

**STAFF REPORT
TO THE
FLORENCE COUNTY BOARD OF ZONING APPEALS
TUESDAY, JULY 15th, 2025
BZA#2025-06**

SUBJECT: A Variance Requested By Brandon Catoe And Whitnie Avant from requirements of the Florence County Code Of Ordinances, Chapter 30 – ZONING ORDINANCE, ARTICLE VII. – GENERAL AND ANCILLARY REGULATIONS, Sec. 30-249 – Nonconformities. For Property Located At 602 Linwood Street, Timmons ville, SC 29161, As Shown On Florence County Tax Map No. 00017, Block 04, Parcel 047.

LOCATION: 602 Linwood Street, Timmons ville, SC 29161

TAX MAP NUMBER: 00017-04-047

COUNCIL DISTRICT(S): 4; County Council

OWNER OF RECORD: Robert Avant Jr.

APPLICANT: Brandon Catoe and Whitnie Avant

LAND AREA: Approximately 1.71 acres

VARIANCE REQUESTED: The variance requested would allow the applicants to obtain a certificate of zoning compliance for the enlargement/expansion of a legally nonconforming structure in excess of the ten percent maximum.

STAFF ANALYSIS:

Existing Land Use and Zoning:

Residential / R-1, Single-Family, Large Lots

Surrounding Land Use and Zoning:

North: R-1/ Residential

South: R-1/ Residential

West: R-1/Agricultural

East: R-1/ Residential

Background:

The subject property is currently zoned, R-1, Single-Family, Large Lots. The R-1 zoning district (per §30-28. Table 1) allows for detached, single-family structures (site-built or modular) and their placement on large lots (along with permitted accessory uses) in order to create low-density, traditional suburban-style neighborhoods.

The current, legally nonconforming structure on the subject property is a standard-designed (singlewide) manufactured dwelling. The applicants wish to enlarge/expand this legally nonconforming structure to a new, residential-designed (doublewide) manufactured dwelling.

§30-249(b)(2) of the Florence County Code of Ordinances permits the enlargement or expansion of a legally nonconforming building, use, or structure by no more than ten percent. The ordinance goes on to state that the enlargement/expansion must also meet all applicable bulk requirements, buffer areas, as well as any off-street parking requirements.

Per the Florence County Tax Assessor's records, the existing structure located on the subject property is a 1987 - Champion brand, 14 ft x 76 ft, standard-designed (singlewide) manufactured home that has been in use on the subject property since 2012. The total living area of the existing structure is 1,064 ft². Per §30-249(b)(2), the applicants would only be allowed to expand/enlarge the legally nonconforming structure by ten percent, which would be an additional 106 ft², resulting in a total of 1,170 ft² of living area.

The applicants wish to purchase an energy efficient, 32 ft x 60 ft, multi-section home, with brick underpinning from Oakwood Homes. The total gross area of the proposed structure is 1,920 ft². The enlargement/expansion of the nonconforming structure would increase the applicant's living area by 856 ft² or 80%. The applicants are requesting a variance from §30-249(b)(2) to enlarge/expand the existing, older structure in excess of the ten percent maximum currently allowed. Because of the large area of the subject property (1.71 acres), this structure expansion/enlargement would still be in conformance with all of the applicable bulk requirements set forth in §30-30. Table III: Zoning setbacks for the R-1 zoning district (which has been included here for reference on the following page).

Sec. 30-30. Table III: Zoning setbacks.

ZONING DISTRICT	MIN LOT AREA (a)		LOT WIDTH H (ft)	FRONT YARD SETBACK (b)	SIDE YARD SETBACK		REAR YARD SETBACK		MAX HEIGHT IN FEET (c)	MAX IMP. SURFACE RATIO	MAX FLOOR AREA RATIO <i>Non-Res. Uses (d)</i>
	RES	NON-RES			RES	NON-RES	RES	NON-RES			
R-1	15,000	30,000	100	25	10	50	30	60	38	40%	0.25
R-2	10,000	20,000	80	25	8	25	25	50	38	45%	0.30
R-3	6,000	12,000	50	25	5	25	25	50	38	45%	0.30
R-3A	6,000	12,000	50	25	5	25	25	50	38	45%	0.30
R-4	6,000	12,000	50	25	5	25	20	40	38	45%	0.30
R-5	6,000	12,000	50	25	5	25	20	40	4 STORIES	70%	0.30
R-5A	6,000	12,000	50	25	5	25	20	40	4 STORIES	70%	0.30
	RES				RES		RES				
B-1	5,000	5,000	50	35	5	5(f)	20	20(f)	38	70%	0.30
B-2	5,000	5,000	50	35	5	5(g)	20	20(g)	38	80%	0.50
B-3	5,000	5,000	50	35	5	5(h)	20	20(h)	(e)	90%	NONE
B-4	NA	NONE	NONE	NONE	NA	NONE	NA	NONE	(e)	100%	NONE
B-5	NA	10,000	100	35	NA	10(h)	NA	25(i)	(e)	90%	NONE
B-6	NA	10,000	100	35	NA	10(h)	NA	25(i)	(e)	90%	NONE
	RES				RES		RES				
RU-1	15,000	15,000	100	35	10	10	30	30	38	40%	0.25
RU-1A	15,000	15,000	100	35	10	10	30	30	38	40%	0.25
RU-2	87,120	43,560	200	35	15	50	30	60	38	20%	0.15

a - Lot area is expressed in square feet.

b - Measurement from front property line.

