

STATE OF SOUTH CAROLINA)
)
COUNTY OF DARLINGTON)

ORDINANCE NO. 24-21

An Ordinance To Amend Darlington County Code Of Ordinances, Appendix A (Development Standards Ordinance), Article 6 (How Development Permits Are Reviewed And Approved), Section 6.7 (Variances) To Provide The Planning Commission With Authorization To Grant Variances And To Establish The Effective Date Of This Ordinance

PURPOSE

This amendment will give Darlington County Planning Commission the opportunity to hear variance requests for any development within the County.

NOW, THEREFORE, BE IT ORDAINED by the governing body of Darlington County, South Carolina, the Darlington County Council, that:

SECTION I.

Darlington County Code of Ordinances, Appendix A. (Darlington County Development Standards Ordinance), Article 6 (How Development Permits Are Reviewed And Approved), Section 6.7 (Variances), subsection 6.7.1 [Generally], **which currently reads as follows:**

Sec. 6.7. Variances.

6.7.1. [*Generally.*] The planning commission may approve development not in compliance with the provisions of articles four, five, seven (section 7.9.1.2), nine, twelve, and thirteen (section 13.12.2) of this appendix, if compliance with these provisions would cause practical difficulties as defined below, and if the proposed development:

- (A) Differs from development which would be permitted under the general development provisions no more than is necessary to overcome the practical difficulties;
- (B) The granting of the variance will not be detrimental to the public health, safety and welfare, or injurious to other property.

Practical difficulties:

- (1) The parcel has unusual physical characteristics shape or topography in relation to surrounding parcels.
- (2) The unusual physical characteristics existed at the time regulations were adopted.
- (3) The unusual physical characteristics were created after ordinance adoption by natural forces or by government action for which no compensation was paid.

Be amended to read as follows:

Sec. 6.7. Variances.

6.7.1. [Generally.] The planning commission may approve development not in compliance with the provisions of ~~articles four, five, seven (section 7.9.1.2), nine, twelve, and thirteen (section 13.12.2)~~ **any articles** of this appendix, if compliance with these provisions would cause practical difficulties as defined below, and if the proposed development:

- (A) Differs from development which would be permitted under the general development provisions no more than is necessary to overcome the practical difficulties;
- (B) The granting of the variance will not be detrimental to the public health, safety and welfare, or injurious to other property.

Practical difficulties:

- (1) The parcel has unusual physical characteristics shape or topography in relation to surrounding parcels.
- (2) The unusual physical characteristics existed at the time regulations were adopted.
- (3) The unusual physical characteristics were created after ordinance adoption by natural forces or by government action for which no compensation was paid.

Section 2.

The provision of this ordinance shall be included and incorporated in the Code of Ordinances for Darlington County, as an amendment thereto.

Section 4.

This ordinance shall become effective upon third reading.

ATTEST:


J. Janet Bishop, Clerk to Council

DARLINGTON COUNTY COUNCIL


Bobby Hudson, Chairman

FIRST READING: December 2, 2024
SECOND READING: January 7, 2025
THIRD READING: February 3, 2025
PUBLIC HEARING: January 7, 2025

Darlington County Recording Page



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Darlington, SC 29532
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