



COUNTY OF LEXINGTON, SOUTH CAROLINA

Department of Community Development
County Administration Building (803) 785-8121
212 South Lake Dr, Suite 401 Lexington, South Carolina 29072

ZONING VARIANCES

APPLICATION

Under the Lexington County Zoning Ordinance, Zoning Variance applications may be filed with the Zoning Administrator to request the Lexington County Board of Zoning Appeals to grant relief from specific requirements of the Zoning Ordinance, such as buffering restrictions, performance standards, or other design parameters. Property owners may appoint an agent to apply on their behalf. In no case can the Board grant a Variance so as to allow a use prohibited by the applicable zoning district or road classification.

A Zoning Variance application consists of: A completed form, available from this office; a non refundable application fee; and an accurate site plan and/or plat depicting the relevant land use as well as the nature and extent of relief requested. **(A site plan drawn to published standards must be submitted and reviewed by staff prior to making an application for variance.)** In addition, a separate signed explanation must accompany the application and site plan demonstrating how you satisfy each of the four Standards for Variances as listed below. **If the applicant for the variance application is other than the property owner the application must be accompanied by a letter of agency from the property owner.** A sample letter of agency may be provided to you by staff.

PROCEDURE

A Zoning Variance application **(including a staff reviewed site plan)** properly filed with the Zoning Administrator by 12:00 p.m. on the second Friday of the month will be reviewed by the Lexington County Board of Zoning Appeals at a public hearing to be held on the third Tuesday of the following month at 6:00 p.m. in the Lexington County Administration Building, 2nd floor Council Chambers. At least fifteen days prior to the public hearing, the Zoning Administrator will post a sign on the property in question and place an advertisement in a local newspaper to notify any interested parties of the Variance Request. ***(The variance sign is property of the County of Lexington and is not to be removed, relocated or altered in any way except by County staff.)*** Approximately fifteen days prior to the public hearing, the Zoning Administrator will send notices of the meeting to adjacent and affected property owners.

Approval of all or a portion of the Variance Request by the Lexington County Board of Zoning Appeals takes effect, for permitting purposes, at 8:00 a.m. the next County business day.

STANDARDS FOR VARIANCES

The Board may grant a variance if it makes the following finding (all inclusive):

- a. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
- b. These conditions do not generally apply to other property in the vicinity;
- c. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
- d. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

NOTICE

The Board of Zoning Appeals is a quasi-judicial branch of Lexington County government. Therefore, **Board Members should not be contacted** or approached regarding an upcoming issue on an individual basis. The public hearing is the appropriate time to address the Board as a whole. Information to be directed to the Board prior to the hearing should be submitted to the Zoning Administrator, who will in turn submit such appropriate information to the entire Board of Zoning Appeals.