A rough sketch of the proposed nonconforming structure sited on the subject property was provided by the applicants and shows the estimated setbacks with the proposed enlarged nonconforming structure. The proposed front yard setback is listed as 85 ft, the proposed side setbacks are listed as 100 ft and 65 ft, and the proposed rear setback is listed as 130 ft. All of these proposed setbacks, as stated previously, are in conformance with the setback requirements set forth within the R-1 zoning district.

The applicants have also obtained a letter from the Mayor of Timmons ville, who, along with all of City Council, is in favor of the proposed expansion/enlargement of the nonconforming structure. Letters in

support of the expansion/enlargement were also obtained by the applicants from all of their adjacent neighbors.

In summary, the requested variance would allow the applicants to obtain a certificate of zoning compliance for the enlargement/expansion of a legally nonconforming structure (which is their primary residence located at 602 Linwood St in Timmons ville, SC) in excess of the ten percent maximum currently permitted by §30-249(b)(2) of the Florence County Code of Ordinances. The proposed enlargement/expansion of the nonconforming structure, while exceeding the ten percent maximum increase, will continue to remain in conformance with all other applicable bulk requirements set forth within the R-1 zoning district.

Access and Circulation:

The property is currently accessed by way of Linwood St in the Town Limits of Timmons ville, SC 29161.

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:**

- Replace existing mobile home with larger new manufactured 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:

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

- 32x60 multi section home.**

- 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:**

- Property was rezoned to R-1 zoning.**

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

- Applicant's response:**

- Please reference letters signed by all neighbors bordering the property.**

- 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:**

- Removing existing single section mobile home and replacing it with a new, energy efficient multi-section manufactured home.**

- 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:**

- New energy efficient home built to current HUD code with brick skirting.**

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

Applicant's response:

Plot Plan, Neighbor Letters, Mayor letter, Pictures of New Home.

ATTACHMENTS:

1. Location Map
2. Zoning Map
3. Aerial Map
4. Plot Plan
5. Mayor Letter
6. Neighbor Letters
7. Pictures/Specs of New Home

Sec. 30-249. Nonconformities.

- (a) *Continuation.* Nonconforming uses, buildings, or structures are declared by this section to be incompatible with permitted construction in the districts in which they are located.

However, to avoid undue hardship, the lawful use of any such use, building, or structure at the time of the enactment, amendment, or revision of this section may be continued even though such structure does not conform with the provisions of this section.

- (b) *Modification.* A proposed change or modification to a nonconforming use shall be governed by the following:

- (1) *Change of nonconforming use.* If a change from one nonconforming use to another is proposed and no structural alterations are involved, the change may be permitted, provided:

- a. Nonconformity of dimensional restrictions such as height, density, setbacks, or other requirements such as off-street parking shall not be increased; and
- b. The proposed change will have little discernable impact over the existing nonconforming use.

If a change to a permitted use is proposed which is nonconforming only as to dimensional restrictions such as height, density, setbacks, or other requirements such as off-street parking, the change may be permitted, provided that all applicable requirements that can be reasonably complied with are met.

Compliance with a requirement is not reasonably possible if it cannot be achieved without adding land to the lot of the nonconforming use or moving the use if it is on a permanent foundation.

Whenever a nonconforming use of land or building has been changed to a more restricted use or to a conforming use, such use shall not thereafter be changed back to a less restricted or nonconforming use.

