



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

BOARD OF ZONING APPEALS

WHAT TO EXPECT

AFTER SUBMITTING YOUR APPLICATION

After you submit a Board of Zoning Appeals (BZA) application (Variance, Special Exception, or Appeal) in person or digitally, Zoning & Planning Staff will contact you via email and/or phone within 5 business days. If Staff deems the application complete (and all application fees have been satisfied), the request will be scheduled for the next available BZA Public Hearing. Please note that Staff will return the application to the applicant within 15 business days if the application is incomplete or inaccurate.

At least 15 days prior to the scheduled meeting, Staff will:

- Visit the property to take pictures and to post the Zoning Notice sign(s) on your property. The Zoning Notice sign(s) must stay on the property until the Staff picks up the sign(s) after the BZA Public Hearing.
- Mail an official public hearing notification letter to the mailing address you provided on the application, as well as to all property owners within 300-ft of the subject parcel; email notifications will be sent to the Town's Interested Parties list. Public notice will also run in the Post & Courier.

A week before the BZA Public Hearing, Staff will send a meeting reminder to you via email that contains the web link to all of the materials the board received, including the Staff Report. The Monday before the BZA Public Hearing, Staff will notify you via email if any public comments were received in support or in opposition to your case. If you do not receive an email, that means Staff did not receive any public comments for your case.

AT THE MEETING

It is imperative that the applicant, property owner, or the applicant's representative, attends the BZA Public Hearing in person to present their case, and to answer any questions that the Board may have. Please note that when an applicant does not notify Staff in advance and does not appear before the Board, the Board will table the case for 30 to 90 days. This is very inconvenient for the Board, Staff, and community members that may be in attendance regarding the case, and it may require additional fees to reschedule a public hearing for your application. If you have an emergency the day of the hearing, and cannot attend or will be late, please notify Ali Ravenel via email at aravenel@townofmeggettsc.org. Do not call and leave a voice mail on the main Town Hall line on the day of the meeting. Staff may not have access to our desk phones and therefore may not receive your message until the next day.

The BZA is a quasi-judicial body which means they make the final decision on each case. The BZA's decisions may be appealed to Circuit Court. In each case, the BZA is authorized to approve, to approve with conditions, or to deny a request. The BZA is authorized to defer action if additional information is deemed necessary. Swearing of witnesses by the BZA Secretary may be done individually or as a group. All persons addressing the BZA to give testimony or evidence must be sworn in. All persons addressing the BZA to give testimony or evidence shall state their full name and current address.

The normal order of hearing (for Special Exceptions & Variances), subject to modification by the Chair, shall be:

- I. Introduction & statement of matter(s) to be heard;
- II. Presentation by Staff;
- III. Questions to Staff by BZA;
- IV. Presentation by Applicant;
- V. Questions to Applicant by BZA;
- VI. Presentation of Support or Opposition to Request(s);
- VII. Applicant's Response to Opposition;
- VIII. BZA Deliberation & Decision.

AFTER THE MEETING

The Zoning Notice signs are reusable. Staff will pick up the sign(s) from your property a day or two after the BZA Public Hearing, or by the end of the week at the latest. Please do NOT remove or move the sign(s).

The BZA's Final Decision and Order for each application will be mailed via USPS Certified Mail (required by state law) within 10 business days after the BZA Public Hearing. Please make sure you pick up the Certified Mail. Any person with a substantial interest may appeal the BZA's decision to the Circuit Court of Charleston County within 30 calendar days after the decision of the BZA is mailed. Notice of the BZA's decision will be published in the same manner as the original meeting notice (neighbor notice, interested parties, Post & Courier).

If the BZA approves your application, please contact Town Staff upon receiving the formal decision notice in order to proceed with the next step of the process.

ADDITIONAL INFORMATION TO NOTE

- Contacting Members of the BZA prior to the Public Hearing is **STRICTLY PROHIBITED**. BZA Members who are contacted by an applicant prior to their hearing must recuse themselves so as to avoid any conflict of interest.
- Applications will not be considered complete until **all** Approval Criteria for the request are answered.
- Separate applications and fees shall be filed for more than one Variance request to each requirement of the Ordinance. If an Applicant requests a Variance for removal of more than one Grand Tree, each additional Grand Tree shall require an additional fee of \$50.
- Site Plans accompanying a submitted application must include the following information, as applicable:
 - Drawn to Engineer's Scale (1"=10', 20', 30', 40', 50', or 60')
 - Property Dimensions (may be found on a recorded plat);
 - Dimensions and locations of all existing structures or improvements;
 - Setbacks, Driveways, Access Routes, Parking Areas, etc.
 - All bodies of water/wetlands, including water retention and detention areas.¹
 - All Grand Trees (Live Oaks 24" DBH or greater) present on the parcel.²

¹ Properties containing DHEC-OCRM Critical Line areas must contain an up-to-date DHEC-OCRM signature on the site plan or plat. Freshwater Wetlands may require a Jurisdictional Determination by the US Army Corp of Engineers.

²A Tree Survey prepared by a SC licensed registered surveyor, civil engineer, or landscape architect is required. The Tree Survey must identify all Grand Trees within the boundaries of the entire parcel proposed for development, except for areas denoted specifically as non-disturbance areas.