

Minutes
Regular Meeting of the Florence County Board of Zoning Appeals
Tuesday, March 18th, 2025 at 6:30 p.m.
Florence County Complex, Room 803
180 N. Irby St., Florence, South Carolina 29501

Florence County Planning Department staff posted the agenda for the meeting at the following locations:

- The County's Website
- Information Board / Main Entrance of the County Complex (180 N Irby St, Florence)
- Information Board / Main Lobby of the County Planning & Building Dept (518 S Irby St, Florence)
- Elevator Landings / 1st Floor and 8th Floor of the County Complex

The agenda was also mailed to the media.

I. Call to Order

Chairman Brian Casey called the meeting to order at 6:30PM.

II. Attendance:

Board Members Present: Chairman Brian Casey
Vice-Chairman Brenda Deas
Craig Floyd
Louie Hopkins
Wesley Martin
Jessica Wright
Kenneth Muldrow

Board Members Absent: None

Staff Present: Mr. J. Shawn Brashear, Planning Director
Ms. Lisa Becoat, Administrative Assistant
Ms. Holly Smith, Secretary

Staff Absent: Mr. Ethan Brown, Deputy Director
Mr. Malloy McEachin, County Attorney
Ms. Caroline Dunlap, Planner III

Public Attendance: See sign-in sheet on file at the Florence County Planning Department.

III. Review and motion of the minutes:

- **Meeting of February 18th, 2025.**

Motion to approve the minutes as presented – Mr. Louie Hopkins/ **Second** – Ms. Jessica Wright. All were in favor. The minutes of the February 18th, 2025 meeting were unanimously approved 7 to 0.

IV. Public Hearing:

BZA#2024-21

A variance requested by Amy Jerome from requirements of the Florence County Code of Ordinances, Chapter 30 - ZONING ORDINANCE, ARTICLE III. – CONDITIONAL USE REGULATIONS, Sec. 30-111(7) – Development standards for unzoned areas, for property located at 3365 Lakeshore Drive, Florence, SC 29501, as shown on Florence County Tax Map No. 00101, Block 01, Parcel 164.

Mr. Shawn Brashear presented the staff report on this item to the Board. A copy of the report and presentation are available at the Florence County Planning Department and on the Florence County website at: <http://florenceco.org/planning/bza/archives.php/>.

Mr. Brashear stated to the Board that the requested variance request was old business from the November 12th, 2024 BZA meeting, during which the applicant requested the item be deferred until applicant was able to bring the issue before the Forest Lake Homeowner's Association. Mr. Brashear continued on to state the variance request was for the property located at 3365 Lakeshore Drive located in the Forest Lake Subdivision in Florence, SC and bearing the Florence County Tax Map Number 00101-01-164. The owners of record being Mr. and Mrs. Ben and Amy Jerome. He further stated the applicant for the variance request is one, Mrs. Amy Jerome (a listed owner), and the total approximate acreage of the property is .41 acres.

Mr. Brashear went on to state that the zoning map presented to the Board showed the property and surrounding properties within the subdivision, all being designated as Unzoned Areas. He proceeded to present photos of the subject property along with adjacent residences on each side of the property and vacant land across Lakeshore Drive directly in front of the property. Mr. Brashear stated the variance requested by the applicant was for a reduction of the County required five-foot side setback for the accessory pool house currently under construction to the rear of the primary residence, closest to the lake. He identified that the request was specifically for the rear, right side (east side) of the property. He then went on to provide a timeline of events leading up to the requested variance request beginning with a permit for an accessory pool house being submitted to the Florence County Building Department and issued in August of 2022. He said there were various inspections made by the County Building Department over the course of a year with no issues, but in early 2024 there was a complaint made to the County Codes Enforcement Department that the pool house structure was too close to the property line. He stated that Codes Enforcement conducted a site visit but could not properly identify the discrepancy, which resulted in the complainant providing to the Codes Enforcement Department, a survey completed by Nesbitt Surveying Co., which showed the rear pool house structure's right (east) corners being 3.78 feet (closest to the road) and 4.45 feet (closest to the lake) away from the side property line on the east. Mr. Brashear stated again that the required minimum setback established in the County Code of Ordinances Section 30-111, Development standards for Unzoned Areas was five feet for side property lines. He then went on to state that many neighbors provided letters in support of the pool house structure and the Forest Lake HOA had also sent a letter to Mr. Brashear, dated 02/13/2025, stating that the HOA was not opposed to the requested variance request. Mr. Brashear read the entire letter received from the Forest Lake HOA to the board including the information provided in the letter concerning the settlement of the lawsuit made by the Forest Lake HOA against Ben and Amy Jerome. Mr. Brashear also noted the letters from neighbors submitted with the application who were all in favor of the requested variance request, including the neighbor immediately to the right (east) side of the property, closest to the pool house structure.

