

AN ORDINANCE

AN ORDINANCE TO AMEND THE GREENVILLE COUNTY ZONING ORDINANCE, AS AMENDED, TO PROVIDE FOR A ONE YEAR WAITING PERIOD BEFORE AN APPLICANT CAN APPLY FOR A VARIANCE OR USE BY SPECIAL EXCEPTION AFTER THE BOARD OF ZONING APPEALS HAS DENIED SUCH A REQUEST; AND TO PROVIDE THAT A PENDING REZONING APPLICATION STAYS ALL ENFORCEMENT ACTIONS RELATED TO A ZONING VIOLATION ON THE PROPERTY.

BE IT ORDAINED BY THE GREENVILLE COUNTY COUNCIL:

Section 1. Adoption of Text Amendment to the Greenville County Zoning Ordinance, as amended, ("GCZO") concerning applications for a Variance or Use by Special Exception before the Board of Zoning Appeals.

§3:5.8 Action after Denial of a Variance or Use by Special Exception. After the Board of Zoning Appeals has denied a request for a Variance or Use by Special Exception, the applicant must wait one year from the date of the denial before applying for a new Variance or Use by Special Exception on the same property. If the request has been substantially altered from the original request, the applicant must wait three months from the date of the denial before applying for a new Variance or Use by Special Exception on the same property. The Zoning Administrator shall determine if a new request for a Variance or Use by Special Exception has been substantially altered. His decision may be appealed to the Board of Zoning Appeals pursuant to the provisions of §3:5.

Section 2. Adoption of Text Amendment to the Greenville County Zoning Ordinance, as amended, ("GCZO") concerning enforcement of a zoning violation on property where a pending rezoning request is pending.

§3:2.11 Stay of Proceedings. A pending rezoning application stays any enforcement actions related to a violation of the GCZO on the property which is the subject of the rezoning request.

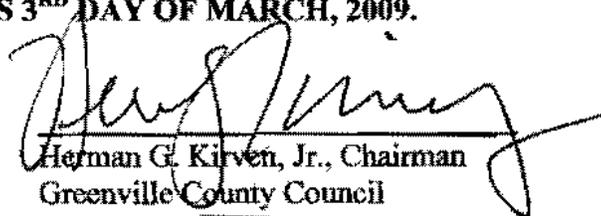
Section 3. Severability. Severability is intended throughout and within the provisions of this Ordinance. If any section, subsection, sentence, clause, phrase or portion of this

Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then that decision shall not affect the validity of the remaining portions of this Ordinance.

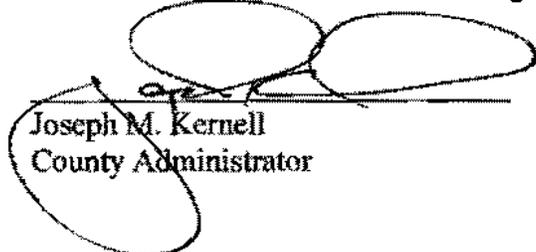
Section 4. Repeal. All ordinances or parts of ordinances in conflict with this Ordinance, or inconsistent with its provisions, are hereby repealed or superseded to the extent necessary to give this Ordinance full force and effect.

Section 5. Effective Date. This Ordinance shall take effect upon the date of its adoption.

DONE IN REGULAR MEETING THIS 3RD DAY OF MARCH, 2009.

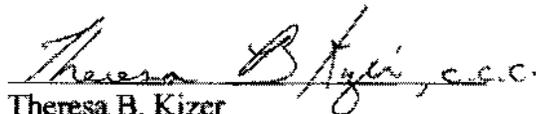


Herman G. Kirven, Jr., Chairman
Greenville County Council



Joseph M. Kernell
County Administrator

ATTEST:



Theresa B. Kizer
Clerk to Council