTURES LLC
1/23/2014	\$0	DEED OF DIST	781	104	Unqualified - WILL	Improved	HAAS DOROTHY F	WYATT SUSAN KATHERINE HAAS ETAL
12/28/1959	\$0		WILL	5374	Qualified	Improved		HAAS DOROTHY F

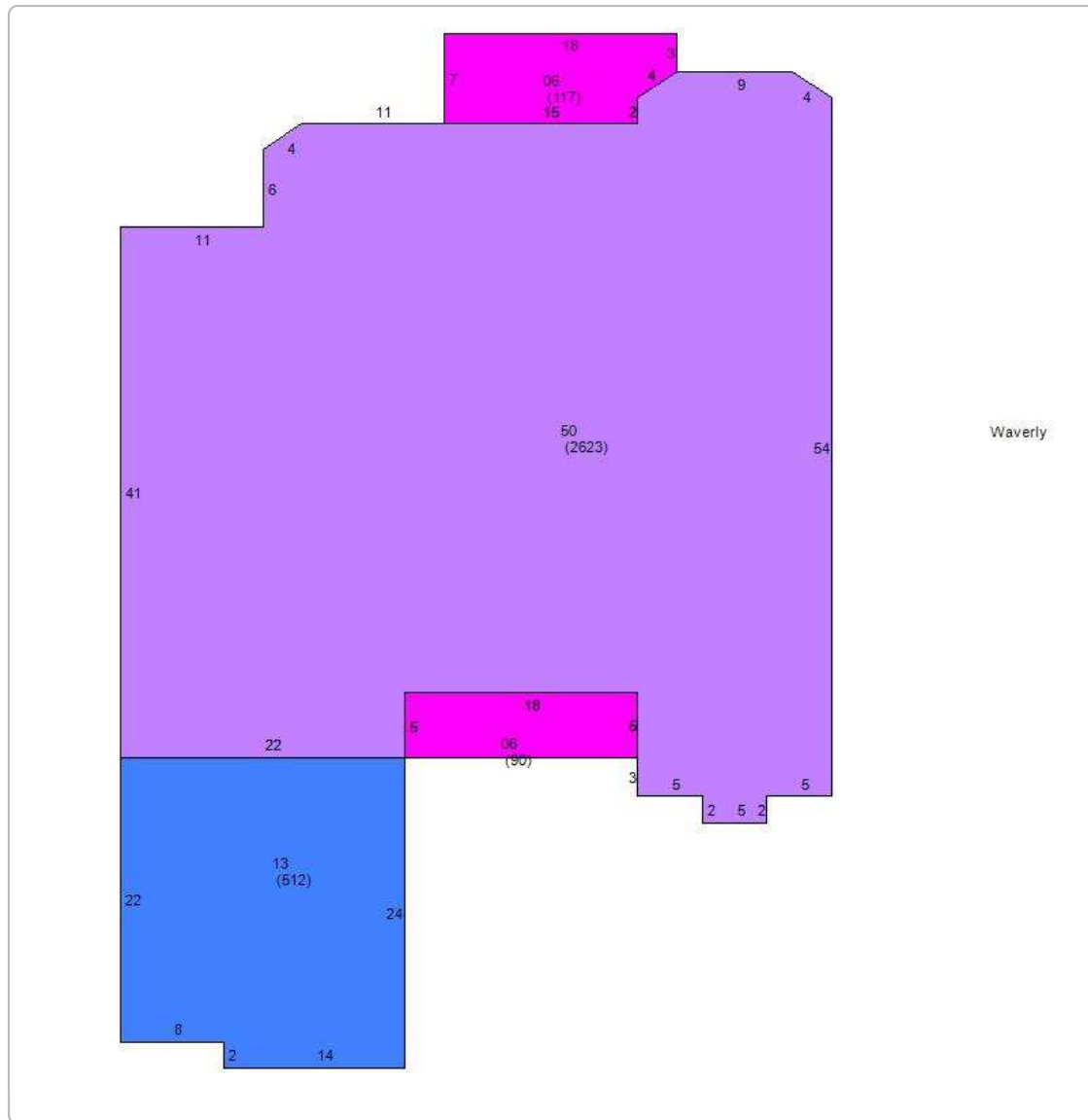
Assessed Values

	2020	2019	2018
Market Land Value	\$50,000	\$50,000	\$50,000
+ Market Improvement Value	\$371,800	\$371,800	\$0
+ Market Misc Value	\$0	\$0	\$0
= Total Market Value	\$421,800	\$421,800	\$50,000
Taxable Land Value	\$50,000	\$50,000	\$50,000
+ Taxable Improvement Value	\$371,800	\$371,800	\$0
+ Taxable Misc Value	\$0	\$0	\$0
- Ag Credit Value	\$0	\$0	\$0
= Total Taxable Value	\$421,800	\$421,800	\$50,000
Assessed Land Value	\$2,000	\$2,000	\$3,000
+ Assessed Improvement Value	\$14,872	\$14,872	\$0
+ Assessed Misc Value	\$0	\$0	\$0
= Total Assessed Value	\$16,872	\$16,872	\$3,000

Photos



Sketches



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

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Developed by
 Schneider
 GEOSPATIAL

Joan D. Hester, Auditor
Auditor, Lancaster County, SC

LANCASTER COUNTY ASSESSOR
Tax Map:
00140 0A 045 00

LANCASTER COUNTY, SC	
2018016401	DEED
RECORDING FEES	\$12.00
STATE TAX	\$1082.90
COUNTY TAX	\$458.15
PRESENTED & RECORDED	
11-15-2018	12:16 PM
JOHN LANE	
REGISTER OF DEEDS	
LANCASTER, COUNTY SC	
By: STEPHANIE KNIGHT	
BK:DEED 1185 PG:287-292	

Prepared by and please return to:
Julie B. Glenn
11121 Carmel Commons Blvd., Suite 305
Charlotte, NC 28226

Excise Stamps: \$1,541.05

STATE OF SOUTH CAROLINA

COUNTY OF LANCASTER

TITLE TO REAL ESTATE/
SPECIAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that TOLL SOUTHEAST LP COMPANY, INC., a Delaware corporation (hereinafter referred to as “Grantor”), in consideration of the sum of Four Hundred Sixteen Thousand, Four Hundred Sixty Three and 00/100 Dollars (\$416,463.00) to it in hand paid at and before the sealing of these presents by RONALD J. RICHBURG (hereinafter referred to as “Grantee”), the receipt whereof is hereby acknowledged has granted, bargained, sold and released, and by these Presents does grant, bargain, sell and release unto the said RONALD J. RICHBURG whose address is 4013 Brandywine Terrace, Lancaster, SC 29720, their heirs/successors and assigns the following described property to wit:

