

Planning & Zoning Department

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**ZONING BOARD OF APPEALS
SUBMITTAL REQUIREMENTS**

SPECIAL EXCEPTION

All applications will be reviewed by an authorized Planning and Zoning staff member prior to acceptance to verify that the application is complete and all required documents are provided. **Incomplete applications will not be accepted.**

FEES

A \$200 fee is required for each variance, appeal or special exception application; payable by cash or check upon submittal of the application. Please refer to the attached meeting schedule for submittal times and meeting dates.

HEARING PROCEDURES

1. The Zoning Administrator will summarize the request being brought before the Board and give a staff analysis of the request.
2. The applicant or their attorney will present their case to the Board and answer any questions the Board might have.
3. Any members of the public will be allowed to speak for the request, provided repetition is discouraged. Questions may be asked by the Board members.
4. Any party with a valid interest in opposing the request shall be allowed to present their case to the Board and shall answer any questions the Board might have.
5. Any members of the public will be allowed to speak against the request, provided repetition is discouraged. Questions may be asked by the Board members.
6. The Board may then deliberate and make motions, asking staff questions as needed.
7. Upon request by any interested party or his or her attorney, or at such other time as the Chairman in his or her discretion may allow, cross-examination of any witness may be conducted regarding evidence which is relevant to the issues before the Board.

Each agent or attorney presenting evidence will identify himself/herself and the parties they represent upon addressing the Board. Each member of the public who is recognized by the Chairman for comments will identify themselves prior to making comment. Any witness testifying before the Board who is not an attorney representing a client before the Board shall first be placed under oath.

NOTIFICATION OF DECISION

The Board's decision will be transmitted to the appellant and the Zoning Administrator.

ZONING BOARD OF APPEALS APPLICATION

Date Filed _____ Request # _____ Energov # _____

1. Complete the application in its entirety (incomplete applications **will not** be processed);
2. If a setback or dimensional variance is requested, an accurate, legible plot plan prepared by a registered architect, engineer, or surveyor, showing property dimensions and locations of all existing and proposed structures **must be** provided;
3. The property owner(s) as listed on the current tax records at the time of submittal must sign this application. In addition, if the property is located within a subdivision with a legal and active Home Owners Association (HOA), approval of the HOA **must** be provided with the application.

APPLICANT: _____

PROPERTY ADDRESS: _____

PIN: _____ TMS# _____

Acreage: _____ Zoning District: _____

Subdivision: _____ Project: _____

PROPERTY OWNER(S) NAME (S) _____

Address: _____

Telephone: (H) _____ (W) _____ (E-MAIL) _____

X _____

X _____

PROPERTY OWNER(S) SIGNATURE (If LLC or Corp Please Provide Authorization) _____ DATE _____

DESIGNATION OF AGENT (If the Property Owner Wishes To Appoint an Agent to Represent Him or Herself)

Agents Name: _____

Address: _____

Telephone: (H) _____ (W) _____ (E-MAIL) _____

I hereby appoint the person(s) listed above as agent to act on my behalf for the purpose of filing such application for a variance as he/she shall deem necessary and proper.

X _____

PROPERTY OWNER(S) SIGNATURE _____ DATE _____

PLANNING AND ZONING DEPARTMENT USE ONLY

Have Survey:	Y	N	Property Owner (s) Have Signed:	Y	N
Have Business License (If Applicable)	Y	N	Have HOA Approval (If Applicable)	Y	N
County Council District _____					

Signature of Zoning Administrator/Asst. Z.A./Deputy Planning Director _____

Date _____

SPECIAL EXCEPTION REQUEST

Owing to their potential negative impact on the community, the following uses may be approved as a special exception by the Board of Zoning Appeals.

Applicant hereby appeals for a special exception from the requirements of the following provisions of the Zoning Ordinance: Article(s): _____ Section(s): _____

Please check the one that applies to your request: *(see attachments for conditions on each use)*

- _____ On-Premises Consumption of Alcohol
- _____ Bed & Breakfast Establishment
- _____ Outpatient Treatment Facility
- _____ Casino Boat
- _____ Community Storage Lots for Recreation Equipment and Boats

Name of Business: _____

Type of Business: _____

Hours of Operation: _____ (AM/PM) until _____ (AM/PM)

Days of the Week: _____

●If this is a Restaurant/Bar please include a copy of your menu and a floor plan.

The Board of Zoning Appeals shall consider the following criteria for special exceptions:

1. Traffic impact
2. Vehicle and pedestrian safety
3. Potential impact of noise, lights, fumes, or obstruction of air flow on adjoining property
4. Adverse impact of the proposed use on the aesthetic character of the environs, to include the possible need for screening from view
5. Orientation or spacing of improvements or buildings.

To the best of your ability explain how the aforementioned apply to your request (may include attachments):

Special exception approvals are subject to conditional requirements as stated in the applicable section of the Zoning Ordinance. In granting a special exception, the Board of Zoning Appeals may impose such reasonable and additional stipulations, conditions or safeguards as, in its judgment, will enhance the siting of the proposed special exception.

Applicant/Agent hereby certifies that the information provided in this application is correct and there are no covenants or deed restrictions in place that would prohibit this request.

