

**Application for a
Special Exception
from the
Zoning Ordinance**

City of Aiken



Application Checklist

- Application completed and signed
- Site Plan on an 8 ½" by 11" sheet showing:
 - Lot Lines
 - Existing Improvements
 - Proposed Improvements
 - Necessary Dimensions
 - Scale
- Letter explaining the request and individually listing and addressing each of the attached decision criteria
- Fee Payment of \$200 (Except Detached Single-Family which is \$100)
- Other Supplemental Materials

Site visits by the staff and BZA members are likely during daylight hours. The staff may also visit the site after the BZA decision to check on compliance.

Process

1. Submit the above materials to the Planning Department located in the Municipal Building at 214 Park Avenue SW, Room 202 at least 35 days prior to the hearing. Call 642 7608 for the specific deadline dates.
2. The Planning Department posts sign(s) on the property, mails notice to adjacent property owners, places a legal ad in the newspaper, mails a postcard confirming the hearing date and notifies the Applicant. This notification may request additional information.
3. A staff report will be mailed to you the Friday before the hearing date.
4. The Board of Zoning Appeals (BZA) holds a hearing once a month. The meeting starts at 5:30 PM in the City Council Chambers in the Municipal Building. The property owner or agent (with written authorization from the property owner) must be present at the hearing. A final decision will be made at the hearing. It is unlawful for any person giving testimony to this Board to knowingly provide false information according to Section 22-9 of the Aiken Municipal Code. Each infraction is a separate offense with a penalty of up to 30 days in jail and/or a \$1,092.50 fine.
5. A written Final Order is presented to the BZA for signatures at its next meeting. A copy is certified mailed to you within two business days.
6. Appeals of the Board of Zoning Appeals (BZA) may be made by filing with the Clerk of Court a written petition within 30 days after the Final Order is signed.

Special Exception Decision Criteria

To assist the Board in making this determination, please submit a letter that specifically responds to each of the decision criteria. It is the applicant's responsibility to justify to the BZA that each one of these criteria is met. The criteria are:

1. Is in accordance with the Comprehensive Plan.
2. Consistent with the "character and purpose" statement of the zoning district.
3. The size, shape and character of the property are suited for the proposed site.
4. Is compatible with the existing uses adjacent to and near the property and will not adversely affect the development of the general neighborhood or district.
5. Will not generate vehicular traffic or create vehicular circulation problems or parking demands that have an unacceptably adverse impact on nearby properties when compared with uses permitted by right in the same district.
6. Will not be hazardous, detrimental, or disturbing to surrounding and uses due to noise, glare, smoke, dust, odor, fumes, water pollution, or general nuisance.
7. Is consistent with existing and planned pedestrian and vehicular circulation adjacent to and near the property.
8. Is adequately served by essential public services and facilities not requiring additional public expense.
9. Will not adversely affect any site or feature of historical, cultural, natural or scenic importance.
10. Conforms to any specific criteria or conditions specified for that use by special exception as set forth in Chapter 3, Article 3 of the Zoning Ordinance.
11. Will not be contrary to the public health, safety, and welfare, provided that a denial based exclusively on this language shall include explicitly findings regarding the way in which granting the special exception would be contrary to the public health, safety and welfare.

It is the applicant's responsibility to justify the need for this application. The BZA may approve, deny, condition or continue an application.

Dept. Will Assign Application # _____

Tax Parcel # (Do not submit a "portion-of" or PO) _____

City of Aiken
APPLICATION TO THE BOARD OF ZONING APPEALS

_____ Variance _____ Special Exception _____ Administrative Appeal

Applicant/Agent

Name/Company _____ Phone _____

Mailing Address _____ Zip Code _____

Fax _____ E-mail _____ Mobile _____ Pager _____

Property Owner(s) (As it appears on your on deed)

Name/Company _____ Phone _____

Mailing Address _____ Zip Code _____

Fax # _____ E-mail _____ Mobile # _____ Pager _____

Subject Property

Address _____ Zone _____ Size in Acres _____

Land Use _____ # of Lots _____

Summarize Your Request _____

Is this property subject to a recorded restrictive covenant that would prohibit or restrict the activity proposed in the application? Yes No If yes, attach a certified copy of the restrictive covenants.

Designation of Agent [complete if owner is not applicant]

I (we) hereby appoint the person named as Applicant as my (our) agent to represent me (us) in this application.

Date: _____ Owner signature(s) _____

Owner's Signature

I understand it is the applicant's responsibility to justify the need for this application. All required information is attached. A letter fully describing this request and answering in detail each and all the decision criteria is included. I understand that I or my agent will attend the public hearing or the hearing may be postponed or the application denied. It is unlawful for any person giving testimony to this Board to knowingly provide false information according to Section 22-9 of the Aiken Municipal Code. Each infraction is a separate offense with a penalty of up to 30 days in jail and/or a \$1,092.50 fine.

Signature(s): _____ Date _____

_____ Date _____