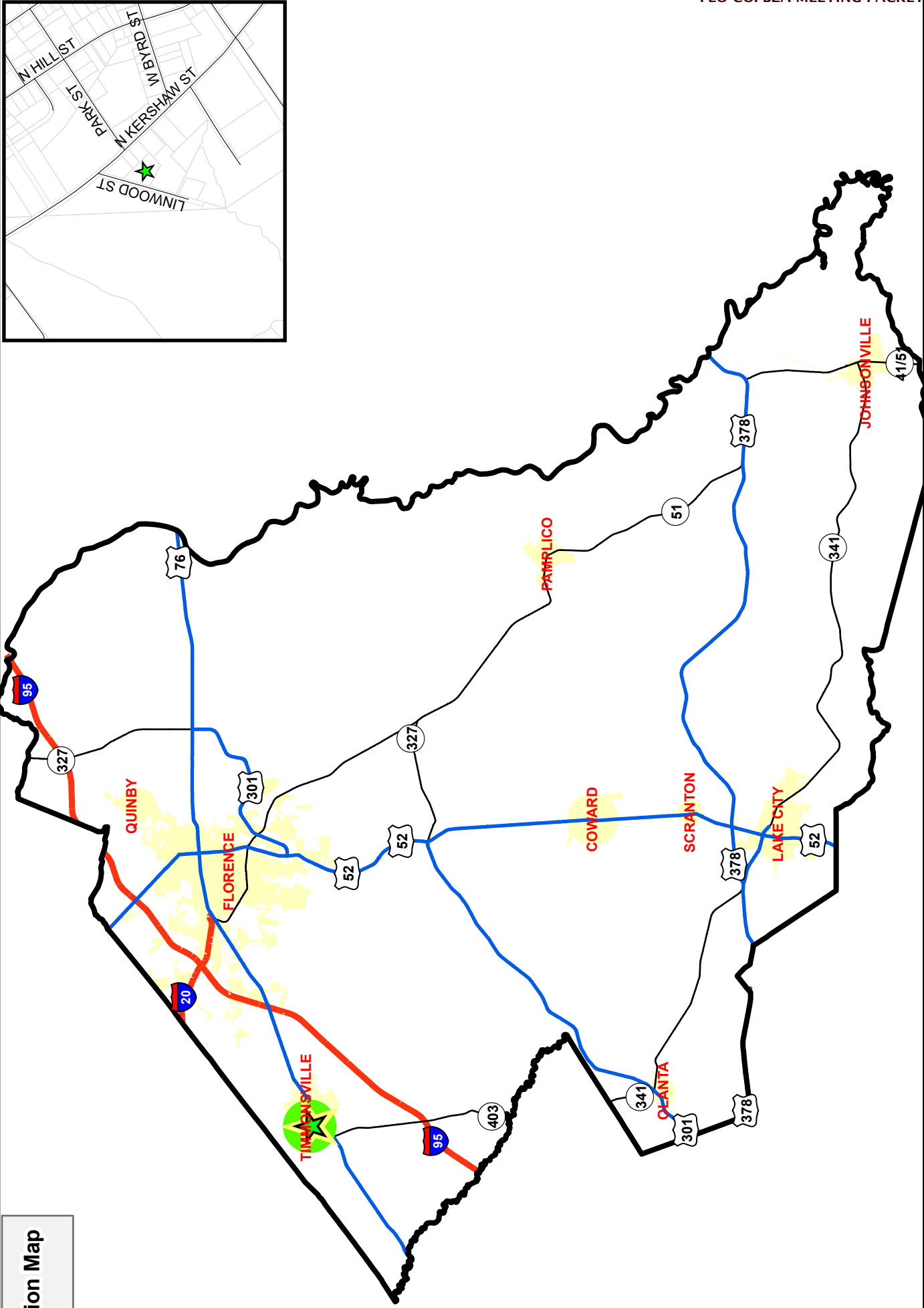
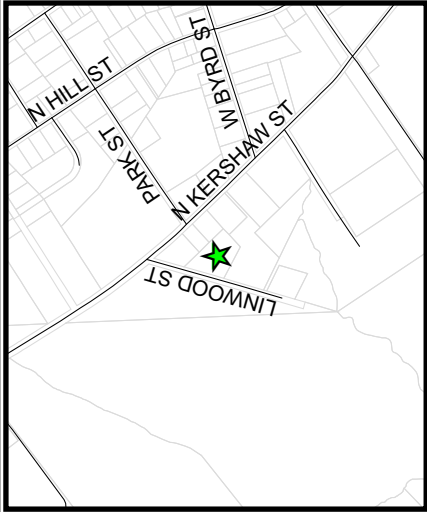
- (2) *Enlargement or expansion of nonconforming use.* Enlargement or expansion of a nonconforming building, use, or structure by no more than ten percent shall be permitted; provided such enlargement shall meet all applicable setbacks, buffer area, and off-street parking requirements.
- (3) *Repair or alteration of nonconforming use, building, or structure.* The repair or alteration of a nonconforming use shall in no way increase the nonconformity of said use, except as otherwise permitted by subsection (2) above.
- (4) *Replacement of nonconforming use.* A building permit for the replacement of a nonconforming building or structure where damaged or destroyed must be initiated within 18 months of the time of the damage or destruction or forfeit the right of replacement. Replacement, if initiated within 18 months of the time of damage or destruction shall adhere to all applicable requirements of Table III.

Replacement of a nonconforming mobile or manufactured home once removed from a lot or parcel shall be accomplished within 18 months of removal or forfeit nonconforming status, and if replaced shall not infringe on established setbacks, and shall meet in full the requirements of section 30-94 of this chapter. The applicant for a zoning compliance under this section must provide planning department staff with a notarized letter stating that the replacement is occurring within 18 months of the previous home being removed.

