

ARTICLE 7.0: LOT AND BUILDING REQUIREMENTS

Section 7.10 Uniform Application of Regulations

Within each Zoning District established under this Ordinance, the regulations set forth herein shall apply uniformly to each use classification or kind of structure or land.

Section 7.20 Lot Area Requirements

§7.20.10 Lots served by Public Systems

All residential lots shall have the minimum lot area as specified in the applicable zoning district, exclusive of land below the South Carolina Coastal Critical Line.

§7.20.20 Single Family Lots

All single-family residential lots in zoning districts shown on the Town's Official District Map as a "Single Family Residential District" or "Planned Development District" as of the effective date of this Ordinance shall not be smaller than seventeen thousand five hundred (17,500) square feet in gross lot area, unless otherwise specified in district regulations. All single-family residential lots in zoning districts that come to be shown as "Single Family Residential District" or "Planned Development District" on the Town's Official District Map after the effective date of this Ordinance shall not be smaller than one (1) acre in gross land area, unless otherwise specified in district regulations. (Ordinance 2007-01, 2/27/07)

§7.20.30 Exceptions

§7.20.31 PDD Lots. Notwithstanding other provisions of this Ordinance to the contrary, in PD districts more than One Hundred (100) acres in size, as they are shown on the Town's Official District Map as of the date of this Ordinance, up to five percent (5%) of the total number of platted lots may each have a gross area of between 15,000 and 17,500 square feet, in order to accommodate meandering roads, green space and/or wetland configurations. For PD Districts more than one hundred (100) acres in size that may come to be shown on the Town's Official District Map after the effective date of this Ordinance, up to fifteen percent (15%) of the total number of platted lots may each have a gross area of between 41,060 and 43,560 square feet, in order to accommodate meandering roads, green space and/or wetland configurations. (Ordinance 2007-01, 2/27/07)

§7.20.32 Utilities. Where a parcel of land is proposed to be used as the site for utility substation, power line easements or right-of-way, pumping station, pressure

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regulating station, electricity regulation substation, gas pressure control station, or similar facilities whose nature is such that the parcel's area may appropriately be less than the established minimum under the requirements of Article 5.

§7.20.40 Detached Multi-family Residential

Each detached multi-family residential unit must be situated on a lot having a minimum size of 6,000 square feet.

§7.20.50 Nonresidential Lots

Lots for other than residential use shall have sufficient space for off-street parking, loading and unloading, and circulation of traffic as stipulated in the Town of Seabrook Island Zoning Ordinance.

Section 7.30 Minimum Frontage Required

§7.30.10 Generally

Notwithstanding the standards in §7.40, the minimum frontage of any lot shall be twenty (20) feet.

§7.30.20 Single Family Detached Lots

All newly platted single-family residential lots shall have a minimum front and rear lot line of fifty (50) feet, except on a cul-de-sac where the front lot line may be thirty (30) feet.

§7.30.30 Detached Commercial Building Lots

Individual lots for detached commercial buildings located in commercial zoning districts must have frontage on an approved road meeting Charleston County road standards.

Section 7.40 Lot Width Standards

§7.40.10 Generally

Prescribed lot width requirements shall be at least two-thirds (2/3) of the depth of the lot.

§7.40.20 Corner Lots

Corner lots shall have extra widths where necessary to permit the establishment of sight area easements pursuant to §16.10.30.

§7.40.30 Single Family Detached Dwellings

Minimum widths of single family detached dwelling residential lots shall be provided in accord with the requirements for the zoning district where they are proposed.

§7.40.40 Single Family Attached Dwellings

Where zoning regulations permit attached single-family dwellings, the minimum permissible lot width shall be eighteen (18) feet for the attached dwellings.

§7.40.50 Detached Commercial Buildings

Minimum lot widths for detached commercial buildings in commercially zoned districts served by public water and public sewer systems shall be fifty (50) feet.

Attached Commercial Buildings (deleted by Ordinance 2004-04, 8/24/04)

§7.40.60 Industrial Lots

Newly created industrial lots shall be a minimum of seventy (70) feet in width.

§7.40.70 Exception for Utilities

Where a parcel of land is proposed to be used as the site for utility substation, power line easements or right-of-way, pumping station, pressure regulating station, electricity regulation substation, gas pressure control station, or similar facilities whose nature is such that the parcel's width may appropriately be less than the established minimum under this Ordinance.

Section 7.50 Maximum Lot Coverage

§7.50.10 Single Family Residential

The maximum lot coverage of the net buildable land area of a lot for residential dwellings shall be twenty-five (25) percent for single-family lots. For purposes of this paragraph, driveways, walks, patios and open decks shall not be included in the calculation of lot coverage.

