

**STAFF REPORT
TO THE
FLORENCE COUNTY BOARD OF ZONING APPEALS
TUESDAY, MARCH 18th, 2025
BZA#2024-21**

SUBJECT: 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.

LOCATION: 3365 Lakeshore Drive, Florence, SC 29501

TAX MAP NUMBER: 00101-01-164

COUNCIL DISTRICT(S): 9; County Council

OWNER OF RECORD: Ben & Amy Jerome

APPLICANT: Amy Jerome

LAND AREA: Approximately .41 acres

VARIANCE REQUESTED: The variance requested would allow the property owner to exceed the minimum setback requirements established by the Florence County Code of Ordinances.

STAFF ANALYSIS:

Existing Land Use and Zoning:

The subject property is currently unzoned with current use being residential.

Surrounding Land Use and Zoning:

North: Unzoned/ Forest Lake

South: Unzoned/ Vacant

West: Unzoned/ Residential

East: Unzoned/ Residential

Background:

Sec. 30- 111(7) Setbacks in Unzoned Areas

Proposed Use	Front	Rear	Side
Commercial	25'	20'	10'
Industrial/warehousing/storage	25'	50'	50'
Office/institutional	25'	20'	20'
All other uses	25'	5'	5'

This item was previously on the November 12th, 2024 BZA Agenda where, during the meeting, the owner/applicant, Mrs. Amy Jerome, requested that the Board defer her request so the matter could be brought before the Forest Lake HOA Board. A letter dated February 7th, 2025 to Mr. Shawn Brashear, The Florence County Planning & Building Director from Mr. Chad Bryant, the President of the Forest Lake HOA, stated the Forest Lake HOA Board had heard details of the request and is not opposed to Mr. and Mrs. Jerome’s variance request submitted to the County.

The request is for a variance that would allow the applicant to exceed the minimum setback requirements established by the Florence County Code of Ordinances. Per the Florence County Code of Ordinances, setbacks of residential uses within an unzoned area must be at least five (5) feet from the side property line. The property owner is requesting a variance that would allow the accessory pool house structure to exceed the minimum setback requirements by up to 1.22 feet, creating a 3.78 foot minimum side setback for the structure. If the variance is granted, it would allow the property owner to continue and complete construction of the accessory pool house.

Setbacks in an unzoned area are required, by the Florence County Code of Ordinances, to be at least five(5) feet from a side property line. The applicant is requesting a variance to obtain a Certificate of Zoning Compliance for a pool house that is currently under construction and encroaching into the side yard setback. The applicant is requesting to receive a variance from the required five(5) foot minimum to a minimum side yard setback of 3.78 feet for the accessory pool house. If the Board grants the variance for the accessory pool house, the applicant would be able to obtain a Florence County Zoning Compliance and complete construction of the pool house.

Access and Circulation:

The property is currently accessed by way of Lakeshore Drive, Florence, SC 29501.

Sec. 30-293. – Board of zoning appeals (c)

Powers of board of appeals; variances; special exceptions; remand; stay; hearing; decisions and orders.

The board of appeals has the following powers:

- (1) To hear and decide appeals where it is alleged there is error in an order, requirement, decision, or determination made by an administrative official in the enforcement of the zoning ordinance;
- (2) To hear and decide appeals for variance from the requirements of the zoning ordinance when strict application of the provisions of the ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the board makes and explains in writing the following findings:

- a. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
- b. These conditions do not generally apply to other property in the vicinity;
- c. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
- d. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

VARIANCE REQUEST:

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 of the Zoning Ordinance:

- a. **Applicant's Response:**

Variance in the 5' setback on the side of our property. Section 30-111

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:

- b. **Applicant's Response:**

A residential pool house

for which a permit has been denied by a zoning official on the grounds that the proposal would be in violation of the cited section(s) of the Zoning Ordinance.

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.

- a. There are extraordinary and exceptional conditions pertaining to the particular piece of property as follows:

Applicant's response:

The original site plans submitted were in compliance but after completion the setback on the side yard was encroaching due to the wrong property marker being used.

- b. These conditions do not generally apply to other property in the vicinity as shown by:

Applicant's response:

Neither of my immediate neighbors have pool houses.

