

Submitting to the Port Royal Zoning Board of Appeals (ZBOA)

The town's zoning board of appeals is a board of five citizens appointed by town council. The board has the following powers and duties:

(1) To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the planning administrator or the building inspector in the enforcement of this act.

(2) To authorize upon appeal in specific cases a variance from the terms of the ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of the ordinance, will in an individual case, result in unnecessary hardship, so that the spirit of the ordinance shall be observed, public safety and welfare secured, and substantial justice done.

Such variance may be granted in such individual case of unnecessary hardship upon a finding by the zoning board of adjustment and appeals that:

a. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography;

b. The application of the ordinance on this particular piece of property would create an unnecessary hardship;

c. Such conditions are peculiar to the particular piece of property involved; and

d. Relief, if granted, would not cause substantial detriment to the public good or impair the purpose and intent of the ordinance or the comprehensive plan, provided, however, that no variance may be granted for a use of land or building or structure that is prohibited in a given district.

(3) To decide on other matters where a decision of the zoning board of adjustment and appeals may be specifically required by the provisions of this chapter.

If exercising the above powers, the zoning board of adjustment and appeals may, in conformity with the provisions of this act, reverse or affirm wholly or in part, or may modify the order, requirements, decision, or determination, and to that end shall have all the powers of the planning administrator or the building inspector from whom the appeal is taken and may issue or direct the issuance of a permit.

The board, in the case of contempt may certify such fact to the court of appropriate jurisdiction.

Further information regarding the town's ZBOA may be found in The Port Royal Code, Article 8, Division 8.5 Administrative Appeals and Article 9, Section 9.1.30 on the town's website, www.portroyal.org or by calling 843 986-2207, or by emailing lbridges@portroyal.org.

The Board meets on the first (1st) Monday of each month at 5:30 p.m. The meeting is held in Council Chambers, Town Hall; 700 Paris Avenue, Port Royal, SC 29935. Applicants or their agent must be in attendance when their case is reviewed.

Your submittal must be delivered to town staff twenty five (25) days before a scheduled meeting of the ZBOA. Your submittal should take the form of a letter requesting the appeal or variance, addressed to:

The Zoning Board of Appeals

% Planning Administrator

P O Drawer 9

Port Royal, SC 29935

The submittal may be mailed to the above address or hand delivered to Town Hall at 700 Paris Avenue, Port Royal, SC 29935.

In addition to the letter of request you should attach seven (7) copies of any exhibits and, or supporting documents that you wish to have distributed to the board members.