§7.50.10.10 Nonconforming Single Family Lots. All single family lots in the Town of Seabrook Island platted prior to this Ordinance and not meeting the minimum lot size of seventeen thousand five hundred (17,500) square feet will have the maximum lot coverage, figured on a sliding scale between (25-35) percent as indicated below and will be shown on the zoning permit by the Zoning Administrator. Each lot for coverage purposes shall be figured to the closest five hundred (500) square foot breakpoint to determine lot allowable coverage. (Ordinance 1993-03, 6/10/93)

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<u>Lot Size</u>	<u>Allowable Lot Coverage to Nearest breakpoint</u>	<u>Allowable Square Foot Coverage</u>
17,000 & above	25.000%	of lot size
17,000	25.000%	4,250 sq. ft.
16,500	25.714%	4,243
16,000	26.428%	4,228
15,500	27.142%	4,207
15,000	27.856%	4,178
14,500	28.570%	4,142
14,000	29.284%	4,099
13,500	29.998%	4,048
13,000	30.712%	3,993
12,500	31.426%	3,928
12,000	32.140%	3,857
11,500	32.854%	3,778
11,000	33.568%	3,692
10,500	34.282%	3,597
10,000	35.000%	3,500
10,000 & below	35.000%	of lot size

§7.50.20 Multi-family Residential

For multi-family residential dwellings including, but not limited to, patio homes, cluster homes, villas, condominiums and town houses, a maximum of thirty-five (35) percent of the total property committed to development under management by the same regime may be covered by the residential dwellings and other structures. (Ordinance 1993-03, 6/10/93) (Ordinance 2007-01, 2/27/07)

§7.50.30 Commercial

Non-residential structures, including accessory structures and associated parking areas, driveways, garages, carports, walks and roadways shall cover no more than sixty (60) percent of the net buildable land area of a lot. For purposes of this section, net buildable land area shall constitute gross acreage less any required recreation areas and marsh/wetland areas.

§7.50.40 Light Industrial-Service & Maintenance District

Structures, including accessory structures and associated parking areas, walks and roadways, shall cover no more than seventy (70) percent of the net buildable land area in service and maintenance areas, and no more than twenty-five (25) percent of wastewater treatment facility areas. (Ordinance 1990-03, 5/10/90)

Section 7.60 Minimum Setbacks

Setback requirements shall apply to all structures on a lot.

§7.60.10 Measurements.

§7.60.10.10 Corner Lots. Where a lot abuts two intersecting streets (corner lot) both front setbacks shall be observed. In applying these measurements to a corner lot, the lot shall be deemed to have two (2) front yards and two (2) side yards.

§7.60.10.20 Double Frontage Lots. Where a lot fronts on two non-intersecting streets double frontage lot front setbacks shall be required along both streets.

§7.60.10.30 Lots subject to the OCRM Critical Line. Whenever any portion of any Town ordinance requires some measurement be taken from, or established based on, the South Carolina Ocean and Coastal Resource Management critical line, such critical line shall have been reviewed and certified by the South Carolina Ocean and Coastal Resource Management within the previous three years.

§7.60.10.31 Notwithstanding this requirement, critical areas by their nature are dynamic and subject to change over time. As such, in the event the Town has reason to believe a critical area has been changed since its last review by the South Carolina Ocean and Coastal Resource Management (even if such review has taken place within the past three years), it may require the property owner to have the critical line reviewed again and relocated, if such a change has occurred, before making any determinations which require some measurement be taken from or established based on such critical line. (Ordinance 2001-07, 10/23/01)

§7.60.20 Single Family Front and Rear Setbacks

Except as specified in Article 5 and Sections 7.60.20.40, 7.60.50 and 9.30 herein, the minimum setback requirements on any single family lot within the Town shall be:

§7.60.20.10 Front: Thirty (30) feet.

§7.60.20.20 Side: Fifteen (15) feet, except as provided in §7.60.20.40 below.

§7.60.20.30 Rear: Twenty-five (25) feet. (Ordinance 1989-01, 4/13/89)

§7.60.20.40 Non-Conforming Lots - Side Setback

All single family residential lots in the Town of Seabrook Island platted prior to the adoption of the Town's Development Standards Ordinance in 1987, which are less

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than seventeen thousand five hundred (17,500) square feet in area shall have side yard setbacks as follows:

§7.60.20.41 Lots less than thirteen thousand five hundred (13,500) square feet in area must provide side yard setbacks of ten (10) feet in each side yard.

