




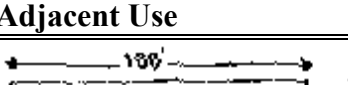
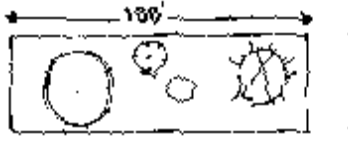

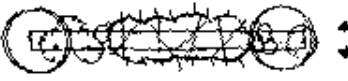


### BUFFERYARD 1

Required Plants Per 100' of Length





- 2 Canopy Trees 
- 4 Understory Trees 
- 4 Evergreens/Conifers 
- 4 Shrubs 

14 Total

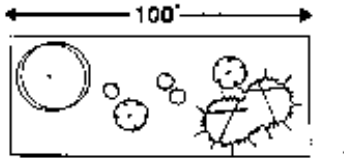
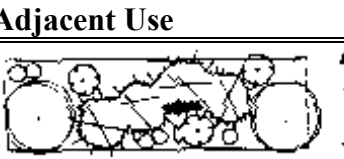


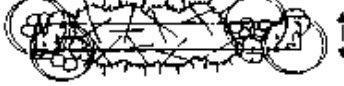
Percentage of Required Plant Material		Buffer Yard Width
25%	<p><b>Proposed Use</b></p>  <p><b>Adjacent Use</b></p> 	30 feet
50%		20 feet
75%		10 feet
100%		5 feet

**BUFFERYARD 2**

Required Plants Per 100' of Length





- 4 Canopy Trees 
- 6 Understory Trees 
- 8 Evergreen/Conifers 
- 10 Shrubs 

28 Total



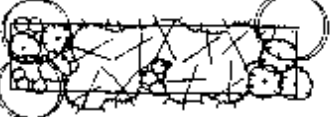
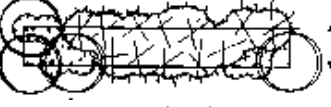
Percentage of Required Plant Material		Buffer Yard Width
25%	<p><b>Proposed Use</b></p>  <p><b>Adjacent Use</b></p> 	40 feet
50%		30 feet
75%		20 feet
100%		10 feet

### BUFFERYARD 3

Required Plants Per 100' of Length





- 4 Canopy Trees 
- 8 Understory Trees 
- 12 Evergreens/Conifers 
- 12 Shrubs 

36 Total

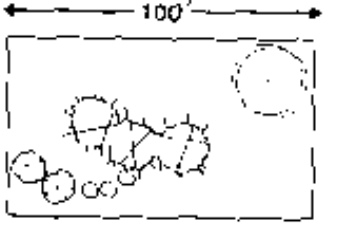


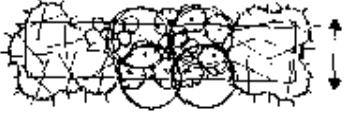
Percentage of Required Plant Material		Buffer Yard Width
25%	<p><b>Proposed Use</b></p>  <p><b>Adjacent Use</b></p>	50 feet
50%	 <p>structure required B1</p>	40 feet
75%	 <p>structure required B3</p>	25 feet
100%	 <p>structure required F3</p>	15 feet

### BUFFERYARD 4

Required Plants Per 100' of Length





- 4 Canopy Trees 
- 8 Understory Trees 
- 12 Evergreens/Conifers 
- 12 Shrubs 

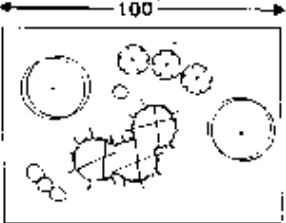

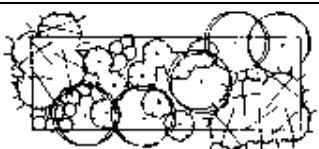

36 Total

Percentage of Required Plant Material		Buffer Yard Width
25%	<p><b>Proposed Use</b></p>  <p><b>Adjacent Use</b></p>	60 feet
50%	 <p>structure required B1</p>	50 feet
75%	 <p>structure required B3</p>	30 feet
100%	 <p>structure required F3</p>	20 feet