- c. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property as follows:

Applicant's response:

Due to the building being 75% complete, having to deconstruct or possibly tear down would be an extreme financial hardship & decrease property value.

- d. The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance for the following reasons:

Applicant's response:

The immediate neighbor in which it encroaches is in support of the variance.

3. The following documents are submitted in support of this application:

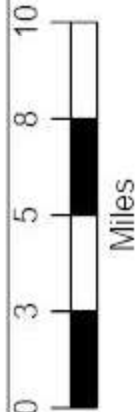
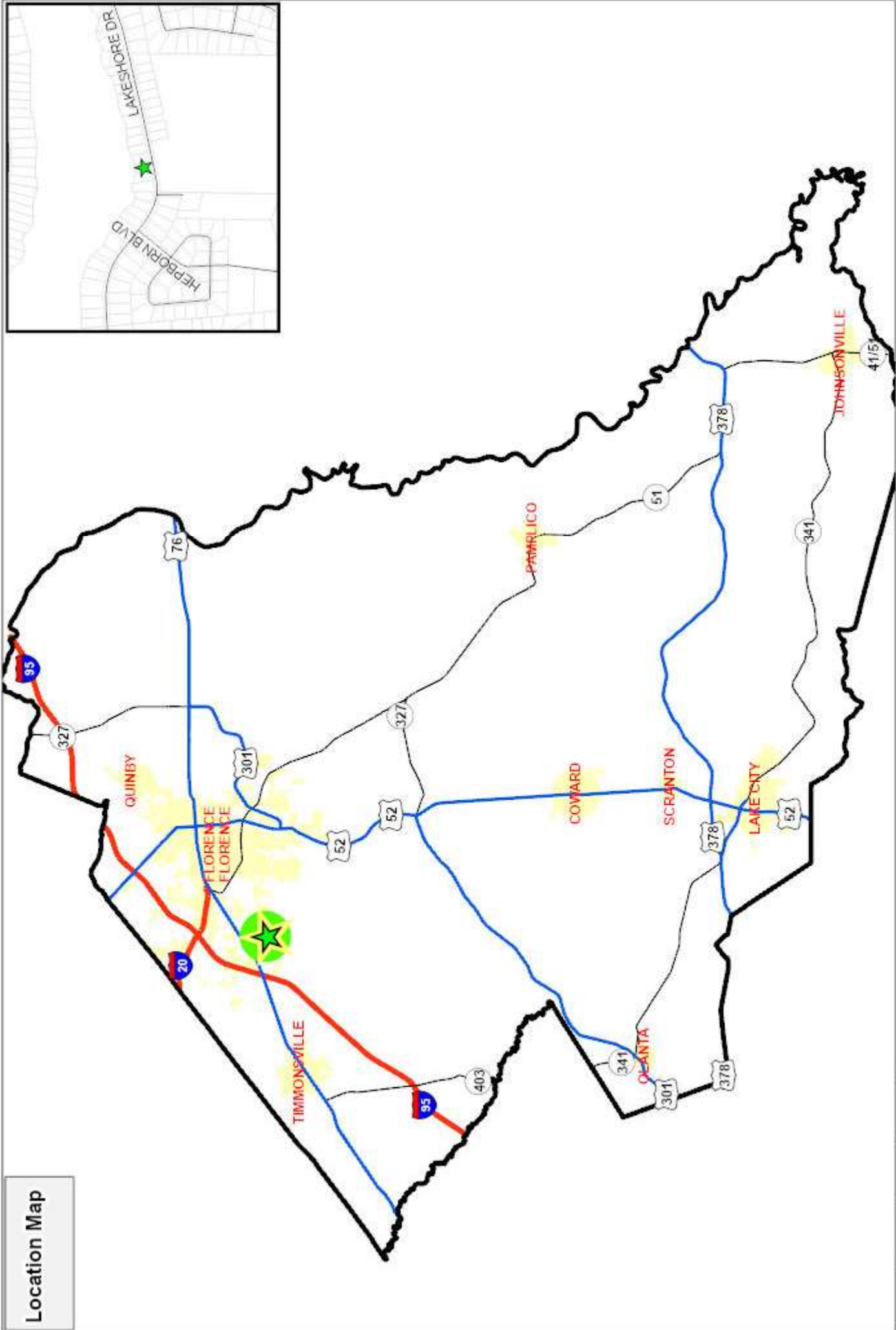
Applicant's response:

HOA Letter, survey, elevation letter, and letters from neighbors.

