TO: All Board of Zoning Appeals Applicants

Attached is the BZA application, along with additional information concerning The Board and hardship criteria.

Please note that all requested information on the form specific to your request must be completed in full. Incomplete applications may not be considered by The Board.

Form 1 – Complete for all requests. If the owner does not sign as the applicant; the owner must sign under Designation of Agent.
Form 2 – if requesting an Appeal from Action of the Zoning Administrator
Form 3 – if requesting Variance
Form 4 – if requesting Special Exception

A fee of $250.00 is required at the time of submission.

The submission and meeting dates are listed below:

2nd Thursday of Month
6:00 p.m. Board of Zoning Appeals

<table>
<thead>
<tr>
<th>Submittal Date</th>
<th>Meeting Date</th>
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<tbody>
<tr>
<td>December 14, 2018</td>
<td>January 10, 2019</td>
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<td>January 4, 2019</td>
<td>February 7, 2019</td>
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<td>February 15, 2019</td>
<td>March 14, 2019</td>
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<td>March 15, 2019</td>
<td>April 11, 2019</td>
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<td>August 9, 2019</td>
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<td>October 11, 2019</td>
<td>November 14, 2019</td>
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<td>November 15, 2019</td>
<td>December 12, 2019</td>
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Please do not submit requests for a meeting date that you will be unavailable unless you have a representative attend for you. Any requests for deferment would need to be made before The Board on the scheduled meeting date.
Notice of Appeal - Form 1
Board of Zoning Appeals

Date Filed: ____________  Permit Application No. ___________  Appeal No. ____________

Instructions
This form must be completed for 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 an owner, the owner(s) must sign the Designation of Agent. An accurate, legible plot plan showing property dimensions and locations of structures and improvements must be attached to an application for variance or special exception.

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.
☐ for a special exception as stated on attached Form 4.

APPLICANT(S) [print]__________________________________________
Address: ______________________________________________________
Telephone: __________________________ [work] ______________________ [home]
Interest: ___________ Owner(s): ___________________ Adjacent Owner(s); Other: ______________________

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. ________________  Plat Book _________  Page ______
Lot Dimensions: __________________________  Area: ____________
Zoning District: __________________________  Zoning Map Page: ______

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, 3 or 4 is correct.

Date: __________________________  __________________________
Applicant signature(s)
Appeal from Action of Zoning Official - Form 2
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
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
Special Exception Application - Form 4
Board of Zoning Appeals

Date Filed: ___________ Permit Application No. ___________ Appeal No. _________

1. Applicant hereby appeals to the board of zoning appeals for a special exception for use of the property described in the Notice of Appeals [Form 1] as: ________________

which is a permitted special exception under the district regulation in Section ________ of the zoning ordinance.

2. Applicant will meet the standards in Section______________ of the zoning ordinance which are applicable to the proposed special exception in the following manner:

3. Applicant suggests that the following conditions be imposed to meet the standards in the zoning ordinance: ________________________________

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

[A plot plan must be submitted.]

Date: ________________ ____________________

Applicant signature
Order on Appeal From Action of Zoning Official - Form 5  
Board of Zoning Appeals

Date Filed: ______________ Permit Application No. ____________ Appeal No. ____________

The board of zoning appeals held a public hearing on ____________ to consider the appeal of _______________ from the action of the zoning official alleged to be erroneous as set forth on the Form 2 affecting the property described on Form 1 filed herein. After consideration of the evidence and arguments presented, the board makes the following findings of fact and conclusions.

1. The decision of the zoning official was based on the interpretation of Section(s) ___________ of the zoning ordinance and zoning map that: ____________________________________________

2. The board makes the following findings of fact which are supported by the evidence:
   ____________________________________________
   ____________________________________________
   ____________________________________________

3. The board concludes that zoning ordinance section(s) __________________________________ is/are applicable in this case and shall be interpreted as follows: ______________________________
   ____________________________________________

4. The board concludes that Section(s) ___________ is/are not applicable in this case.

The board, therefore, orders that the decision of the zoning official is

☐ affirmed - ☐ reversed - ☐ modified as follows ____________________________________________

It is further ordered that the permit be ☐ denied - ☐ issued, ☐ and the following action be taken: ____________________________________________

Approved by the board by majority vote.

Date issued: ________________                          ___________________________

Date mailed to parties in interest: ____________                    ___________________________

Chairman                           Secretary

Notice of appeal to circuit court must be filed within 30 days after date this Order was mailed.
Order on Variance Application - Form 6
Board of Zoning Appeals

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

The board of zoning appeals held a public hearing on ________________ to consider
the appeal of ________________ for a variance from the strict application of the
zoning ordinance as set forth on the Form 3 affecting the property described on Form 1 filed
herein. After consideration of the evidence and arguments presented, the board makes the
following findings of fact and conclusions.