### BUFFERYARD 5





Required Plants Per 100' of Length

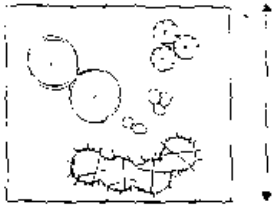
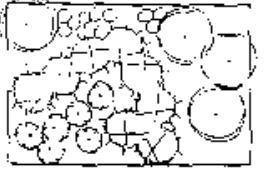
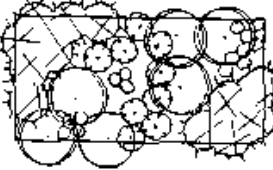
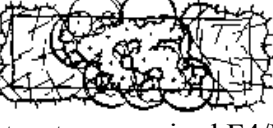
6	Canopy Trees	
12	Understory Trees	
12	Evergreen/Conifers	
16	Shrubs	
<hr/>		
46	Total	

Percentage of Required Plant Material		Buffer Yard Width
25%	<p><b>Proposed Use</b></p>  <p><b>Adjacent Use</b> structure required B1</p>	75 feet
50%	 <p>structure required B2</p>	60 feet
75%	 <p>structure required B3/F1</p>	35 feet
100%	 <p>structure required F3</p>	25 feet

## BUFFERYARD 6

Required Plants Per 100' of Length

- |    |                     |   |
|----|---------------------|---|
| 8  | Canopy Trees        |  |
| 12 | Understory Trees    |  |
| 16 | Evergreens/Conifers |  |
| 20 | Shrubs              |  |
| 56 | Total               | _____   |

Percentage of Required Plant Material		Buffer Yard Width
25%	<p><b>Proposed Use</b></p>  <p><b>Adjacent Use</b> structure required B1</p>	90 feet
50%	 <p>structure required B2</p>	70 feet
75%	 <p>structure required F3/B3</p>	45 feet
100%	 <p>structure required F4/B1</p>	30 feet

## STRUCTURE ILLUSTRATIONS

FENCES:

<u>Symbol</u>	<u>Height</u>
F1	3 feet
F2	4 feet
F3	6 feet



Wood Stockade/Opaque Fence (non-perishable supports)

WALLS:

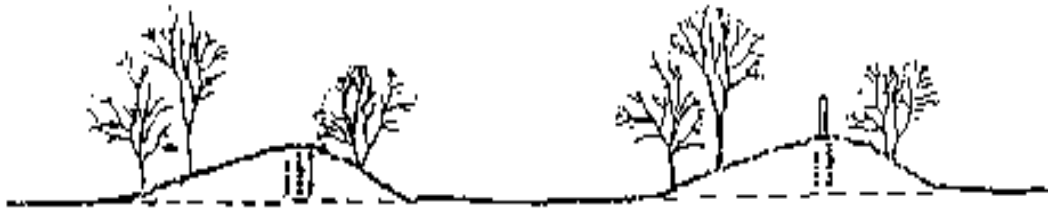
<u>Symbol</u>	<u>Height</u>
F4	6 feet
F5	8 feet



Masonry Wall (poured concrete, stucco, concrete block, brick, etc.)

BERMS:

BERMS/FENCES



<u>Symbol</u>	<u>Height</u>	<u>Material</u>	<u>Symbol</u>	<u>Height</u>
B1	3 feet	Earth	BF1	3 foot berm with 3 foot stockade fence
B2	4 feet	Earth	BF2	4 foot berm with 4 foot stockade fence
B3	5 feet	Earth	BF3	5 foot berm with 5 foot stockade fence

**Section 724. Nuisance Abatement of Conditions Creating a Threat to the Public Health and Safety.**

TOWN OF SIX MILE )  
COUNTY OF PICKENS )  
STATE OF SOUTH CAROLINA )

*ORDINANCE*  
*Section 724*  
*Unsafe Dwellings and*  
*Structures*

WHEREAS, the Mayor and Town Council find that there exists within the Town of Six Mile, South Carolina, certain dwellings and other structures which are unfit for human habitation and/ or use due to: dilapidation, defects increasing the hazards of fire, accidents, or other calamities, lack of ventilation, light or sanitary facilities, and/or other conditions rendering such dwellings or structures unsafe or unsanitary, dangerous or detrimental to the health, safety, or otherwise inimical to the welfare of the residents of the town;