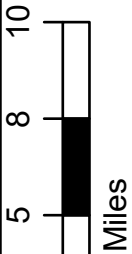
Existing outdoor advertising structure owners may apply for rebuilding permits for legal, nonconforming structures that are constructed by means other than the single steel pole structural design, as required by this section. The sign face square footage must remain the same as the existing sign face. If removed, a nonconforming sign structure shall not be replaced.

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- (5) *Reuse of vacant nonconforming commercial buildings.* Existing vacant buildings in residential zones, previously occupied by and structurally designed for commercial usage may be renovated and reoccupied under the following conditions:
- All off-street parking requirements associated with the new occupant (use) shall be met on site;
 - Buffer area requirements of article IV, division 2 shall be met;
 - The reoccupied use shall be permitted in the B-1 and/or B-2 and/or B-3 zone districts;
 - There is no encroachment into existing side, rear, or front yard setbacks.
- (6) *Nonconforming signs.* A nonconforming permanent sign which was in place at the adoption of this section may remain in place and be maintained indefinitely as a legal nonconforming sign subject to compliance with the following:
- Normal maintenance of such sign shall be allowed including changing of copy, structural repairs, repainting or electrical repairs, and incidental alterations which do not increase the degree or extent of the nonconformity.
 - No structural alteration, enlargement, or extension of such sign including additional lighting shall be allowed.
 - No relocation of sign structure except in strict compliance with this section.
 - If a sign is damaged or is in need of repairs for any reason, which the materials required to make the repair cost more than 60 percent of the cost of replacing the sign, then the sign cannot be repaired and must be removed or brought into compliance with this section.
- (c) *Discontinuance.* Except as provided in section 30-249(b)(5), no building or portion thereof used in whole or in part for a nonconforming use which remains idle or unused for a continuous period of 18 months, whether or not the equipment or fixtures are removed, shall again be used except in conformity with the regulations of the district in which such building or land is located. In the case of a nonconforming commercial use, a valid business license or other governmental agency licenses must have been issued to the use and particular property within the last 18 months and cannot have been revoked by the governing authority.
- (d) *Lot of record.* Where the owner of a lot at the time of the adoption of this chapter does not own sufficient land to enable him to conform to the setback requirements of this section, such lot may nonetheless be used as a building site provided applicable setback requirements are not reduced by more than 25 percent. Setback reductions greater than 25 percent shall be referred to the board of zoning appeals for consideration. If, however, the owner of two or more adjoining lots with insufficient land dimensions decides to build on or sell off these lots, they must first be combined to comply with the dimensional requirements of this chapter.

(Ord. No. 33-2006/07, § 7.9, 6-7-07; Ord. No. 25-2009/10, § 3, 2-18-10; Ord. No. 26-2022/23, § 1, 11-17-22)