1. The board concludes that applicant ☐ has - ☐ does not have an unnecessary hardship
because there are extraordinary and exceptional conditions pertaining to the particular
piece of property based on the following findings of fact: ____________________________

2. The board concludes that these conditions ☐ do - ☐ do not generally apply to other
property in the vicinity based on the following findings of fact: ____________________________

3. The board concludes that because of these conditions, the application of the ordinance to
the particular piece of property ☐ would - ☐ would not effectively prohibit or
unreasonably restrict the utilization of the property based on the following findings of
fact: ____________________________

4. The board concludes that authorization of the variance ☐ will - ☐ will not be of
substantial detriment to adjacent property or to the public good, and the character of the
district ☐ will - ☐ will not be harmed by the granting of the variance based on the
following findings of fact: ____________________________

5. The board concludes that the effect of the variance ☐ would - ☐ would not be to allow the
establishment of a use not otherwise permitted in the zoning district, based on Section
________ of the ordinance; ☐ would - ☐ would not extend physically a nonconforming
use of the land; and ☐ would - ☐ would not change the zoning district boundaries
shown on the official zoning map, based on the following findings of fact: ___________

The board, therefore, orders that the variance is ☐ denied - ☐ granted, subject to the
following conditions: ____________________________ Approved by the board by majority vote.

Date issued: ___________ Chairman

Date mailed to parties in interest: ___________ Secretary

Notice of appeal to circuit court must be filed within 30 days after date this Order was mailed.
Order on Special Exception Application - Form 7
Board of Zoning Appeals

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

The board of zoning appeals held a public hearing on ____________ to consider the appeal of _______________ for a special exception which may be permitted by the board pursuant to Section ____________ of the zoning ordinance as set forth on Form 4 for the property described on Form 1 to be used for: ____________________________

After consideration of the evidence and arguments presented, the board makes the following findings of fact and conclusions.

1. The board concludes that the standards in Section ______ of the zoning ordinance which are applicable to the proposed special exception ☐ have - ☐ have not been met based on the following findings of fact: ____________________________

2. The board concludes that the proposed special exception ☐ will - ☐ will not substantially diminish value of adjacent property or property in the district based on the following findings of fact: ____________________________

3. The board concludes that the proposed special exception ☐ will - ☐ will not be compatible with uses in the district based on the following findings of fact: ________________

The board, therefore, orders that the special exception is ☐ denied - ☐ granted, subject to the following conditions: ____________________________

Approved by the board by majority vote.

Date issued: __________

________________________________________
Chairman

Date mailed to parties in interest: __________

________________________________________
Secretary

Notice of appeal to circuit court must be filed within 30 days after date this Order was mailed.
<table>
<thead>
<tr>
<th>Step</th>
<th>Action Required</th>
<th>Time</th>
<th>After</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Notice of appeal to Board</td>
<td>File appeal form with zoning official and board secretary [Forms 1 and 2, 3 or 4]</td>
<td>Time set by rules or ordinance - if not, then 30 days</td>
<td>Actual notice of action</td>
</tr>
<tr>
<td>2. Set Board hearing</td>
<td>Board sets hearing date</td>
<td>Reasonable time</td>
<td>Appeal filed</td>
</tr>
<tr>
<td>3. Notice of hearing</td>
<td>Publish in newspaper and notify parties in interest</td>
<td>15 days</td>
<td>Prior to hearing</td>
</tr>
<tr>
<td>4. Board decision</td>
<td>Board conducts hearing and makes written decision with findings of fact and conclusions [Form 5, 6 or 7]</td>
<td>Reasonable time or as set by rules</td>
<td>Hearing</td>
</tr>
<tr>
<td>5. File decision</td>
<td>Serve on parties in interest by certified mail - retain as permanent public record</td>
<td>Immediately</td>
<td>Decision rendered</td>
</tr>
<tr>
<td>6(a). Appeal to circuit court</td>
<td>File petition with clerk of court stating grounds of appeal - copy to board desirable</td>
<td>30 days</td>
<td>Decision of board is mailed</td>
</tr>
<tr>
<td>6(b). Appeal to circuit court</td>
<td>Property owner elects to file notice of appeal with mediation request</td>
<td>30 days</td>
<td>Decision of board is postmarked</td>
</tr>
<tr>
<td>7. Notice by clerk of court</td>
<td>Notify board secretary of appeal</td>
<td>Immediately</td>
<td>Petition is filed</td>
</tr>
<tr>
<td>8. File record</td>
<td>Board secretary files certified copy of proceedings, transcript, evidence and decision with clerk. Board attorney may file a return and serve on opposing counsel with copy of certified record.</td>
<td>30 days</td>
<td>Notice from clerk</td>
</tr>
<tr>
<td>9. Hear appeal</td>
<td>Circuit court sets hearing at next term of court (probably will not be set until reached according to filing number)</td>
<td>10-day notice</td>
<td>During term of court</td>
</tr>
<tr>
<td>10. Appeal to state appellate courts</td>
<td>Serve and file notice of appeal</td>
<td>30 days</td>
<td>Notice of entry of circuit court order</td>
</tr>
</tbody>
</table>
IN ACCORDANCE WITH ZONING ORDINANCE SECTION 21-175,

I ________________ HAVE SUBMITTED A COMPLETED BOARD OF ZONING APPEALS APPLICATION, FOR THE MEETING DATE OF ________________, WHICH WILL BE HELD AT SULLIVAN’S ISLAND TOWN HALL LOCATED AT 2056 MIDDLE STREET, SULLIVAN’S ISLAND, SOUTH CAROLINA.

ADDITIONALLY, I UNDERSTAND THAT THE BOARD MAY POSTPONE OR PROCEED TO DISPOSE OF A MATTER ON THE RECORD BEFORE IT IN THE ABSENCE OF AN APPEARANCE ON BEHALF OF AN APPLICANT.

__________________________________________________________
APPLICANT SIGNATURE

__________________________________________________________
DATE