



# Town of Meggett Board of Zoning Appeals

## Special Exception Application Checklist

- Special Exception Application
  - Letter of Intent
  - Response to Approval Criteria
  - Site Plan
  - Recorded Plat
  - Fee (\$250)
  
- Restrictive Covenants Affidavit
- Posted Notice Affidavit

# Application for Special Exception

## Town of Meggett Board of Zoning Appeals

4776 Highway 165  
Meggett, SC 29449  
Phone: 843-889-3622  
Fax: 843-889-6873  
[www.townofmeggettsc.org](http://www.townofmeggettsc.org)



This application must be completed and submitted in person to the Zoning & Planning Department in order to apply for a Special Exception. Please read the entire form prior to completing the application. The applicant shall receive a copy of this completed form at the time the application is filed. **This application will be returned to the applicant within fifteen (15) working days if these items are not submitted with the application or if any are found to be inaccurate:**

- 1) Completed Special Exception application signed by the current property owner(s). If the applicant is not the owner of the property, the **Current Property Owner(s)** must sign and print the **Designation of Agent** found below.
- 2) **Restrictive Covenants & Posted Notice Affidavits** signed by the applicant or current property owner(s).
- 3) Applicant's **Letter of Intent** explaining the proposed use and how it meets the Approval Criteria of §10.10.5.
- 4) An accurate, legible **Site Plan drawn to Engineers Scale** must be attached. The site plan must show property dimensions, dimensions and locations of all existing and proposed structures and improvements, parking areas, Grand trees (24" DBH or greater), wetlands (properties containing DHEC-OCRM Critical Line areas must contain an up to date DHEC-OCRM signature on the site plan or plat), holding basins and buffers when applicable. **One (1) 24 x 36 copy & one (1) 11 x 17 copy.**
- 5) Copy of a legible **Approved and Recorded Plat** showing present boundaries of property.
- 6) Check made out to "Town of Meggett" or cash. \$250 fee.

Applicant Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_ Daytime Phone: \_\_\_\_\_

Subject Property Address: \_\_\_\_\_

Present Use of Property: \_\_\_\_\_

Special Exception Description: \_\_\_\_\_

Applicant Signature \_\_\_\_\_

Date \_\_\_\_\_

Applicant Email Address: \_\_\_\_\_

### Designation of Agent

*(Complete only if owner is not applicant): I hereby appoint the person named as Applicant above as my (our) agent to represent me (us) in this application.*

Owner Name: \_\_\_\_\_

Owner Mailing Address: \_\_\_\_\_

Owner Signature \_\_\_\_\_

Date \_\_\_\_\_

Owner Email Address: \_\_\_\_\_

### FOR OFFICE USE ONLY

Application #: \_\_\_\_\_

Flood Zone: \_\_\_\_\_

Zoning District: \_\_\_\_\_

TMS #: \_\_\_\_\_

Zoning Officer: \_\_\_\_\_

Date Filed: \_\_\_\_\_

Method of Payment:      Square      Cash      Check # \_\_\_\_\_



4. Where applicable, will be developed in a way that will preserve and incorporate any important natural features;

5. Complies with all applicable rules, regulations, laws and standards of this Ordinance, including but not limited to any use conditions, zoning district standards, or Site Plan Review requirements of this Ordinance; and

6. Vehicular traffic and pedestrian movement on adjacent roads shall not be hindered or endangered.

**FOR OFFICE USE ONLY**

Received By: \_\_\_\_\_

Date: \_\_\_\_\_

Application #: \_\_\_\_\_

**Posted Notice Affidavit**

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*This Affidavit must be filled out and signed by all owner(s) of the subject parcel(s).*

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 Parcel Identification Number(s):

located at (address): \_\_\_\_\_

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.

\_\_\_\_\_  
Owner(s) Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Owner(s) Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Owner(s) Signature

\_\_\_\_\_  
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 OFFICE USE ONLY**

Received By: \_\_\_\_\_

Date: \_\_\_\_\_

Application #: \_\_\_\_\_

# Restrictive Covenants Affidavit

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*This Affidavit must be filled out and signed by the applicant/owner.*

I, \_\_\_\_\_, have researched the restrictive covenants applicable to Parcel Identification Number/s (PID #) \_\_\_\_\_ located at (address) \_\_\_\_\_, and have found that either there are no restrictive covenants applicable to the subject property/properties or that the proposed application is not contrary to, does not conflict with, and is not prohibited by any of the restrictive covenants, as specified in *South Carolina Code of Laws, §6.29.1145*.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
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.*

### **South Carolina Code of Laws §6.29.1145**

- (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."

### **FOR OFFICE USE ONLY**

Received By: \_\_\_\_\_

Date: \_\_\_\_\_

Application #: \_\_\_\_\_