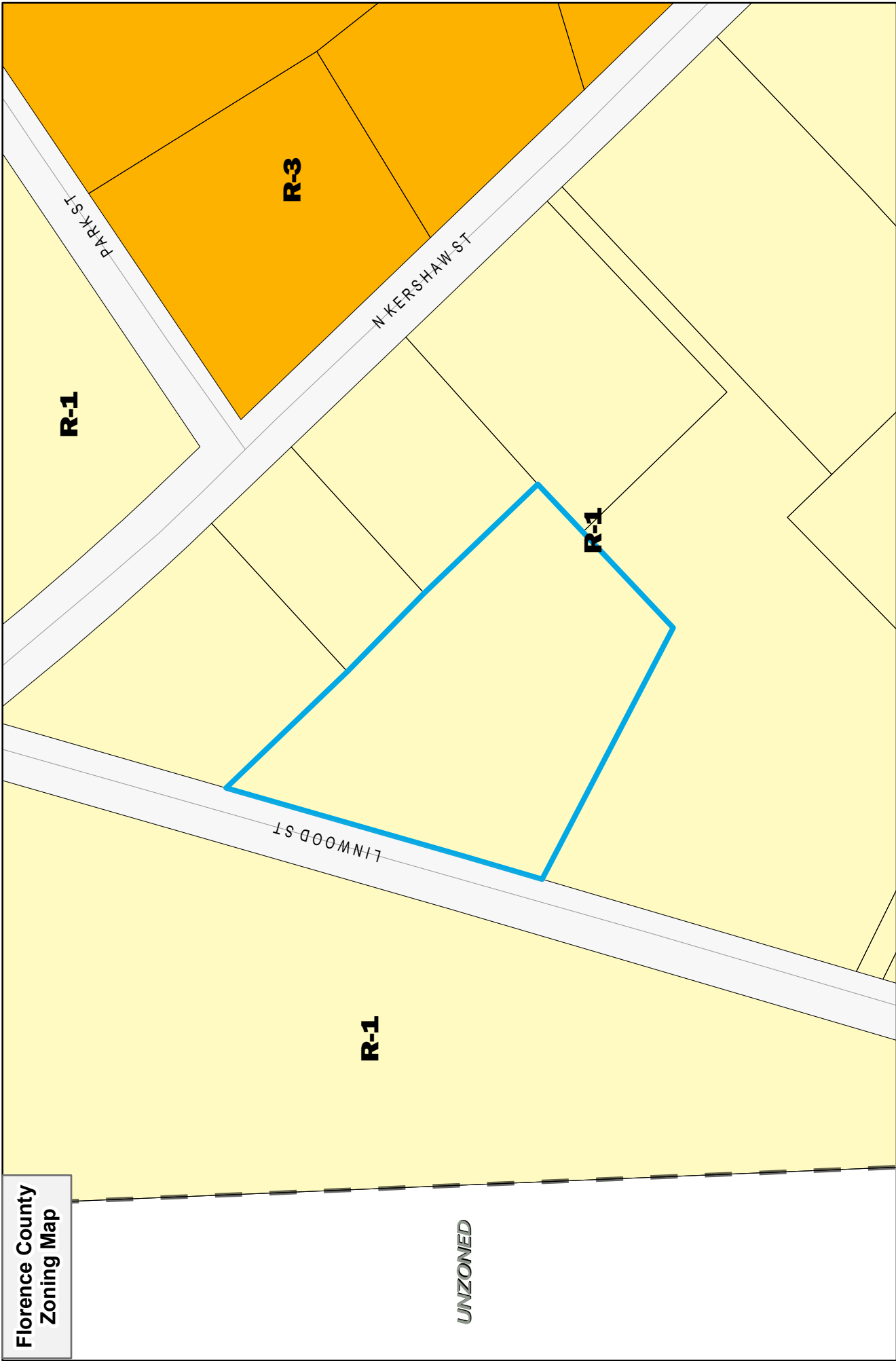


Location Map



Florence County
Planning Department
Meeting Date:
07/15/2025

Council District 4
BZA#2025-06



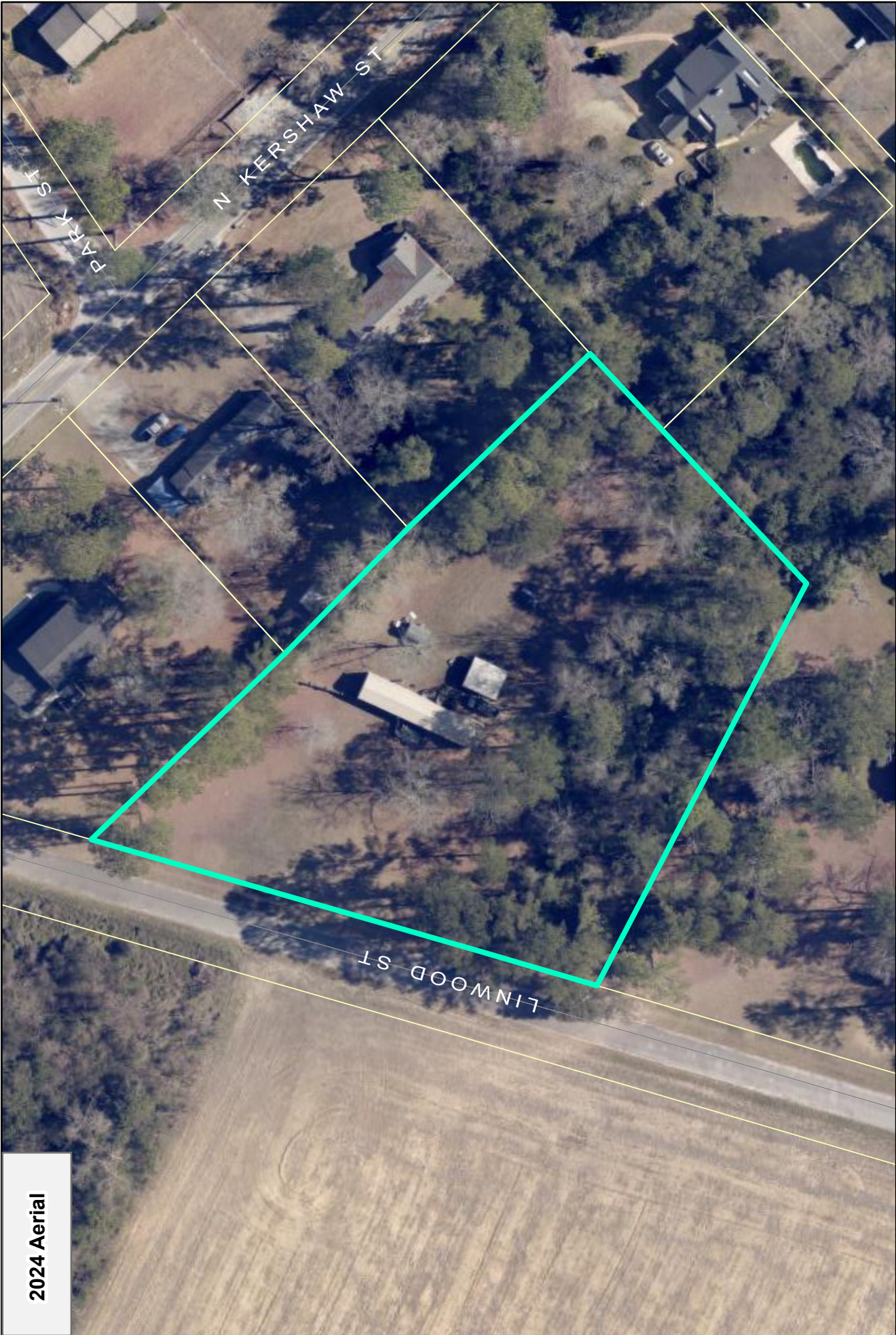
0 120 240 Feet

Council District 4
BZA#2025-06

Florence County
Planning Department
Meeting Date:
07/15/2025

Current County Zoning

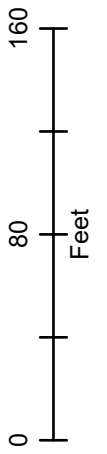
- R-1, SINGLE-FAMILY, LARGE LOTS
- R-3, SINGLE-FAMILY, SMALL LOTS
- UNZONED



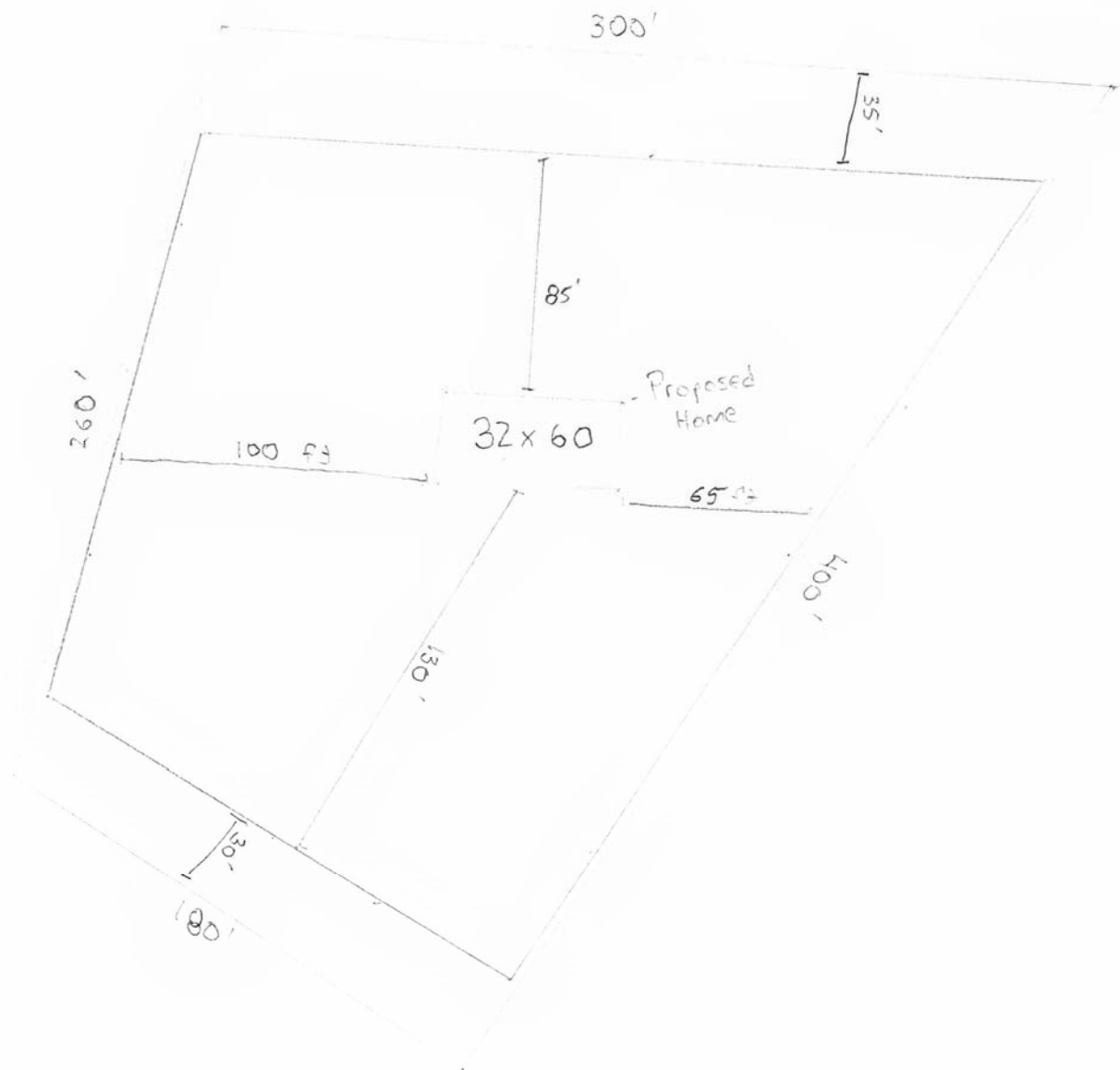
Council District 4
BZA#2025-06



Florence County
Planning Department
Meeting Date:
07/15/2025



2024 Aerial



Site plan showing proposed New Home Location
Existing septic & water on property



Town of Timmonsville
PO Box 447
Timmonsville SC 29161
Office 843-346-7942
William James, Jr. Mayor