AND WHEREAS, the Town is authorized by Sections 5-7-30, and **31-15-10**, et seq, of the South Carolina Code of Laws (as amended), as well as the general laws of this state, to establish ordinances addressing the fitness and suitability of such dwellings and structures;

THEREFORE BE IT ORDAINED by the Town of Six Mile through its Mayor and Town Council, duly assembled, as follows;

Sec. 1.01 Power exercised by Zoning Administrator

Whenever it is determined that any of the conditions exist as described above, the Zoning Administrator of the town is hereby authorized to repair, close, or demolish, or cause to be repaired, closed, or demolished, any such dwelling or other structure in the manner hereinafter provided.

Sec. 1.02 Complaint notice and hearing

The powers to be exercised under this section shall be exercised by the Zoning Administrator.

Section 1.03 Order to repair or demolish

Whenever a complaint or petition is filed with the Town Clerk, or Zoning Administrator by any one (1) of the administrative heads of the town, or by at least five (5) residents of the town, charging that any dwelling or other structure is unfit for human habitation, or whenever it appears to the Zoning Administrator, (on his own motion) that any dwelling or other structure is unfit for human habitation, the Zoning Administrator shall, after preliminary investigation, attempt to make contact with the owner to discuss the nature of the violation(s) on their property and what steps would need to be taken to remedy said violation(s). If the property owner is responsive to such attempts, the property owner shall be given a ninety (90) day grace period to resolve the violation(s).

If after ninety (90) days no effort is made to correct the problem, a formal written notice from the Zoning Administrator will be issued to the property owner, giving them another ninety (90) days to correct the problem. The notice will inform the property owner of any fines that he or she may incur if no action is taken to



correct the situation. The purpose of the two separate ninety day periods is to allow the property owner ample opportunity during a 6 month time frame to resolve violations before any penalties are imposed.

If, after the two ninety day periods outlined above have passed, the violation(s) have not been resolved, then the Zoning Administrator will issue and cause to be served upon the owner of and all parties of interest in such dwelling or other structure a complaint in letter format stating the nature of the violation and containing a notice that a hearing will be held before Town Council not less than ten (10) days nor more than thirty (30) days after the service of such complaint or letter; that the owner and parties in interest shall be given the right to file an answer to the complaint in letter and to appear in person and give testimony at the place and time fixed in the complaint; and that the rules of evidence prevailing in courts of law or equity shall not be controlling in such hearings. In the event an emergency arises whereby it appears that human life or safety is involved, the Zoning Administrator may shorten the notice of hearing to no less than one day.

#### Section 1.04 Posted Notice

If, after such notice and hearing, the Town Council determines that the dwelling or other structure under consideration is unfit for human use or habitation, (*Town Council may, but is not required to, secure the services of an architect, engineer, contractor, or other company/individual who is an expert and/or certified in their area in determining findings of fact*) it shall be stated in writing, such writing to include the findings of fact in support of such determination, and this writing shall be issued and caused to be served upon the owner of such property together with or in the form of an order.

- (a) if the repair, alteration, or improvement of the dwelling or other structure can be made at a reasonable cost in relation to the value of the dwelling or other structure, the owner shall be required within the time specified in such order, to repair, alter, or improve such dwelling or other structure to render it fit for human use or habitation or to vacate and close the dwelling or other structure as a human habitation; or
- (b) if the repair, alteration or improvement of the dwelling or other structure cannot be made at a reasonable cost in relation to the value as determined by Pickens County Tax Assessor of the dwelling or other structure (reasonable cost being not over 50% of the value), the owner then shall be required, within the time specified in the order, to remove or demolish such dwelling.

