



Town of Meggett
Board of Zoning Appeals
4776 Highway 165
Meggett, SC 29449
(843) 889-3622

ZONING VARIANCE REQUEST APPLICATION

CHECKLIST OF SUBMITTAL REQUIREMENTS

*PLEASE READ THE "WHAT TO EXPECT" HANDOUT FOR A FULL UNDERSTANDING OF THE BZA PROCESS *

- Completed Zoning Variance Request Application (attached)**
 - Application must be signed by the Applicant and ALL current Property Owner(s). If the Applicant is not the owner of the property, the current Property Owner(s) must complete the Designation of Agent.
 - Written responses to the Approval Criteria of §10.12.6 are **REQUIRED** (included with application pages).
 - All proposed Zoning Variances, except single family residential development, shall satisfy the Site Plan Review process. Applicants shall attend at least one (1) Site Plan Review meeting prior to submitting an application for a Zoning Variance.

- Signed Restrictive Covenants Affidavit**

- Signed Posted Notice Affidavit**

- Copy of a legible Approved and Recorded Plat showing current property boundaries.**

- Site Plan (Digital PDF copy preferred OR one hard copy [8 ½ x 11 or 11 x 17])**
 - Drawn to Engineer's Scale: (1"=10', 20', 30', 40', 50', or 60')
 - Includes the following information:
 - Property Dimensions (may be found on a recorded plat, which can be obtained from the ROD Office)
 - Dimensions and locations of all existing and proposed structures and improvements.
 - Setbacks, Driveways, Parking Areas, Access Routes, Utilities, etc.
 - All Grand Trees (Live Oaks 24" DBH or greater) present on the parcel, **with applicable protection barricades.**
 - Wetlands/OCRM Critical Line delineated, approved, stamped, and signed every (5) years by Coastal Council, if applicable
 - Jurisdictional Determination from the US Army Corp of Engineers, if applicable.

- BZA Zoning Variance Application Fee (\$250)**
 - Grand Tree Variances are \$250 for one tree, add \$50 for each additional tree.

NOTE: Payments in-person can be made with cash. Check payments, made out to "Town of Meggett" can be made in-person or mailed to Town Hall. Credit/Debit Cards are accepted with a processing fee added and are accepted via online payment or in-person.

ELECTRONIC SUBMISSION PREFERRED- PLEASE EMAIL REQUIRED DOCUMENTS TO: aravenel@townofmeggettsc.org



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ZONING VARIANCE REQUEST APPLICATION

This application must be completed and submitted to the Zoning & Planning Department in order to apply for a Zoning Variance.
 Please read the entire form prior to completing the application.

PROPERTY INFORMATION			
Subject Property Address:			
Tax Map Number(s):			
Current Use of Property:			
Proposed Use of Property:			
ZONING VARIANCE DESCRIPTION			
APPLICANT INFORMATION			
Applicant Name:			
Name of Company (if applicable):			
Mailing Address:			
Email:		Phone:	
Applicant Signature:		Date:	
REPRESENTATIVE INFORMATION (Complete only if applicable. Attorney, Builder, Engineer, Surveyor etc.)			
Name and Name of Company:			
Mailing Address:			
Email:		Phone:	
DESIGNATION OF AGENT (Complete only if the Applicant listed above is not the Property Owner.)			
<i>I hereby appoint the person named as Applicant and/or Representative as my (our) agent to represent me (us) in this application.</i>			
Property Owner(s) Name(s):			
Name of Company (if applicable):			
Mailing Address:			
Email:		Phone:	
Property Owner(s) Signature:		Date:	
OFFICE USE ONLY			
Zoning District:	Flood Zone:	Date Filed:	Fees Paid:
Application #:		TMS#:	Staff Initials:



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ZONING VARIANCE APPROVAL CRITERIA

Please answer the questions below. You may attach a separate sheet if necessary. Additionally, you may provide any supporting materials that are applicable to your request (photographs, letter of support, etc.)

Are there extraordinary and/or exceptional conditions pertaining to the subject property? Explain:

--

Do these conditions generally apply to other properties in the vicinity or are they unique to the subject property?

--

Because of these extraordinary and exceptional conditions, would the application of this Ordinance to the subject property effectively prohibit or unreasonably restrict the utilization of the property? Explain:

--

Will the authorization of a variance be a substantial detriment to adjacent property or to the public good? Will the character of the zoning district be harmed if this variance is granted? Explain:

--

In granting a variance, the Board of Zoning Appeals may attach to it such conditions regarding the location, character, or other features of the proposed building or structure as the Board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare.