May 07, 2025

To Whom May Concern,

The Mayor and Council of Timmonsville doesn't oppose the replacement for the residence locate at 602 Linwood Street Timmonsville SC 29161 Tax Map Number: 0001-04-047. The replacement will be an upgrade which will improve value to the community and their neighbors.

Thanks,

Mayor William James Jr



To Whom It May Concern:

We have been notified that Mr. and Mrs. Catoe desire to remove their old single section manufactured home from its current location and replace it with a new, energy efficient, Multi-Section manufactured home. As their neighbors, with property that either directly borders their piece of land or is near their property, we have no issues with this decision and would welcome a new, updated manufactured home into the area.

212 Kershaw Str.
Timmons ville SC 29161



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Faye Townsend
214 Kershaw Str.
TimmonsVille SC 29161



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Raymond Addison

Mr. Raymond Addison
216 Kershaw Str.
Timmonsville, SC 29161



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Clarissa Tolley
Clarissa Tolley
218 Kershaw Street
Timmonsville, SC 29161



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Claire Kelly
Linwood Str.
Timmons ville SC 29161

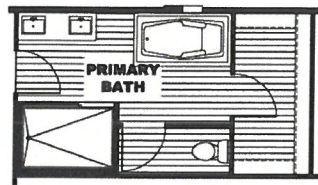




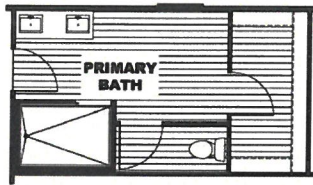
Opening doors to a better life.

ULTRA PRO JEWEL 3 BR 32X60 - 29UXL32603AH

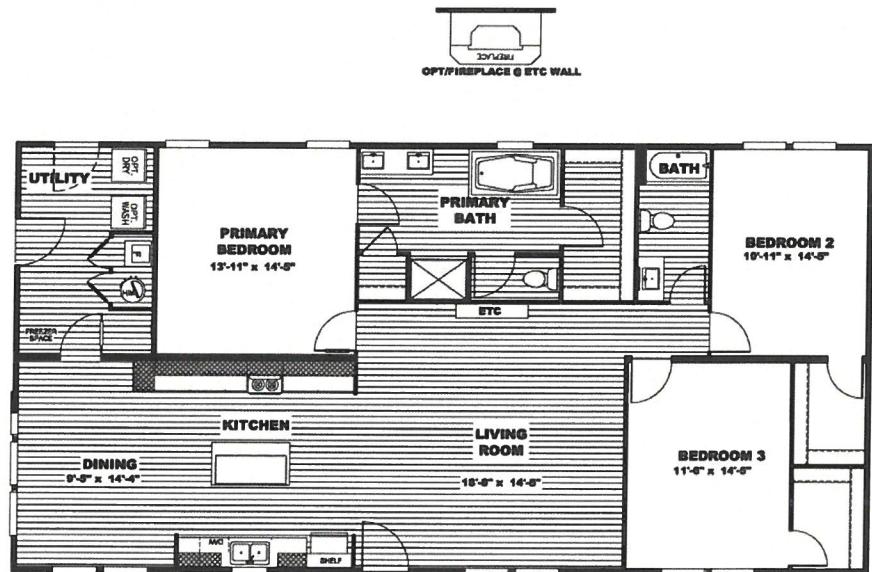
JEWEL 60



72" TILE SHOWER W/TUB OPT.



72" TILE SHOWER OPT.



