



Board of Zoning Appeals

(864) 467-7425
www.greenvillecounty.org

DATE: JANUARY 14, 2015

TO: CHAIRMAN JOE DILL, PLANNING & DEVELOPMENT COMMITTEE

RE: GC ZONING ORDINANCE TEXT AMENDMENT REQUEST

The Greenville County Board of Zoning Appeals presents this Text Amendment for formal adoption into the Greenville County Zoning Ordinance. The Board would like to place this item on the next available Planning and Development Committee agenda for discussion.

The Board has worked with staff in consideration of Section 11:9 Temporary Accessory Dwelling, to ease the burden on residents, the Board, and staff in regards to annual review and extension of permitted temporary accessory dwellings. The proposed text amendment to Section 11:9 Temporary Accessory Dwelling would provide the Zoning Administrator authorization for an extension of one year and subsequent years thereafter for the use of a temporary accessory dwelling pursuant to compliance to the Board's initial decision and requirements outlined in Section 11:9 A-L.

Thank you.

Sincerely,

Wayne H. Moore, Chairman

Attachment: Section 11:9 (in part)

BZA Review of Section 11:9

Proposal to Council for a Text Amendment to the Zoning Ordinance

SECTION 11:9 – Temporary Accessory Dwelling

Current Paragraph 2:

The Board of Zoning Appeals may authorize issuance of a permit for a temporary accessory residential use for a period not to exceed one year. At the end of that year and each subsequent year thereafter, the Board may, after a complete review of the request, grant an extension of the permit for a period not to exceed one year. The review procedure shall be the same as the original application procedure. It shall be the responsibility of the Zoning Administrator to present to the Board after each one-year period a status report of the conditions and to notify the applicant of the review.

Proposal:

The Board of Zoning Appeals may authorize issuance of a permit for use of a temporary accessory dwelling for a period not to exceed one year. At the end of that year and each subsequent year thereafter, the [Zoning Administrator](#) may, after a complete review of the request, [authorize an extension of the permit as initially granted by the Board](#), for a period not to exceed one year. The review procedure shall be [conducted annually to ensure compliance with the ruling by the Board including the requirements outlined in Section 11:9 A-L](#). It shall be the responsibility of the Zoning Administrator to [notify the applicant of the annual review and to present a status report to the Board after each review](#).

Section 11:9 Temporary Accessory Dwelling

A manufactured home as defined in Article 4 of this Ordinance may be permitted in any zoning district as a temporary accessory residential use which shall be clearly subordinate to a principal single-family detached dwelling or manufactured home, whether or not such principal use is conforming, subject to all of the requirements listed below. In authorizing the temporary accessory residential use, the Board of Zoning Appeals may impose such reasonable and additional stipulations, conditions, or safeguards that in the Board's judgment will better fulfill the intent of this Ordinance.

The Board of Zoning Appeals may authorize issuance of a permit for a temporary accessory residential use for a period not to exceed one year. At the end of that year and each subsequent year thereafter, the Board may, after a complete review of the request, grant an extension of the permit for a period not to exceed one year. The review procedure shall be the same as the original application procedure. It shall be the responsibility of the Zoning Administrator to present to the Board after each one-year period a status report of the conditions and to notify the applicant of the review.

The Board of Zoning Appeals may at any time terminate the authorization at the request of the initiating applicant or upon the finding that the extenuating conditions no longer exist. The temporary accessory residential use and any associated services shall be removed from the premises within 30 days after notice of termination.

The Board shall determine that the following requirements have been satisfied:

- A. The use shall be necessitated by the incapacity, infirmity, or extended illness of an individual who requires continuous nursing care. The attending physician shall certify the physical and/or mental condition of the person in question.
- B. The use is intended only to meet a temporary need or hardship.
- C. If the principal residential use is nonconforming, the provisions of Section 9:3, Nonconforming Uses and Structures, shall be satisfied.
- D. The temporary accessory residential use shall meet all of the requirements contained in this Ordinance for accessory uses.
- E. The temporary accessory residential use shall conform to all of the requirements for uses permitted by special exception as set forth in Section 3:3, Special Exceptions.
- F. No minimum lot area or lot width requirements shall be required for the temporary accessory residential use.
- G. The temporary accessory residential use shall conform to the front, side, and rear yard requirements established for the district in which the use is located.
- H. Off-street parking shall be provided in accordance with the provisions set forth in Section 12:2, Off-street Parking, for the principal residential dwelling only.
- I. A manufactured home which is being utilized as a temporary accessory residential use may not be physically attached to or be a part of the principal structure located on the lot.

- J. No permit to allow a temporary accessory residential use shall be issued until all applicable regulations of the Greenville County Building Safety Department and other public agencies have been satisfied in regard to the adequate provision of water, sewer, access, electrical service, and fire protection. In seeking approval of the temporary accessory residential use, the applicant must demonstrate to the Board of Zoning Appeals that these facilities and services are adequately situated with respect to the lot in question.
- K. The principal for whom the accessory use is requested must be a relative by blood or marriage or in a relationship created through adoption or through foster parental care.
- L. To provide for adequate notification of the permit application to surrounding property owners, the applicant shall provide to the Board of Zoning Appeals signatures of the following:
 - 1. All property owners who own property abutting the subject property.
 - 2. All property owners of property located directly across a street from the subject property.