



**TOWN OF SEABROOK ISLAND**

2001 Seabrook Island Road  
 Seabrook Island, SC 29455  
 (843) 768-9121

**APPLICATION FOR VARIANCE**

Board of Zoning Appeals

Any applicant seeking a variance from the zoning requirements of the Town of Seabrook Island’s Development Standards Ordinance (hereafter, the “DSO”) must submit a written application, along with a \$500.00 application fee and all required supplemental information. Applications must be typed or written legibly in ink. Please attach an additional sheet of paper if more space is needed. If you need assistance filling out this application form, please contact the Zoning Administrator by phone at (843) 768-9121 or by email at [tnewman@townofseabrookisland.org](mailto:tnewman@townofseabrookisland.org).

**1. PROPERTY INFORMATION**

Please provide information regarding the property which is subject to the variance request.

Property Address			
Tax Map Number	Block	Lot	
Lot Size (Square Feet)			
Is this property subject to an OCRM critical line? (eg. Marsh or Beachfront Lots)		Yes	No
Is this property subject to private restrictions or covenants? (eg. SIPOA or regime)		Yes	No

**2. APPLICANT(S)**

Please provide information regarding the individual(s) who is (are) submitting the variance request.

Applicant Name(s)			
Applicant Address			
Applicant Phone Number			
Applicant Email Address			
If the Applicant is <u>NOT</u> an owner of the property, what is the relationship to the Property Owner(s)?			

**3. PROPERTY OWNER(S)**

If the Applicant(s) is (are) NOT the property owner(s), please provide information for the property owner(s).

Owner Name(s)			
Owner Mailing Address			
Owner Phone Number			
Owner Email Address			
<b>Designation of Agent (Required if the Applicant(s) is(are) NOT a Property Owner):</b> I (we) hereby designate and appoint the above named Applicant(s) as my (our) agent(s) to represent me (us) in this application.			
Owner Signature(s)		Date	
		Date	

**4. CERTIFICATION**

Under penalty of perjury, I (we) hereby certify that the information contained in this application, including all supplemental materials, is true and accurate to the best of my (our) knowledge.

Applicant Signature(s)		Date	
		Date	

OFFICE USE ONLY		
Date Filed:	Variance Application #:	Hearing Date:

## 5. VARIANCE REQUEST

A. Please provide a brief description of the proposed scope of work:

B. In order to complete the proposed scope of work, the Applicant(s) is (are) requesting a variance from the following requirement(s) of the town's DSO:

1) DSO Section Reference(s):

2) DSO Requirement(s):

C. The application of the zoning requirements of the town's DSO will result in unnecessary hardship, and the standards for a variance set by State Law and the DSO are met by the following facts:

1) There are extraordinary and exceptional conditions pertaining to this particular piece of property as follows:

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

3) Because of these conditions, the application of the zoning requirements to this particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property as follows:

4) 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:

## 6. APPLICATION MATERIALS

In addition to the completed Variance Application Form, all requests for variance must be accompanied by the supplemental materials listed below. An application is not considered “complete” until all required documentation has been received by the Zoning Administrator. Below is a checklist of the required materials:

### **Completed & Signed Variance Application Form (Paper Required; PDF Optional)**

- Please submit one *completed* paper application. All signatures must be original.

### **\$500.00 Application Fee**

- The application fee may be paid by cash or check only.

### **As-Built Survey / Survey of Existing Conditions (Paper Required; PDF Optional)**

- All applications must be accompanied by an as-built survey which accurately illustrates the existing conditions on the property, including setback measurements for all structures.

### **Proposed Site Plan (Paper & PDF Required)**

- Required for all new structures and/or exterior modifications which will change the footprint of one or more existing structures.
- For lots abutting a marsh or beachfront jurisdictional line, the location of the critical line must be certified by OCRM within the previous five (5) years.

### **Scaled Architectural Drawings: (Paper & PDF Required)**

- Required for all new structures and/or exterior modifications to existing structures.
- Architectural drawings must show, at a minimum:
  - A detailed floor plan or plan view; and
  - Front, side and rear elevations, as appropriate.

### **Letter of Approval from Property Owners Association and/or Regime: (Paper Required; PDF Optional)**

- Required for all properties which are subject to private restrictions and/or covenants.
- If approval is pending, please attach a Letter of Acknowledgement from the POA and/or Regime.

**Letters of support, petitions, photographs, and any other documentation which an Applicant feels may support his or her request may be attached but are not required. (Paper & Digital Files Optional)**

## CRITERIA FOR REVIEW

Pursuant to Section 6-29-800(A)(2) of the SC Code of Laws, the Board of Zoning Appeals has the power to hear and decide appeals for variance from the requirements of the zoning ordinance when strict application of the provisions of the ordinance would result in **unnecessary hardship**. A variance may be granted in an individual case of unnecessary hardship if the board makes and explains in writing the following findings:

- (a) there are **extraordinary and exceptional conditions** pertaining to the particular piece of property;
- (b) these conditions **do not generally apply to other property** in the vicinity;
- (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; and
- (d) 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, if a variance is granted, may not be considered grounds for a variance. Other requirements may be prescribed by the zoning ordinance.

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.