Mr. Brashear presented all information/photos compiled by staff and provided by the applicant. It was made apparent by Mr. Brashear that public notice of the variance request was posted on the property, letters were mailed to adjacent property owners and notice of the meeting and copies of the agenda were posted in public places per the requirements set forth in the Florence County Ordinance.

There were no public comments/inquiries received by Planning Staff regarding this requested variance request. (A copy of comments and inquiries *if received* are maintained at the Florence County Planning and Building Department for inspection during regular business hours.)

At the conclusion of the Staff presentation, there were no further questions or discussion from the Board.

Chairman Brian Casey then inquired if there was anyone from the public in attendance who desired to speak in favor of the variance request.

Mrs. Amy Jerome, the applicant, was present and approached the board to speak in favor of the requested variance request. She thanked the Board and gave the general details of the request. She further stated that she had no malice intent toward her neighbors or community in requesting this variance, she only wishes to complete the construction of the pool house. She stated that she believed that granting the variance request would improve the general well-being of the neighborhood and likely increase the property values.

At the conclusion of Mrs. Jerome's statement, Chairman Brian Casey inquired if there was anyone else in attendance who wished to speak in favor of the requested variance request. There were no other members of the public, in attendance, who stood to speak in favor of the requested variance request.

Chairman Brian Casey then inquired if there was anyone in attendance who desired to speak in opposition of the variance request.

Mr. Tom Levine approached the Board to speak in opposition to the variance request. He stated that he lived directly to the left (west) of the property requesting the variance. He then went on to provide information regarding the February 13th, 2025 letter sent to Mr. Brashear from the Forest Lake HOA. He stated that the Forest Lake HOA Board had no authority to approve the request, noting that parliamentary procedure was not properly followed, there was no quorum, and no vote was taken (among other things). He explained that his view of the lake has been completely obstructed by the pool house structure and his property value has declined. He concluded by stating that depending on what happens (how the Board of Zoning Appeals would vote) regarding the variance request, he would be pursuing further legal action.

Chairman Brian Casey inquired if there was anyone else in attendance who wished to speak in opposition of the variance request. There were no other members of the public in attendance who stood to speak in opposition to the variance request.

Chairman Casey then moved to discussion of the Board. At this time, Mr. Brashear interjected, stating that he had forgotten to read aloud the applicant's responses from the variance application submitted to the County. He proceeded to read these aloud to the Board. At the conclusion of Mr. Brashear reciting the applicant's responses, the Board moved into discussion. The discussion among the members of the Board regarding the variance request included noting the 8 inches and 16 inches of the pool house structure that were breaching the side setback area and also the letter from the neighbor on the right (east) side of the property, where the pool house structure is located, being in favor of granting the variance request as well as the letter from the Forest Lake HOA. Upon completion, Chairman Casey reviewed the questions the Board of Zoning Appeals is required by SC State Law to answer.

Motion – Mr. Louie Hopkins made a motion that BZA #2024-21 be approved as presented, granting an 8-inch and 16-inch reduction for the accessory pool house from the minimum side setback requirement of 5ft as established within Sec. 30-111 of the Florence County Code of Ordinances / Mr. Kenneth Muldrow seconded the motion to approve. All were in favor. The motion was carried with a vote of 7 to 0 to approve BZA #2024-21.

The Public Hearing was closed.

V. Other Business

VI. Adjournment

There being no other business, questions, or discussion, Chairman Brian Casey adjourned the meeting at 6:51PM.

Holly Smith, Secretary

Approved by:

Shawn Brashear, Director

*These minutes reflect only actions taken and do not represent a true verbatim transcript of the meeting.