ATTACHMENTS:

1. Location Map
2. Zoning Map
3. Aerial Map
4. HOA Letter
5. Survey
6. Letters from Neighbors

Location Map



Florence County
Planning Department
Meeting Date:
03/18/2025

Council District 9
PC#2024-21

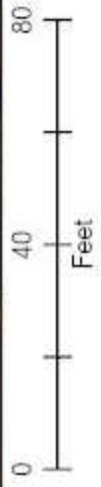
UNZONED

LAKESHORE DR

0 50 100 Feet



Council District 9
PC#2024-21



Florence County
Planning Department
Meeting Date:
03/18/2025

FOREST LAKE

Homeowners Association

P.O. Box 12284 - Florence, SC 29504 - website: forestlakesc.com - email: FLakeHOA@gmail.com

February 13, 2025

Florence County Board of Zoning Appeals
c/o Shawn Brashear, Florence County Director of Planning
518 S. Irby Street
Florence, SC 29501

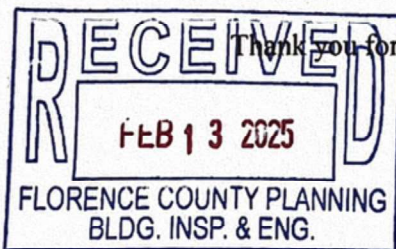
Re: BZA#2024-21 – Property located at 3365 Lakeshore Drive, Florence, SC 29501 (“Property”)

Mr. Brashear:

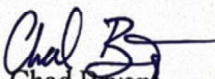
I write on behalf of the Forest Lake Homeowners Association of Florence a/k/a Forest Lake Homeowners Association, including as successor-in-interest to and assignee of Forest Lake Homeowners Association of Florence, Inc. and Forest Lake of Florence, Inc. (“FLHA”) and the Board of the FLHA (“Board”) regarding the above-referenced variance request that was continued from the November 12, 2024 Regular Meeting of the Florence County Board of Zoning Appeals (“BZA”) and has not yet been rescheduled. According to the Revised Agenda for the November 12, 2024 Regular Meeting of the BZA, the variance was 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” (“Variance Request”).

Please be advised, and please advise the BZA, that the FLHA and its Board do not oppose the Variance Request. Please be further advised that this letter is part of a settlement of a lawsuit by FLHA against Ben Jerome and Amy Jerome, relating to a structure (“Structure”) on the Property that is the subject of the Variance Request. If the BZA does not approve the use, which would allow the settlement to go forward, then FLHA’s approval of the Structure will be deemed withdrawn and the related lawsuit will continue. Further, if the BZA does not approve the use and thus allow consummation of the settlement, then nothing about this letter or any other settlement-related actions can be used as evidence for any purpose in the lawsuit, including because such evidence would be inadmissible pursuant to Rule 408, S.C. R. Evid.

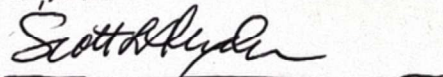
Thank you for your attention to this matter.

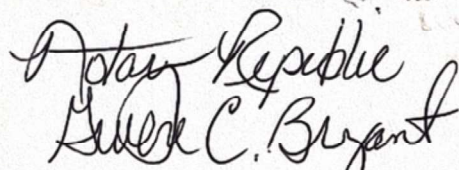





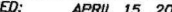
FOREST LAKE HOMEOWNERS' ASSOCIATION


Chad Bryant
President

Witnessed
Feb. 13, 2025

By 


Expires June 7, 2033

	NESBITT SURVEYING CO., INC. 4340 ALLIGATOR ROAD U.S. HIGHWAY 76 & ALLIGATOR ROAD TIMMONSVILLE, S.C. 29161 PHONE (843) 346-3302 FAX (843)-346-9902 EMAIL: jon@nesbittsurveying.com			DATE: FEBRUARY 20, 2024 REVISED: APRIL 15, 2024 JOB NO: 24101 REF JOB: 23428 TAX MAP #: 00101-01-164
				

October 28, 2024

To whom it may concern

I, Daniel Werkmeister purchased the home at 3361 Lakeshore Drive in May of 2024. My house is the immediate neighbor to Ben & Amy Jerome that reside at 3365 Lakeshore Drive.