#### Section 1.05 Failure to comply

*If the owner fails to comply with an order to repair, alter or improve or to vacate and close the dwelling, the Zoning Administrator may cause such dwelling to be repaired, altered or improved or to be vacated and closed; that the Zoning Administrator may cause to be posted on the main entrance of any dwelling so closed, a placard with the following words: "This building is unfit for human*

*habitation; the use or occupation of this building for human habitation is prohibited and unlawful";*

Section 1.06 Removal authority of town

If such owner fails to comply with the order to remove or demolish the dwelling, the Zoning Administrator may cause such dwelling or other structure to be removed or demolished.

Section 1.07 Lien upon property taxes

That the amount of the cost of such repairs, alterations, or improvements, vacating and closing, or removal, or demolition by the Zoning Administrator shall be a lien against the real property upon which such cost was incurred and shall be collectible in the same manner as municipal taxes.

Section 1.08 Nuisance abatement power of town

No part of this section shall be construed in any way to impair or limit any and all powers of the Town to define and declare nuisances and/or to cause their removal or abatement by summary proceedings or otherwise.

Section 1.09 Conditions constituting unfit dwellings/buildings

A dwelling or other structure is unfit for human use or habitation if conditions exist in such dwelling or other structure which constitute demolition by neglect, or are dangerous or injurious to health, safety or morals of the occupants of such dwelling, the occupants of neighboring dwellings or other residents of the town. Such conditions may include any of the following (without limiting the generality of the foregoing): defects therein increasing the hazards of fire, accidents, or other calamities; lack of adequate ventilation, light or sanitary facilities; dilapidation; disrepair; structural defects; uncleanness; and any other conditions in any reasonable way relating to the fitness for human use or habitation as previously set forth.

Section 1.10 Service of complaints

Complaints by letters or orders hereunder shall be delivered to and/or served upon such persons either personally or by certified mail, but if the whereabouts of such persons are unknown and cannot be ascertained in the exercise of reasonable diligence the Zoning Administrator shall make an affidavit to that effect; then the serving of such complaint or order upon such persons may be made by publishing it once each week for two (2) consecutive weeks in a newspaper printed and published in this area. A copy of such complaint or order shall be posted in a conspicuous place on the premises affected by the complaint or order. A copy of such complaint or order shall also be filed with the Pickens County Clerk of Court and such filing of the complaint or order shall have the same force and effect as other notices provided by law.

Section 1.11 Disposition of proceeds of sale

If a dwelling or other structure is removed or demolished by the Zoning Administrator, he shall sell, if practicable, the materials of such dwelling and shall credit the proceeds of such sale against the cost of the removal or demolition and any balance remaining shall be deposited with the Pickens County Clerk of Court by the Zoning Administrator and shall be secured in such manner as may be

directed by such Clerk of Court and shall be disbursed by such Clerk of Court to the persons found to be entitled thereto by final order or decree of such court.

Section 2.01 Trespassing prohibited on property declared in violation of this ordinance

(a) It shall be unlawful for any person to trespass upon the curtilage of a building or structure on private property once it has been declared unfit for human use or habitation as described in Section 1.04 of this ordinance and thereby declared unsafe by the Zoning Administrator.

(b) It shall further be unlawful for any person or persons to remove any baffle used to close windows, doors, underpinning, or other openings in the unsafe building or structure.

(c) The Zoning Administrator shall ensure trespassing notices are filed and notice of "No Trespassing" posted on four (4) sides of the unsafe building or structure.

(d) There shall be no violation under this section for entry upon curtilage, building or structure by police or fire personnel, Zoning Administrator, or a licensed contractor on the premises for the purpose of repair, removal or razing of the building or structure.

(e) Once the property has been declared unsafe, the owner may enter upon the premises only when accompanied by any of the personnel listed in the above subparagraph (d).

Section 2.02 Unlawful to remove or deface public notices

It shall be unlawful for any person or persons to remove or deface public notices of "Condemned Structure—Unsafe" or "No Trespassing" which are posted upon the condemned building or structure by the Zoning Administrator.