See Exhibit A-Legal Description-attached hereto and incorporated herein by reference.
See Exhibit B-Officers Certificate-attached hereto and incorporated herein by reference

The within described property is conveyed subject to existing easements and to restrictive covenants, if any, appearing in the chain of title or apparent upon a reasonable inspection of the premises, which said restrictions, if any, are not intended to be reimposed hereby. The within described property is conveyed subject to ad valorem taxes for the year 2018 which shall be prorated between Grantor and Grantee.

TOGETHER with all and singular, the Rights, Members, Hereditaments and Appurtenances to the said Premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular the said premises before mentioned unto the said RONALD J. RICHBURG, their successors and assigns forever.

And the said TOLL SOUTHEAST LP COMPANY, INC., does hereby bind itself and its successors, to warrant and forever defend all and singular the said premises unto the said RONALD J. RICHBURG, their heirs/successors and assigns, against itself and its successors and no further, subject to the exceptions.

IN WITNESS WHEREOF, TOLL SOUTHEAST LP COMPANY, INC., a Delaware corporation, have caused these presents to be executed in their names, this 5 day of November, in the year of our Lord two thousand eighteen (2018) and in the two hundred and forty second year of the Sovereignty and Independence of the United States of America.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

Toll Southeast LP Company, Inc. a
Delaware Corporation

By: [Signature]
Jeannie Harvey, Authorized Representative
and Signor

First Witness: Maritza Lopez

Second Witness: Meghan Metcalf

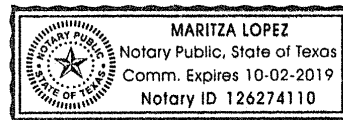
STATE OF Texas
COUNTY OF Tarrant

PERSONALLY APPEARED before me the undersigned witness, who, in oath, says that (s)he saw the within named JEANNIE HARVEY, authorized Representative and Signor for TOLL SOUTHEAST LP COMPANY, INC., sign the within Deed and, as their act and deed deliver the same, and that (s)he along with Meghan Metcalf (Second Witness), witnessed the execution thereof.