I would like to state in writing my support to grant the side set back relief needed for their pool house that has been built.

I have no objection to its proximity and was aware of the structure prior to the purchasing of my property.

Please accept this letter into the record to make those in attendance and our neighbors aware of my support of the variance request.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Werkmeister", with a stylized, flowing script.

Daniel Werkmeister

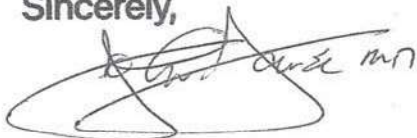
October 28, 2024

To whom it may concern,

I am writing to inform you that I will be unable to attend the public meeting of the zoning board on Tuesday, November 12 for Ben and Amy Jerome.

However, I do reside in the neighborhood of Forest Lake and would like to state my support in granting Ben and Amy Jerome, the side setback relief that is needed for the construction of their pool house.

Sincerely,

A handwritten signature in black ink, appearing to read "David M. M.", enclosed within a large, loopy circular flourish.

3483 Lakeshore Drive
Florence, SC 29501

October 28, 2024

To whom it may concern,

I am writing to you in support of Ben and Amy Jerome's plans for their pool house. I live in the Forest Lake neighborhood and I have no reservations whatsoever to have them proceed with their construction plans. I am writing to show my support in the request for the side setback variance.

They have transformed their existing house to be much more aesthetically pleasing to our neighborhood. I am excited to see the finished project of their pool house as well.

Sincerely,

Johnny Smith, CRAA

1830 ~~E~~Nighthawk Drive

Florence, SC 29501



October 28, 2024

To whom it may concern,

Please accept my letter as support for the variance side setback that Ben and Amy Jerome have applied for regarding their pool house.

I live near them and have no objection to their plans completing this project. We believe it will increase property value to our neighborhood and are in full support of this project.

Sincerely ,


Michael Jerome

3474 Lakeshore Dr
Ft. Lauderdale, FL

October 31, 2024

Dear Board Members,

In my absence to the hearing please accept this letter of support in favor of Ben and Amy Jerome.

I currently reside in the neighborhood and have for several years.

The Jerome's have done an amazing job on updating their house and I expect they will do the same with their pool house. Upon completion of this project, I believe it will increase the property value and in turn help everyone in the neighborhood.

Please grant this request in their favor for the side setback for their pool house.

Thank you for your consideration in this matter.

Melvin M. Shedd

November 2, 2024

Dearest Board Members,

I am unable to attend the public hearing on November 12, 2024.
Therefore, I am writing this letter to show my support for the
variance requested by Ben and Amy Jerome.

I reside in the Forest Lake Subdivision and have no issues for the
side set back they are wishing to obtain for their pool house.

Sincerely,

Jana Smith
3040 Drake Shore Dr.
Florence SC 29501

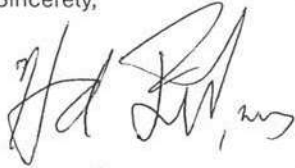
November 5, 2024

Dear Florence County Planning Committee

I will be unable to attend the public hearing concerning the matter of the side set back for Ben and Amy Jerome.

I live in the Forest Lake subdivision and would like for you to please accept this letter as my written support in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Howard Russell".A handwritten signature in black ink, appearing to read "Howard Russell".

November 5, 2024

Dear Zoning Committee,

I am writing this letter of support for my neighbors Ben and Amy Jerome.

It is my understanding that they have submitted a request for a variance of their side setback concerning their existing pool house.

I am unable to attend the meeting, so please accept this letter as my acceptance for their request.


Kip Hinson

November 7, 2024

City of Florence,

In our absence to the hearing, please accept this letter of support in favor of Ben and Amy Jerome's plans for their pool house, specifically in regards to the request for the side setback variance. We have resided in the Forest Lake neighborhood for nearly 15 years and we have no reservations to have them proceed with their construction plans. Please grant this request in their favor for the side setback for their pool house.

Thank you for your consideration in this matter.

Sincerely,

Cory Fowler

Man [Signature]
3318 Lakeshore Dr.