Section 2.03 Rights of persons affected

Any person affected by an order issued by the Zoning Administrator may within sixty (60) days after the posting and service of the order, petition the Town Council for an injunction restraining the Zoning Administrator from carrying out the provisions of the order and Council may, upon such petition, issue a temporary injunction restraining the Zoning Administrator pending the final disposition of the case. Hearings shall be had by the Town Council on such petitions within twenty (20) days or as soon thereafter as possible and shall be given preference over other matters on Council's calendar. Town Council shall hear and determine the issues raised and shall enter such final order or decree as law and justice may require. In all such proceedings, the findings of the Zoning Administrator as to facts, if supported by evidence, shall be conclusive. Costs shall be in the discretion of the Town Council. The remedies herein provided shall be exclusive remedies and no person affected by an order of the Zoning Administrator shall be entitled to recover any damages for action taken pursuant to any order of the Zoning Administrator or because of compliance by such person with any order of the Zoning Administrator.

Section 2.04 Grievance procedure.

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The property owner may request an extension of any deadline herein to the Town Council. Town Council has the authority to extend the deadline for one ninety (90) day period. *Town Council may extend this period for additional successive ninety (90) day periods as they may deem necessary, based on extenuating circumstances which may be provided by the owner or the Town.*

#### Section 3.01 Expected Chain of Events

- Zoning Administrator determines building to be unsafe or 5 residents submit petition to Zoning Administrator and Zoning Administrator will determine safety of property.
  
- *Zoning Administrator contacts property owner and allows owner ninety (90) days to begin resolving the issues.*
  
- *If issues still unresolved, Zoning Administrator issues formal written warning to property owner listing nature of violations and giving an additional ninety (90) days to resolve issues.*
  
- Zoning Administrator notifies owner and gives owner notice of hearing (at least ten (10) days) before Town Council.
  
- Owner appears before Town Council and Council determines if building is unfit and sets a date for repairs or demolition.
  
- If building is not repaired or demolished by time frame set by Council then the town repairs or demolishes property and places lien on property in the same manner as municipal taxes.

#### Section 3.02 Definitions

The following terms whenever used or referred to in this ordinance shall have the following respective meanings for the purpose of this ordinance, unless a different meaning clearly appears in the context.

“Municipality” shall mean the Town of Six Mile regardless of population;

“Governing Body” shall mean the Town Council or other legislative body charged with governing the Town of Six Mile;

“Public Officer” shall mean the officer or officers who are authorized by ordinance to exercise the powers prescribed by such ordinances;

“Public Authority” shall mean any housing authority or any officer who is in charge of any department or branch of the Town of Six Mile relating to health, fire, or building regulations or to other activities concerning dwellings in the Town of Six Mile;

“Owner” shall mean any person, agent, operator, firm, or corporation having a legal or equitable interest in the property; or the holder of the title in fee simple and every mortgagee of record; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or

administrator of the estate of such person if ordered to take possession of real property by a court;

“Parties of Interest” shall mean all individuals, associations, corporations and others who have interests of record in a dwelling and any that are in possession thereof;

“Demolition by neglect” shall mean neglect in the maintenance of a building, resulting in one or more of the following conditions:

- (a) Parts, components, or details of the building which are defective or deteriorated or so attached that they may fall off;
- (b) Defective or deteriorated foundation;
- (c) Defective or deteriorated floor supports;
- (d) Members of walls or other vertical supports that split, lean, list or buckle due to defective construction or deterioration or that are otherwise insufficient to carry imposed loads;
- (e) Members of ceilings, roofs, ceiling and roof supports, or other horizontal supports that are insufficient to carry imposed loads;
- (f) Fireplaces or chimneys which list, bulge, or settle due to defective construction or deterioration;
- (g) Unsafe electrical or mechanical conditions or conditions constituting a fire hazard;
- (h) Defective or deteriorated siding, masonry joints, windows, exterior doors, flashing, venting or any other defect or condition in the building which renders it not properly watertight;
- (i) Defective or deteriorated down spouts or gutters such that rain runoff is not directed off of the roof and away from the foundation; or component, or architectural detail.

“Dwelling” shall mean any building or structure, or part thereof, used and/or occupied for business, human habitation or intended to be so used;

“Zoning Administrator” shall mean the person who is charged with the administration and enforcement of this code, or any duly authorized representative;

“Condemn” shall mean to adjudge unfit for occupancy;

“Imminent Danger” shall mean a condition which could cause serious or life threatening injury or death at anytime.

