

Florence County Planning Department
518 S. Irby Street, Florence, S.C. 29501
Office (843)676-8600 Toll-free (866)258-9232
Fax (843)676-8667 Toll-free (866)259-2068
Florence County Board of Zoning Appeals
Notice of Appeal – Form 1

Date Filed: _____ Permit Application No. _____ Appeal No. _____

Instructions

This form must be completed on a hearing on appeal from action of a zoning official, application for a variance, or application for special exception. Entries must be printed or typewritten. If the application is on behalf of the property owner(s), all owners must sign. If the applicant is not owner, the owner(s) must sign the Designation of Agent.

An accurate, legible plot plan showing property dimensions and locations of all structures and improvements must be attached to an application for variance or special exception. A \$100.00 fee must accompany this application.

THE APPLICANT HEREBY APPEALS (indicate one):

- ☐ from action of a zoning official as stated on attached Form 2
- ☐ for a variance as stated on attached Form 3

APPLICANT(S) print):

Name: _____
Address: _____
Telephone: _____ (work) _____ (home)
Interest: _____ Property Owner(s): _____ Agent for Property Owner

OWNER(S) (if other than applicant(s): _____

Address: _____
Telephone: _____ (work) _____ (home)

(Use reverse side if more space is needed.)

PROPERTY ADDRESS: _____

Lot _____ Block _____ Subdivision _____
Tax Map No. _____ Lot Dimensions: _____
Area: _____ Zoning District: _____

DESIGNATION OF AGENT (complete only if owner is not applicant):

I (we) hereby appoint the person named as Applicant as my (our) agent to represent me (us) in this application.

Date: _____
Owner signature(s) _____

I (we) certify that the information in this application and the attached Form 2 or 3 is correct.

Date: _____
Applicant signature(s) _____

Appeal from Action of Zoning Official - Form 2
Florence County Board of Zoning Appeals

Date Filed: _____ Permit Application No. _____ Appeal No. _____

1. Applicant hereby appeals to the Board of Zoning Appeals from the action of the Zoning Official affecting the property described in the Notice of Appeal (Form 1) on the grounds that:

☐ granting ☐ denial of an application for a permit to _____

was erroneous and contrary to provisions of the Zoning Ordinance in Section _____;
or other action or decision of the Zoning Official was erroneous as follows:

2. Applicant is aggrieved by the action or decision in that:

3. Applicant contends that the correct interpretation of the Zoning Ordinance as applied to the property is:

4. Applicant requests the following relief:

Date: _____

Applicant Signature

Variance Application – Form 3
Florence County Board of Zoning Appeals

Date Filed: _____ Permit Application No. _____ Appeal No. _____

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:

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:

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:

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

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:

- 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:

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

[A plot plan must be submitted.]

Date

Applicant signature

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

District	Minimum Lot Area (a)		Lot Width (ft)	Front Yard Setback (b)	Side Yard Setback	Rear Yard Setback		Max Hgt. (ft) (c)	Max Impervious Surface Ratio (%)		Max. Floor Area Ratio: Non-Res. Uses (d)
	Residential	Non-Residential				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
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
RU-1	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

Notes to Table III

a - Lot area is expressed in square feet.

b - Measurement from front property line.

c - Measurement from average elevation of finished grade of the front of the structure.

d - Total floor measured as a percent of total lot area.

e - There is no maximum: provided side and rear setbacks shall increase by one foot for each two feet in height over 35 feet for buildings outside of the B-4 district; further provided that approval of buildings over 35 feet shall be based on fire ladder capabilities as determined by the fire department with jurisdiction.

The following side and rear yard setbacks shall be observed in the commercial zoning districts when non-residential development is proposed adjacent to a residential zoning district.

f - 20 feet

g - 20 feet

h - 30 feet

i - 100 feet

j - The minimum front yard setback shall be 20' if parking is established either in the side or rear of the property.