[Signature]
First Witness

SWORN to before me
this 5 day of November, 2018.

Maritza Lopez
Notary Public for Texas
Commission Expires: 10-2-19



Grantee Address: 4013 Brandywine Terrace, Lancaster, SC 29720

Exhibit "A"

All that certain piece, parcel or tract of land, lying, being and shown as Lot 45 as shown on a plat entitled "Final Plat, Bent Creek, Phase 1-A", prepared by Stephen S. Dyer, PLS recorded in Plat Book 2017, Page 378-381 in the Office of the Clerk of Court for Lancaster County, SC, reference to which plat is hereby made for a more complete and accurate description as to the property. Together with any interests in real estate contained or conveyed in that certain Declaration of Covenants and Restrictions for Bent Creek recorded in Book 1063, Page 181 in the Office of the Clerk of Court for Lancaster County, SC.

DERIVATION CLAUSE: Being a portion of that certain property conveyed by Deed from Twelve Mile Creek Land Ventures, LLC to Toll Southeast LP Company, Inc. dated 7/13/17 and recorded 7/17/17 at Book 1068, Page 306, in the Office of the Clerk of Court for Lancaster County, SC.

EXHIBIT "B"

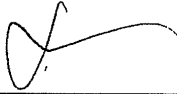
TOLL SOUTHEAST LP COMPANY, INC.

OFFICER'S CERTIFICATE

I, Kenneth J. Greenspan, Vice President and Assistant Secretary of Toll Southeast LP Company, Inc., a Delaware corporation (the "Corporation"), do hereby certify and confirm that:

1. Attached hereto as Exhibit A is a true and correct copy of the resolutions adopted by written consent of the Board of Directors of the Corporation on July 17, 2017, and said resolutions are in full force and effect.
2. Jeannie Harvey is hereby designated as an authorized representative of the Corporation, and she is individually authorized, empowered and directed to execute and deliver, for and on behalf of the Corporation, Special Warranty Deeds and all closing disclosures, including, but not limited to, (i) Buyer's Closing Disclosures; (ii) Seller's Closing Disclosures; (iii) Combined Closing Disclosures; (iv) ALTA Settlement Statements and all other documents necessary to effectuate settlement, including, but not limited to, Builder's Warranties, Owner's Affidavits and Seller Acknowledgments.

IN WITNESS WHEREOF, I have hereunto set my hand this 12th day of October 2017.



Kenneth J. Greenspan
Vice President and Assistant Secretary

EXHIBIT A

FURTHER RESOLVED, that the Chief Executive Officer, the President, any Executive Vice President, any Regional President, any Group President, any Division President, any Senior Vice President and Division Senior Vice President, any Vice President and Division Vice President, the Treasurer, the Secretary and any Assistant Vice President or Division Assistant Vice President (individually, a "Principal Officer" and collectively, the "Principal Officers") are hereby individually authorized, empowered and directed, without the need for a separate resolution of the Board, (i) to execute and deliver, for and on behalf of each of the Subsidiaries and on behalf of any partnership in which said Subsidiary is a general or managing partner, any and all affidavits, agreements, applications, bonds, certificates, contracts, deeds, disclosures, guarantees, instruments, licenses, mortgages, notes, record plats and any and all other documents and (ii) to take any such actions as deemed necessary or appropriate to carry on the business of each of the Subsidiaries and any partnership in which said Subsidiary is a general or managing partner, including, but not limited to, the following transactions (the "Transactions"):

- a) acquisition of direct or indirect interests in real property
- b) approvals or permits relating to real property
- c) development or improvement of real property
- d) financing or refinancing in connection with real property
- e) sale of direct or indirect interests in real property
- f) acquisition of loans, notes or mortgages
- g) acquisition of interests in corporations, limited liability companies or partnerships
- h) sale of interests in corporations, limited liability companies or partnerships
- i) financing or refinancing in connection with matters unrelated to real property
- j) sale and conveyance of homes, units, lots or parcels
- k) application, renewal or termination of licenses
- l) formation, qualification, conversion, merger or dissolution of corporations, limited liability companies, and partnerships

