

MAYOR  
CHRISTIE RAINWATER  
MAYOR PRO TEM  
MICHAEL SALLY  
CITY ADMINISTRATOR  
COURTNEY SOLER



CITY COUNCIL  
KEN BOGGS  
JEFF C. CHANDLER  
MIKE DYSON  
KEVIN HEDGPETH  
ADAM SPURLOCK

## Application of Appeal for Variance

(Please Print or Type)

Case No. \_\_\_\_\_

1. Date: \_\_\_\_\_
2. Applicant:  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone No.: \_\_\_\_\_
3. Date Property was Acquired: \_\_\_\_\_
4. Location: Street Address: \_\_\_\_\_
5. Corner Lot? Yes \_\_\_ No \_\_\_
6. Legal Description: *(Include subdivision, lot and block number and address)*  
\_\_\_\_\_  
\_\_\_\_\_
7. Request for variance from the provision of:  
Article \_\_\_\_\_ Section \_\_\_\_\_ Paragraph \_\_\_\_\_ of the  
City of Hanahan Zoning Ordinance.
8. This is a request for a variance relating to the: *(Please check one of the following)*  
Area\_\_\_\_\_, Yard\_\_\_\_\_, Height\_\_\_\_\_, Use\_\_\_\_\_, Parking\_\_\_\_\_, or Other  
provisions of the Regulation\_\_\_\_\_.
9. Does this situation exist because of conditions created by the owner or appellant?  
Yes\_\_\_\_\_ No\_\_\_\_\_ If Yes, please explain\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
10. State specifically the change(s) proposed and the reason(s) such change(s) are  
necessary:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

11. Explain wherein your case conforms to each of the following requirements: (Must be completed). Use additional sheet if necessary.

- a. That the strict applications of the provisions of the Zoning Regulation would result in practical difficulties or unnecessary hardships inconsistent with its general purpose and intent.

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- b. That there are exceptional circumstances or conditions applicable to the property involved, or to the intended use of development of the property, that do not apply generally to other property in the same zone or neighborhood.

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**Building Official's comments:** \_\_\_\_\_

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12. Six copies of the Site Development Plan or Building Plans.

13. Additional enclosures: \_\_\_\_\_

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date of Application

.....  
Case No. \_\_\_\_\_

FOR BOARD USE ONLY:

Date of Notice: \_\_\_\_\_ Date of Hearing: \_\_\_\_\_

## Application Checklist for Appeal for Variance

*Application to the City of Hanahan.* The applicant appealing to the Board of Zoning Appeals shall undertake the following procedure.

- (a) A completed application, together with the application fee for administrative review or variance, shall be filed with the Zoning Administrator at least twenty-five (25) days prior to the Board of Zoning Appeals meeting at which the request will be considered.
- (b) *Required Information.* The applicant shall set forth a detailed description of the request on an application form provided by the Zoning Administrator. The completed application shall include the following information:
  - (i) A legal description and street address of the subject property, together with a property boundary map if subject property is not explicitly delineated on the Zoning Map;
  - (ii) Six (6) copies of the Site Development Plan or building plans submitted as part of a Zoning Permit application reviewed and disapproved by the Zoning Administrator, where applicable, for the property for which relief is sought.
  - (iii) Name, address, and phone number of applicant;
  - (iv) Name of property owner(s) and applicant's interest in the property if not the owner in fee simple title;
  - (v) Filing date of application;
  - (vi) Any other information deemed relevant by the Zoning Administrator; and
  - (vii) Applicant and property owner's signature(s).
  - (viii) Variance application fee (\$50.00)
  - (ix) \_\_\_\_\_ Appeal from Action of Zoning Official (\$100.00)

### 2.3.3. Powers of the board of zoning appeals.

All questions arising in connection with the enforcement of the Hanahan Zoning Ordinance shall be presented first to the zoning administrator, after which, such questions may be presented to the board of zoning appeals, but only on appeal of the written decision of the zoning administrator.

(A) *Administrative review.* The board may hear and decide appeals where it is alleged the zoning administrator erred in an order, requirement, decision, or determination. In such cases, the board may reverse or affirm, wholly or in part, the zoning administrator's actions. The board shall have all the powers of the zoning administrator in such cases and may direct the issuance of a permit.

(B) *Variances.* The board shall have the power to hear requests for variances and decide as to their validity when strict application of zoning standards would cause unnecessary hardship.

(1) The following standards must apply for finding of an unnecessary hardship.

(a) *Extraordinary conditions.* There are extraordinary and exceptional conditions pertaining to the particular piece of property, which could exist due to topography, street widening, or other conditions making economically feasible use of the property difficult or impossible.

(b) *Utilization.* Because of these extraordinary conditions, the application of the ordinance to a particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.

(c) *Detriment.* The authorization of a variance will not be of substantial detriment to adjacent property or the public good, and the character of the district will not be harmed by granting of the variance.

(d) *Other property.* Extraordinary conditions generally do not apply to other property in the vicinity.

(2) *Conditions.* In granting a variance, the board may attach to it standards in the ordinance specifically stated and applicable to the variance request that address the location, character, or other features of a proposed building, structure, or use as conditions of approval to protect established property values in the surrounding area and to promote the public health, safety, or general welfare.

(3) *Use variances.* The board shall not grant use variances. A use variance involves the establishment of a use not otherwise permitted in a zoning district, extends physically a non-conforming land use, or changes the zoning district boundaries shown on the zoning map.

(4) *Special exceptions.* The board may grant special exceptions, as outlined in [Section 2.5.3](#) of this chapter, for land uses specified in the Zoning Ordinance and allowable only by special exception.