Applicant/Agent's Signature
(If in LLC or Corp. name please provide authorization to sign)

Date

On-site Consumption of Alcohol

Article V Section 534

If you are applying for a special exception to serve alcohol for on-site consumption within **500 feet** of a residential zoning district use, the standard conditions are as follows:

- 1) No outdoor entertainment or amplified outdoor speakers;
- 2) No hosting of vendors during spring and fall bike rallies;
- 3) No burnout pits;
- 4) No outdoor displays or tents on the property;
- 5) No temporary banners or signs on the property;
- 6) No spotlight advertising;
- 7) No adult entertainment or temporary adult entertainment permits;
- 8) Hours of operation;
- 9) Any changes in business ownership, character, or hours, shall result in the suspension of this approval and a rehearing of the ZBA shall be required.
- 10) Applicant will comply with all State and Local laws;
- 11) All future buildings and building additions must conform to Horry County regulations;
- 12) No outdoor dining;
- 13) No sweepstakes and/or internet gaming permitted at any time.

Outpatient Treatment Facilities for Alcoholism and Drug addiction

Article VII Section 716.3 (HC) and Section 713.3 (OPI)

Outpatient treatment facilities for alcoholism and drug addition, subject to the following conditions:

- 1) That the special exception shall not be located **closer than two thousand (2000) feet** (measured from property line) from any house of worship, day care center, public or private elementary or secondary education school, public park, public library, or the following residential zoning districts: SF-40, SF-20, SF-10 and SF-6, as well as their corresponding MSF classifications; GR, RR, RC and MHP, except in unusual circumstances where mitigating conditions can be imposed to minimize adverse effects to residential uses;
- 2) That the special exception will be in substantial harmony with the area in which it is to be located;
- 3) That the special exception will not be injurious to adjoining property;
- 4) That the special exception will contribute to the economic vitality and promote the general welfare of the community;
- 5) That the special exception will not discourage or negate the use of surrounding property for use(s) permitted by right;
- 6) In granting the special exception, the Zoning Board of Appeals may impose such reasonable and additional stipulations, conditions, or safeguards as, in its judgment, will enhance the siting of the proposed special exception.

Bed & Breakfast (B & B) Establishments

B & B's are subject to the following conditions:

1. That the special exception complies with all applicable development standards.
2. That the special exception will be in substantial harmony with the area in which it is to be located.
3. That the special exception will not be injurious to adjoining property.
4. That the special exception will contribute to the economic vitality and promote the general welfare of the community.
5. That the special exception will not discourage or negate the use of surrounding property for use(s) permitted by right.

6. In granting the special exception, the board of zoning appeals may impose such reasonable and additional stipulations, conditions, or safeguards as, in its judgment, will enhance the siting of the proposed special exception.

Casino Cruise Boats

Owing to their negative impact on the community due to potential parking congestion, and due to potential disruption to residential communities arising from movement of vehicles and people at unusual and unsociable hours, the following use may be approved, but only as a special exception by the Board of Zoning Appeals:

Casino Cruise Boats, to include all cruise vessels offering cruises of less than 24 hours in duration with gambling or gaming, docking at facilities within Horry County to load and unload passengers, subject to the following conditions:

1. That the special exception shall not be located **closer than 2,000 feet** (measured from property line) from an existing residential use, exception in unusual circumstances where mitigating conditions can be imposed to minimize adverse effects to residential uses.

Community Storage Lots for Recreation Equipment and Boats

Article IX Section 906

May be parked or stored on **open space amenity lots**, subject to the following:

- (a) Parking or storage of recreational vehicles or boats shall be limited to vehicles or boats owned by the occupants of the development.
- (b) Maintenance of recreational equipment or boats shall not be permitted with the exception of cleaning or replacement of tires, batteries, spark plugs or other minor repairs which do not involve the exchange of engine parts or paint or body work.
- (c) At no time while parked or stored shall sewer or electrical service connections be attached to a recreational vehicle or boat, except that electrical service connections may be attached for a maximum of forty-eight (48) hours prior to and in preparation for departure from the property.
- (d) All boats, except canoes and boats less than twelve (12) feet in length, must be on a boat trailer.
- (e) Storage areas must have a dust free parking surface.
- (f) Storage areas must be accessible from internal to the subdivision.
- (g) Storage areas must be fenced by a minimum 6ft privacy fence.
- (h) Storage areas fenced compound must be separated from adjacent residential uses and external roadways by a minimum of 30ft landscape buffer. Storage areas fenced compound must be separated from internal roadways by a minimum of 20ft landscape buffer. Said landscape buffer needs to meet at a minimum the supplemental buffer requirements in Article V Section 527 Landscape, Buffer and Tree Preservation of this Ordinance.
- (i) In order for an Open Space Area to qualify for use as storage it must either be labeled as "Recreational Equipment and Boat Storage" on the original recorded plat for that phase of the subdivision or the homeowners association must apply for and receive a special exception by the Zoning Board of Appeals.

**HORRY COUNTY
ZONING BOARD OF APPEALS**



2021 MEETING SCHEDULE

<u>APPLICATION DEADLINE</u>	<u>MEETING DATE</u>
DECEMBER 3, 2020.....	JANUARY 11, 2021
DECEMBER 31, 2021.....	FEBRUARY 8, 2021
JANUARY 28, 2021.....	MARCH 8, 2021
MARCH 4, 2021.....	APRIL 12, 2021
APRIL 1, 2021.....	MAY 10, 2021
MAY 6, 2021.....	JUNE 14, 2021
JUNE 3, 2021.....	JULY 12, 2021
JULY 1, 2021.....	AUGUST 9, 2021
AUGUST 5, 2021.....	SEPTEMBER 13, 2021
SEPTEMBER 2, 2021.....	OCTOBER 11, 2021
SEPTEMBER 30, 2021.....	NOVEMBER 8, 2021
NOVEMBER 4, 2021.....	DECEMBER 13, 2021
DECEMBER 2, 2021.....	JANUARY 10, 2022

Meetings are held at 5:30 p.m. at the Horry County Government Center, Conference Room B, located at 1. Second Avenue in Conway, South Carolina