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ZONING VARIANCE

RESTRICTIVE COVENANTS AFFIDAVIT

*MUST BE SIGNED BY THE APPLICANT OR CURRENT PROPERTY OWNER(S)

Please read the below affirmation carefully, sign if you agree, and return to Zoning & Planning Staff for review. Restrictive Covenants are filed with the Register of Deeds Office and copies, should they exist in association with your parcel, may be obtained from their Office.

I have researched the Restrictive Covenants applicable to the parcel identified below and have found that either there are no restrictive covenants applicable to the subject property/properties or that the proposed permit application is not contrary to, does not conflict with, and is not prohibited by any of the Restrictive Covenants, as specified in SC Code Ann. §6-29-1145.

TMS#(s)/PID#(s): _____

Address: _____

 Signature Printed Name Date

EXPLANATION:

Effective July 1, 2007, South Carolina Code of Laws §6-29-1145 requires local governments to inquire in the permit application, or in written instructions provided to the applicant, if a tract or parcel of land is restricted by a recorded covenant that is contrary to, conflicts with, or prohibits an activity for which a permit is being sought. A copy of this statute is available below for your convenience.

SECTION 6-29-1145. Determining existence of restrictive covenant; effect.

(A) In an application for a permit, the local planning agency must inquire in the application or by written instructions to an applicant whether the tract or parcel of land is restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the permitted activity.

(B) If a local planning agency has actual notice of a restrictive covenant on a tract or parcel of land that is contrary to, conflicts with, or prohibits the permitted activity:

1. in the application for the permit;
2. from materials or information submitted by the person or persons requesting the permit; or
3. from any other source including, but not limited to, other property holders, the local planning agency must not issue the permit unless the local planning agency receives confirmation from the applicant that the restrictive covenant has been released for the tract or parcel of land by action of the appropriate authority or property holders or by court order.

(C) As used in this section:

1. "actual notice" is not constructive notice of documents filed in local offices concerning the property, and does not require the local planning agency to conduct searches in any records offices for filed restrictive covenants;
2. "permit" does not mean an authorization to build or place a structure on a tract or parcel of land; and
3. "restrictive covenant" does not mean a restriction concerning a type of structure that may be built or placed on a tract or parcel of land.

HISTORY: 2007 Act No. 45, Section 3, eff June 4, 2007, applicable to applications for permits filed on and after July 1, 2007; 2007 Act No. 113, Section 2, eff June 27, 2007.

FOR STAFF USE ONLY:

Received By: _____ Date: _____ Application #: _____



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ZONING VARIANCE

POSTED NOTICE AFFIDAVIT

*MUST BE SIGNED BY ALL OWNER(S) OF THE SUBJECT PARCEL(S)

Please read the below affirmation carefully, sign if you agree, and return to Zoning & Planning Staff for review.

I have reviewed §10.26(2)(B), Posted Notice, on the bottom of this affidavit and understand that a sign(s) will be posted on the parcel(s) identified below at least fifteen (15) calendar days prior to the public hearing date for which my request is scheduled.

I also understand that once the notice has been posted, the owner(s) of the subject property are responsible for notifying the Zoning/Planning Department in writing if the Posted Notice is removed or damaged prior to the public hearing, meeting or date or action that is subject of the notice. Failure to notify the Zoning/Planning Department in writing of removed or damaged Posted Notice may result in rescheduling of the public hearing and a delay in decision from the decision- making body.

TMS#(s)/PID#(s): _____

Address: _____

Signature	Printed Name	Date
Signature	Printed Name	Date
Signature	Printed Name	Date
Signature	Printed Name	Date

TOWN OF MEGGETT ZONING & LAND DEVELOPMENT REGULATIONS ORDINANCE (ZLDR)

§10.26(2)(B): Posted Notices

When the provisions of this Ordinance state that "Posted Notice" should be provided, the official responsible for accepting the application shall post the notice on the subject property in a manner that makes the notice clearly visible to neighboring residents and passers-by from each public street bordering the subject property. Unless otherwise expressly provided in state statutes or this Ordinance, Posted Notice shall be in place at least 15 calendar days before the public hearing, meeting, or date of action that is the subject of the notice. Once the notice has been posted, the owner(s) of the subject property are responsible for notifying the Planning Department if the Posted Notice is removed or damaged prior to the public hearing, meeting or date of action that is the subject of the notice.

FOR STAFF USE ONLY:

Received By: _____ Date: _____ Application #: _____