§7.60.20.42 Lots greater than thirteen thousand five hundred (13,500) square feet but less than seventeen thousand five hundred (17,500) square feet in area must provide side yard setbacks of twelve and one-half (12-1/2) feet in each side yard. (Ordinance 1995-06, 6/8/96)(Ordinance 1998-18, 7/28/98)

§7.60.30 Attached Multi-Family Building Setbacks

§7.60.30.10 Front: Thirty (30) feet; provided however, where a lot zoned multi-family fronts two intersecting streets wherein one street is a cul-de-sac, the setback requirements from the intersecting street on the side of the building is hereby reduced to twenty (20) feet, while the front setback of the building which faces the cul-de-sac shall remain thirty (30) feet.

§7.60.30.20 Side: Zero lot line construction may be permitted, but no building shall be closer to another building than fifteen (15) feet.

§7.60.30.30 Rear: Twenty-five (25) feet

§7.60.40 Detached Multi-Family Building and Combination Attached and Detached Construction Setbacks

§7.60.40.10 Front: Thirty (30) feet; provided however, where a lot zoned multi-family fronts two intersecting streets wherein one street is a cul-de-sac, the setback requirements from the intersecting street on the side of the building is hereby reduced to twenty (20) feet, while the front setback of the building which faces the cul-de-sac shall remain thirty (30) feet.

§7.60.40.20 Side: Zero lot line construction may be permitted provided all other setbacks of the district and criteria for zoning as a PDD are met. However, the total of both side yard setbacks shall be at least 15 feet; provided that no two detached patio homes may be situated closer than 15 feet.

§7.60.40.30 Rear: Twenty-five (25) feet.

§7.60.50 Marsh Setbacks

The minimum setback for a structure, exclusive of open decks, on a lot abutting the marsh shall be twenty-five (25) feet from the South Carolina Ocean and Coastal Resource Management critical area or the lot line, whichever is landward. No part of an

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open deck shall be closer than fifteen (15) feet from the critical area. (Ordinance 1993-03, 6/10/93)

Marsh – Hardship. Deleted (Ordinance 2004-04, 8/24/04)

§7.60.60 Open Space Lots - Rear Setback

On lake, lagoon, or golf course lots the minimum rear lot setback of the residential structure must be twenty-five (25) feet. Open decks may extend into the setback, but may not be less than fifteen (15) feet from the rear lot line. (Ordinance 1993-03, 6/10/93)

§7.60.70 Driveway Setbacks

§7.60.70.10 No part of a driveway for a single-family residence shall be closer than three (3) feet to the side property lines on non-conforming lots and six (6) feet on all other lots. (Ordinance 1993-03, 6/10/93)

§7.60.70.20 No driveway shall be constructed within fifty (50) feet of an adjacent street right-of-way.

§7.60.70.30 Exceptions. A shared driveway for multi-family lots or developments is permitted to cross property lines for those properties which it will service.

- (a) All driveways for multi-family units or developments will be engineered on site plans and presented to the Zoning Administrator at the time of application. With the approval of the Planning Commission, shared driveways for multi-family developments may be permitted.
- (b) In such instances, the driveway must be a minimum of sixteen (16) feet wide.
- (c) The Zoning Administrator must further certify that the proposed shared driveway does not in any manner affect proper ingress or egress to the properties sharing such driveway or other adjoining properties.
- (d) Where shared driveways are approved, Regime Covenants must clearly define ownership and maintenance responsibilities of the owners sharing the driveway.

§7.60.80 Encroachments

§7.60.80.10 Cornices and window sills may not project into any required setback. Decks, covered decks or porches shall not project into any required setback except as allowed in this Article. In the case of lots having less than 17,500 square feet of total area, the eave of the roofline may extend up to eighteen (18) inches into the required setback. (Ordinance 1993-03, 6/10/93)(Ordinance 2003-11, 1/27/04)

§7.60.80.20 Uncovered front steps may extend into a front setback on properties zoned multi-family, but may not be less than twenty (20) feet from the property's front lot line. (Ordinance 2001-03, 6/26/01)

§7.60.80.30 In the event that a front entry garage is adjacent to the zero-setback property line of a multi-family dwelling, the driveway may be located to provide access to the garage, with the approval of the Zoning Administrator, provided such placement does not affect proper ingress or egress to said property or adjoining properties. (Ordinance 1995-13, 9/14/95) (Ordinance 2000-09, 7/25/00)

Section 7.70 Supplemental Multi-Family Dwelling Standards

Notwithstanding any contrary provision in an approved PD master plan, all multi-family dwellings must meet the standards set forth below. (Ordinance 1992-02, 4/9/92) (Ordinance 1994-05, 9/8/94)

§7.70.10 Attached Construction

If attached construction is used, multi-family dwellings shall meet the following requirements:

§7.70.11 There shall be no more than 7 dwelling units per gross acre devoted to unit home development, including internal streets, parking, drainage, and common use areas.

§7.70.12 There shall be no more than 3 dwelling units per building, attached by a common dividing wall(s) from ground to roof to one or more units. Separate access shall be available for each unit from the exterior.

