

Zoning Docket from March 25, 2015 GCPC Meeting

Docket Number	Applicant	CC DIST.	STAFF REC.	GCPC REC.	P&D REC.	COUNCIL ACTION
CZ-2015-18	Greenville County Council		Approval	Approval		
Public Comments	<p>Some of the general comments made by Speakers at the Public Hearing on March 16, 2015 were:</p> <p><u>Speakers For:</u> None</p> <p><u>Speakers Against:</u> None</p>					<p>Petition/Letter For: None</p> <p><u>Against:</u> None</p>
Staff Report	<p>The Greenville County Zoning Ordinance “Section 11:9 Provisions for Uses by Special Exception – Temporary Accessory Dwelling” requires that upon permit by the Board of Zoning Appeals of a temporary accessory dwelling, the applicant will need to provide evidence that their permit is still valid and necessary. The Board is currently charged with the duty of granting annual extensions to the one year permit.</p> <p>The Greenville County Board of Zoning Appeals believes that the initial conditions for approval of a temporary accessory dwelling on a property provides sufficient guidance to Staff for issuance of extensions to the permit. The Board has consulted with Staff and Staff has concurred that they have the capacity to review applications to extend the time limits for a permit of a temporary accessory dwelling.</p> <p>The proposed amendment to the Zoning Ordinance text would allow Zoning Administration staff, pursuant to the conditions set forth in Section 11:9, to allow an extension for use of a temporary accessory dwelling. This would continue to be reviewed on an annual basis and a status report for each case would be made to the Board of Zoning Appeals. Overall, this change would require similar time dedication for Staff, but would reduce the case load on the Board and would make the process less onerous for the applicant.</p>					

Planning Report

DOCKET NUMBER: CZ-2015-18

APPLICANT: Greenville County Council

STAFF REPORT: The Greenville County Zoning Ordinance “Section 11:9 Provisions for Uses by Special Exception – Temporary Accessory Dwelling” requires that upon permit by the Board of Zoning Appeals of a temporary accessory dwelling, the applicant will need to provide evidence that their permit is still valid and necessary. The Board is currently charged with the duty of granting annual extensions to the one year permit.

The Greenville County Board of Zoning Appeals believes that the initial conditions for approval of a temporary accessory dwelling on a property provides sufficient guidance to Staff for issuance of extensions to the permit. The Board has consulted with Staff and Staff has concurred that they have the capacity to review applications to extend the time limits for a permit of a temporary accessory dwelling.

The proposed amendment to the Zoning Ordinance text would allow Zoning Administration staff, pursuant to the conditions set forth in Section 11:9, to allow an extension for use of a temporary accessory dwelling. This would continue to be reviewed on an annual basis and a status report for each case would be made to the Board of Zoning Appeals. Overall, this change would require similar time dedication for Staff, but would reduce the case load on the Board and would make the process less onerous for the applicant.

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](#).

AN ORDINANCE

AN ORDINANCE TO AMEND SECTION 11:9 OF THE GREENVILLE COUNTY ZONING ORDINANCE, “TEMPORARY ACCESSORY DWELLING” TO PROVIDE THE ZONING ADMINISTRATOR WITH THE AUTHORITY TO REVIEW AND APPROVE ANNUAL EXTENSIONS OF APPLICATIONS FOR TEMPORARY ACCESSORY DWELLINGS AFTER INITIAL APPROVAL HAS BEEN GRANTED BY THE BOARD OF ZONING APPEALS

BE IT ORDAINED BY THE GREENVILLE COUNTY COUNCIL:

Section 1. Adoption of Text Amendment to the Greenville County Zoning Ordinance, as amended, (“GCZO”) to update the provisions of the ordinance governing temporary accessory dwellings. The following amendment is adopted and incorporated into the GCZO:

Amendment to Section 11:9 (Paragraph 2):

“The Board of Zoning Appeals may authorize issuance of a permit for the use of a temporary accessory dwelling residential use for a period not to exceed one year. At the end of that year and each subsequent year thereafter, the Zoning Administrator Board may, after a complete review of the request, grant an extension of the permit as initially granted by the Board, for a period not to exceed one year. The review procedure shall be the same as the original application procedure. 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. ~~present to the Board after each one-year~~

~~period a status report of the conditions and to notify the applicant of the review.”~~

Section 2. 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 3. Effective Date. This Ordinance shall take effect upon the date of its adoption.

DONE IN REGULAR MEETING THIS ____ DAY OF _____, 2015.

Bob Taylor, Chairman
Greenville County Council

Joseph M. Kernell
County Administrator

Attest:

Theresa B. Kizer
Clerk to Council

AN ORDINANCE

AN ORDINANCE TO AMEND SECTION 11:9 TEMPORARY ACCESSORY DWELLING OF THE GREENVILLE COUNTY ZONING ORDINANCE, RELATING TO EXTENSION OF A TEMPORARY ACCESSORY DWELLING PERMIT.

BE IT ORDAINED BY THE GREENVILLE COUNTY COUNCIL:

Section 1. Adoption of Text Amendment to the Greenville County Zoning Ordinance, as amended, (“GCZO”) to update Provisions for Uses by Special Exception for Temporary Accessory Dwelling.

The amendment to Article 11, Provisions for Uses by Special Exception, Section 11:9 – Temporary Accessory Dwelling of the Greenville County Zoning Ordinance is intended to provide the Zoning Administrator the ability to review and approve annual extensions of applications for temporary accessory dwellings that are in compliance with the initial ruling by the Board of Zoning Appeals.

Amendment to 11:9 (Paragraph 2): to specify the Zoning Administrators responsibilities in regards to extension of temporary accessory dwelling permits and shall replace Paragraph 2 of the section an read as follows:

“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 2. 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 3. Effective Date. This Ordinance shall take effect upon the date of its adoption.

DONE IN REGULAR MEETING THIS ____ DAY OF _____, 2015.

Bob Taylor, Chairman
Greenville County Council

Joseph M. Kernell
County Administrator

Attest:

Theresa B. Kizer
Clerk to Council