FURTHER RESOLVED, that each Principal Officer is hereby individually authorized and empowered, without the need for a separate resolution of the Board, (i) to authorize another individual that is not an officer of the Company (an "Authorized Representative") to execute and deliver, for and on behalf of each of the Subsidiaries and on behalf of any partnership in which said Subsidiary is a general or managing partner, any and all affidavits, agreements, applications, bonds, certificates, contracts, deeds, disclosures, guarantees, instruments, licenses, mortgages, notes, record plats and any and all other documents and (ii) to take any such actions as deemed necessary or appropriate to carry on the business of each of the Subsidiaries and any partnership in which said Subsidiary is a general or managing partner and (ii) to take any such actions as deemed necessary or appropriate relating to the Transactions, all as may be set forth in a written delegation of authority executed by a Principal Officer. Any person or entity engaging in a

transaction or otherwise conducting business with any one of the Subsidiaries, on its own behalf or on behalf of any partnership in which said Subsidiary is a general or managing partner, may conclusively presume that any Authorized Representative specified in such a written delegation of authority who executes an affidavit, agreement, application, bond, certificate, contract, deed, disclosure, guarantee, instrument, license, mortgage, note, record plat and any and all other documents on behalf of said Subsidiary, on its own behalf or on behalf of any partnership in which said Subsidiary is a general or managing partner, has the full power and authority to do so and each such document shall, for all purposes, be duly authorized, executed and delivered by said Subsidiary, on its own behalf or on behalf of any partnership in which said Subsidiary is a general or managing partner, upon execution of such Authorized Representative.

C. MINIMUM LOT WIDTH

In a cluster subdivision, where both central water and sewer services are available and adequate, the minimum lot width shall be 50 feet.

D. VARIETY OF LOT SIZES

Individual lots in a cluster subdivision shall vary in size and layout. No more than 34 percent of the lots in a cluster subdivision shall have a single designated lot width. The following shall also apply:

1. The minimum separation between any two designated lot widths shall be 10 feet. For example, if 34 percent of the total number of lots has a lot width of 50 feet, 34 percent could have a lot width of 60 feet, and the remaining could have a lot width of 70 feet or greater.
2. The Planning Commission may allow a developer to vary the width of individual lots to accommodate site restrictions (i.e., easements, corner lot widths, etc). However, such lots shall be counted with the nearest designated lot width.

E. SETBACKS

The following minimum setbacks are required for individual lots within a cluster subdivision:

1. **Front Yard:** The minimum front yard setback shall be 20 feet. The front yard setback for a corner lot shall be as set forth in Chapters 2 and 3 of the UDO;
2. **Rear Yard:** The minimum rear yard setback shall be 30 feet;
3. **Side Yard:** The minimum side yard setback shall be 7 ½ feet.

F. OPEN SPACE REQUIREMENT

For a cluster subdivision, no less than 25 percent of the site acreage, not including primary conservation areas as defined in Item 3 below, shall be set aside in perpetuity as open space. Open space shall be clearly labeled as such on any preliminary or final plat (including sketch plans) submitted for review. Open space in a cluster subdivision is also subject to the following:

1. Open space may include, but is not limited to, passive recreation, natural preservation of important scenic vistas, environmentally sensitive lands, habitat for wildlife, and historically or archaeologically significant areas. Structures, swimming pools, and athletic facilities shall not count as open space. However, structures are permitted in the open space when they serve an accessory function, such as a gazebo, fishing dock, playground equipment, or play structures (Ord. No. 2019-1623, 12.9.19);
2. The amount of open space required to be set aside shall be determined by the following formula:

Open Space Set Aside = Total Parcel minus Primary Conservation Areas multiplied by Open Space Percentage then added to Primary Conservation Areas

$$TO = ((TP - PC) \text{ OSP}) + PC$$

TO	= Total Open Space Set Aside	(acres)
TP	= Total Parcel	(acres)
PC	= Primary Conservation Areas	(acres)
OSP	= Open Space Percentage	(% of Improvable Area)

December 1, 2020

To whom it my concern:

As a resident of 4009 Brandywine Terrace in the city of Lancaster, S.C. I'm aware of The Richburg's desire to build a screened in porch on the back of their home at 4013 Brandywine Terrace. I don't have any objections to this project being done next door to my home or in the neighborhood.

Sincerely,

Rosemary Ganley
12/2/20

December 1, 2020

To whom it my concern:

As a resident of 4019 Brandywine Terrace in the city of Lancaster, S.C. I'm aware of The Richburg's desire to build a screened in porch on the back of their home at 4013 Brandywine Terrace. I don't have any objections to this project being done next door to my home or in the neighborhood.

Sincerely,

Scott E Lewis

Lisa C Lewis