N/A - Not Applicable

FLORENCE COUNTY BOARD OF ZONING APPEALS
2011 CALENDAR YEAR
MEETING SCHEDULE
1ST TUESDAYS - 6:30 PM
CITY-COUNTY COMPLEX
180 N. IRBY STREET
FLORENCE, S.C. 29501
ROOM 803 - COUNTY COUNCIL CHAMBERS

MONTH	MEETING DATES	DEADLINE FOR ALL ITEMS REQUESTING APPEARANCE ON A RESPECTIVE AGENDA
JANUARY 2011	JANUARY 4, 2011	DECEMBER 7, 2010
FEBRUARY 2011	FEBRUARY 1, 2011	JANUARY 4, 2011
MARCH 2011	MARCH 1, 2011	FEBRUARY 1, 2011
APRIL 2011	APRIL 5, 2011	MARCH 8, 2011
MAY 2011	MAY 3, 2011	APRIL 5, 2011
JUNE 2011	JUNE 7, 2011	MAY 10, 2011
JULY 2011	*JULY 5, 2011	JUNE 7, 2011
AUGUST 2011	AUGUST 2, 2011	JULY 5, 2011
SEPTEMBER 2011	*SEPTEMBER 6, 2011	AUGUST 9, 2011
OCTOBER 2011	OCTOBER 4, 2011	SEPTEMBER 6, 2011
NOVEMBER 2011	NOVEMBER 1, 2011	OCTOBER 4, 2011
DECEMBER 2011	DECEMBER 6, 2011	NOVEMBER 8, 2011

*July 5, 2011 - Tuesday after Independence Day

*September 6, 2011 - Tuesday after Labor Day

FLORENCE COUNTY BOARD OF ZONING APPEALS MEETING PROCEDURES

To the applicant:

This information is being provided as a guide for the procedures of public hearings appearing on the agendas of the Board of Zoning Appeals meetings. It should also assist you in preparation of your presentation for your request.

Conduct of hearing:

The normal order of hearing, subject to modification by the Chairman, shall be:

- ⇒ Statement of matter to be heard (Chairman or Secretary)
- ⇒ Staff report
- ⇒ Questions, if any, for staff members
- ⇒ Presentation by applicant (10-minute limit)

At this time the applicant, his agent or attorney may submit letters, petitions, pictures, etc.

During your presentation, it will be necessary for you to address the following items, as the application for a variance shall be evaluated by the Board of Zoning Appeals on the basis of the following four conditions:

- 1) That there are extraordinary and exceptional conditions pertaining to the particular piece of property;
- 2) That these conditions do not generally apply to the other property in the vicinity;
- 3) That 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
- 4) That 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.

The board may not grant a variance the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a nonconforming use of land, or to change the zoning district boundaries shown on the official zoning map. The fact that property may be utilized more profitably, should a variance be granted, may not be considered grounds for a variance.

In granting a variance, the board may attach to it such conditions regarding the location, character, or other features of the proposed building, structure, or use 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.

- ⇒ Questions from members for applicant;
- ⇒ Chairman then calls for other comments in favor of the request;
- ⇒ If no further comments in favor, then there is a presentation by opponents (3-minute presentation);
- ⇒ Should there be a number of persons in opposition, then a spokesperson should be designated;
- ⇒ Other public comment, if any, and Chairman may limit number of spokespersons and time;
- ⇒ The board may question participants at any point in the hearing;
- ⇒ The board may seek interpretation of a matter or question staff members at any point in the hearing;
- ⇒ Matters in which additional time is granted may be moved to another area of the agenda;
- ⇒ If there is no further discussion, the Chairman declares the public hearing item closed and calls for a motion on the request;
- ⇒ The declaration of closure to the agenda item stays any further discussion unless questions are asked by members of the board;
- ⇒ The board may deliberate and make a final disposition of a matter by majority vote of members present at the hearing and qualified to vote; provided that not less than a quorum are qualified to vote nor may vote if he has not heard the matter;
- ⇒ A motion is placed on the floor, a second is made and the Chairman calls for a vote;
- ⇒ A motion carries either in approval or disapproval by majority vote;
- ⇒ If a member abstains from voting, they must state their reason and any individual not voting and not abstaining will be counted as an affirmative vote;
- ⇒ A motion may also fail by a tie vote or a motion made and not seconded;
- ⇒ The board may also defer a request should the report necessitate.

NOTE:

Please be advised that it is very important that special attention be given to the area of presentation by the applicant.

Your presentation may assist in an area of your request wherein you find that additional information might be needed. The presentation may also serve to provide answers to and clarification of any other questions the board may have.