MODEL # 29UXL32603AH

File Path: C:\Users\hansel\OneDrive - Clayton Home\OneDrive\29UXL32603AH.dwg, Last Saved By: Hansel, Saved Date: 12/2/2024 3:29 PM, Date Printed: 12/2/24 7:45 AM

SQ.FT. 1800

DRAWING # 29M209

Plan Details

Bedrooms	3
Bathrooms	2
Sq Feet	1800
Width	32
Depth	60



The home series and floor plans indicated will vary by retailer and state. Your local Home Center can quote you on specific prices and terms of purchase for specific homes. Clayton Oxford invests in continuous product and process improvement. All home series, floor plans, specifications, dimension, features, materials, availability, and starting prices shown on this website are artist's renderings or estimates, and are subject to change without notice. Dimensions are nominal and length and width measurements are from exterior wall to exterior wall



Standard Specifications



Floors

- 16" on Center 2"x6" Joist
- 25 oz Carpet by Shaw®
- Linoleum by Lux
- Floor Decking 19/32" OSB T&G
- 5.3 lb. Rebond Carpet Pad

Frame

- 12" or 10" I - Beam
- 99.5" Crossmember Spacing
- Detachable Hitch

Exterior

- Vinyl Siding 4 1/2" Double Lap
- Sheathing Wind Zone I
- OSB Wrap

Windows & Doors

- 38"x80" Steel Door with Storm on Front
- 6 Panel Door on Rear
- 2 Panel Square Door White
- Lux Low-E Thermopane Energy Efficient Windows with Argon Gas

Roof/Ceiling

- 20 lb. Roof Load
- 25 Year GAF Shingles
- Blown Insulation in Roof
- 24" OC Rafter Spacing
- 8 Ft Flat Texture Ceilings

Plumbing

- 40 Gallon Hybrid Water Heater
- Double Basin Stainless Steel Kitchen Sink
- China White Lavs
- Pfister® Faucets
- PEX Plumbing Supply Lines
- Whole House Water Shut Off

HVAC

- ecobee Smart-Programmable Thermostat®
- Carrier® Electric Furnace

Electrical

- 200 amp Panel Box
- Glass Jar Lights at Rear Entry
- Recessed Can Lights Throughout
- Exterior Receptacle on Front and Rear

Walls

- 3/8" Paper Gypsum
- 2"x4" Exterior Wall Construction, 16" O.C. Spacing
- 8' Sidewall Height
- 2"x3" Interior Wall Construction
- 2"x3" Marriage Wall Construction
- 24" O.C. Spacing
- Double Marriage Wall Construction

Interior Features

- 42" Lined DuraCraft® Cabinets
- Samsung® Stainless Steel Appliances
- Kwikset® Door Hardware
- Charleston Island (model specific)



- Pfister® Faucets
- Rheem® Water Heaters
- Kwikset® Locks
- Samsung Appliances

- Shaw® Carpets
- DuraCraft® Cabinets
- Lux Doors
- SmartComfort® by Carrier®

OPTIONS AVAILABLE

- 48" Fiberglass Shower in Primary Bath (Legend)
- Cottage Door with Storm on Rear
- Linoleum Throughout
- Wind Zone 2 or 3
- 8' or 16' Dormer (model specific)

- 2" Cordless Blinds
- Stone-front Wood Burning Stacked Fireplace (model specific)
- 72" Walk-in Shower (Ultra Pro)
- 54" Fiberglass Tub/Shower in Hall Bath

- Microwave (Legend)
- 50 Gallon Hybrid Water Heater by Rheem®
- Exterior Faucet A Side (Ultra Pro)
- 72" Soaker Tub (model specific)
- Wire & Brace for Ceiling Fans



ULTRA~~P~~RO

Standard FEATURES

- Samsung Stainless Steel Kitchen Package
- Pendant Lights over Island
- Fiberglass Tubs
- 3" Duracraft Stiles Living Areas
- New Louver Furnace Doors
- Grey Club Oak Trim
- 12" I-Beam 56' Homes
- Exterior Rear Faucet
- 42" Overhead Cabinets
- OSB Wrap
- Freezer Outlet **model specific*
- Recessed Lighting Throughout
- Charleston Island **model specific*
- Excel Package
 - Stainless Steel Farmhouse Sink
 - Water Shut-offs Throughout
 - Wire/Brace for Fan in Living Room, Primary Bedroom and Den if applicable
 - Lantern Light on Front **model specific*
 - Stainless Steel Microwave Rangehood



Popular OPTIONS

- Sliding Glass Door **model specific*
- Dormer **model specific*
- Wind Zone 2 & 3
- Stone-Front Stacked Fireplace
**wood burning, model specific*
- 72" Walk In Shower **model specific*
- Lino Throughout
- Cottage Rear Door with Storm
- Glamour Bath **model specific includes 48" fiberglass shower & 72" soaker tub*
- Upgraded Exterior Colors
- 2" Cordless Blinds Throughout
- Additional Wire & Brace
- White Lineal Window Treatment
- Ultra Exterior Siding Option **includes white siding horizontal inset with columns, Dormer & white Lineal Treatment*

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