§7.70.13 Each dwelling unit shall be designed for, and occupied as, a residence by one family.

§7.70.14 Each attached dwelling unit must have a minimum size of 1,200 square feet of heated area.

§7.70.15 The development must comply with the site plan review requirements as set forth in Article 14 of this Ordinance, including the final site plan submissions. (Ordinance 1992-02, 4/9/92) (Ordinance 1994-05, 9/8/94)

§7.70.16 All dwelling units must share a common regime for maintenance and landscaping.

§7.70.20 Detached Construction

If detached construction is used, multi-family dwellings shall meet the following requirements:

§7.70.20.11 There shall be no more than 5 dwelling units per gross acre devoted to home development, including internal streets, parking, drainage and common use areas.

§7.70.20.12 Each dwelling unit shall be designed for, and occupied as a residence by one family.

§7.70.20.13 All dwelling units must share a common regime for maintenance and landscaping.

Note: A detached multi-family dwelling is thus distinguished from a single-family home under this Ordinance by (1) a lot size substantially smaller than required for single-family use, (2) its inclusion in a regime for maintenance and landscaping, (3) reduced setbacks, and (4) allowable increased land coverage by impervious surfaces.} (Ordinance 1992-02, 4/9/92) (Ordinance 1994-05, 9/8/94)

§7.70.30 Combination Construction

A combination of attached and detached construction will not be allowed unless the Planning Commission has reviewed the proposed development and determined that the proposed structures are architecturally compatible with each other and with surrounding structures. If a combination of attached and detached construction is used, these homes shall meet the following requirements:

§7.70.30.11 There shall be no more than 6 dwelling units per gross acre devoted to home development, including internal streets, parking, drainage and common use areas.

§7.70.30.12 For attached construction, there shall be no more than 3 dwelling units per building, attached by a common dividing wall(s) from ground to roof to one or more units. Separate access shall be available for each unit from the exterior.

§7.70.30.13 Each dwelling unit shall be designed for, and occupied as, a residence by one family.

§7.70.30.14 Each attached dwelling unit shall have a minimum size of 1,200 square feet of heated area.

§7.70.30.15 The development shall comply with the site plan review requirements as set forth in Article 14 of this Ordinance, including the final site plan submissions.

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(Ordinance 1992-02, 4/9/92) (Ordinance 1994-05, 9/8/94) (Ordinance 1995-06, 6/7/95)

§7.70.30.16 All dwelling units must share a common regime for maintenance and landscaping.

Section 7.80 Commercial-Retail Office Standards

Property zoned for commercial uses, as defined in Article 2, and located in the Commercial-Retail/Office District (“CRO”) as defined by DSO Section 4.30.50 may be subdivided in accordance with the subdivision regulations of the Town subject to the following conditions and restrictions

§7.80.10

No attached construction shall be permitted. Only one free standing single building per lot shall be allowed, with one entrance and appropriate fire exits as required by the Fire Codes.

§7.80.20

Commercial buildings within one development must be spaced a minimum of thirty (30) feet apart at the overhang line of each building.

§7.80.30

All business units on a common or single piece of property zoned CRO or developed as a PDD or common business development must share a common regime for landscaping, road maintenance, repair and upkeep of all common areas.

§7.80.40

All other provisions of this Town Code and DSO shall apply. (Ordinance 1999-14, 12/28/99)

Section 7.90 Height Limitations (Ordinance 1994-05, 9/8/94) (Ordinance 1996-08, 6/13/96) (Ordinance 1997-12, 12/30/97) (Ordinance 2000-14, 11/28/00)(Ordinance 2001-01, 4/24/01)(Ordinance 2003-11, 1/27/04)

The maximum height restriction for any building in the Town shall be thirty six (36) feet above base flood elevation as established by the Town’s ordinances.

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§7.90.10

Multi-family and commercial buildings may increase height one (1) additional foot for each three (3) feet of additional front setback with a maximum height of forty (40) feet above the required base flood elevation as established by Town Code.

§7.90.20

Where the land elevation within the Town is higher than the base flood elevation, the maximum permitted height of thirty-six (36) feet is to be measured from the highest land elevation within the building footprint.

§7.90.30 Exemptions

Height limitations of this Ordinance shall not apply to monuments, water towers, transmission towers, utility poles, chimneys, flag poles or farm structures not intended for human occupancy. They do, however, apply to decks, widow walks etc. erected on top of structures. (Ordinance 2004.04, 8/24/04)

Section 7.100 Insurability

All structures developed within the Town of Seabrook Island shall meet the minimum standards for insurability including minimum required first floor elevations as established by the Federal Emergency Management Agency. (Ordinance 1994-05, 9/8/94)