Be it so Ordained, by the Mayor and Town Council of the Town of Six Mile, South Carolina on this the 7<sup>th</sup> day of February, 2012.

**Section 725. Property Appearance.**

- 725.1        Purpose. It is the intent of the Town of Six Mile to provide for uniform prohibition throughout the Town of all litter on all public or public property, and to curb thereby the desecration of the beauty of the Town and harm to the health, welfare, and safety of its citizens caused by individuals who litter. It is further the purpose of this Section to ensure to the greatest extent possible that all lands of the Town of Six Mile shall be maintained in a clean condition that shall be defined herein as having no litter.
- 725.2        Definition. Litter includes but is not limited to sand, gravel, slag, brickbats, rubbish, waste materials, including but not limited to tin or aluminum cans, refuse, garbage, trash, debris, dead animals, bottles, scrap glass, scrap metal, junk, junk vehicles, junk vehicle parts, scrap paper, disposable packages, or containers and all other similar materials and any substance of any kind or nature whatsoever and discarded materials of every kind and description that creates a public health, safety, or fire hazard or a public nuisance, defined as interference with the enjoyment and use of property.
- 725.3        Requirements. All residential, commercial, institutional and vacant properties are required to be kept free of litter by the owners, managers, tenants, or agents. Such areas shall include but are not limited to:
- 1) Sidewalks, driveways, yards, and parking areas must be kept clean by owners, tenants, agents, and managers.
  - 2) Garbage container areas must be maintained in a clean condition.
  - 3) Construction sites must be kept clean.
726.        Communications Towers. Communications towers shall not be permitted in the town limits of Six Mile.
727.        Tattoo Parlors. Tattoo Parlors will not be allowed inside the town limits of Six Mile
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## ARTICLE VIII

### ADMINISTRATION, ENFORCEMENT, APPEAL, COMPLAINTS AND REMEDIES

#### **Section 800. Administration and Enforcement.**

The duly appointed Zoning Administrator shall hereby be given the authority and responsibility to administer and enforce the provisions of this Ordinance.

If the Zoning Administrator shall find that any of the provisions of this Ordinance are being violated, he shall notify in writing the person responsible for such violations, indicate the nature of the violation, and order the action necessary to correct it. He shall order discontinuance of any illegal work being done; or shall take any other action authorized by this Ordinance to ensure compliance with its provisions.

#### **Section 801. Building and Sign Permits Required.**

No building, sign, or other structure shall be erected, moved, added to, or structurally altered without a permit therefore, issued by the Pickens County. No building or sign permit shall be issued unless a Certificate of Zoning Compliance shall have been issued by the Zoning Administrator to indicate that the proposed building or sign is in full compliance with the provisions of this Ordinance, unless a variance is granted as provided by this Ordinance.

The Zoning Administrator shall issue sign permits in accordance with the provisions of this Ordinance.

**Section 802. Application for Certificates of Zoning Compliance.**

802.1 New Constructions, Additions and Alterations. All applications for Certificates of Zoning Compliance shall be accompanied by plans in duplicate drawn to scale, showing the actual dimensions and shape of the lot to be built upon; the exact sizes and locations on the lot of buildings already existing, if any; and the location and dimensions of the proposed building or alteration. The application shall include such other information as lawfully may be required by the Zoning Administrator, including existing or proposed buildings or alterations, existing or proposed uses of buildings and land, the number of families, housekeeping units, or rental units the building is designed to accommodate; conditions existing on the lot; and such other matters as may be necessary to determine conformance with, and provide for the enforcement of this Ordinance.

For multi-family residential, office, institutional, commercial, and industrial construction, plans shall be stamped by a licensed surveyor, architect, engineer, or site planner.

One copy of the plan shall be returned to the applicant by the Zoning Administrator, with demarcation of approval or disapproval and shall be attested to the same by the signature of the Zoning Administrator on such copy. The original copy of the plans, similarly marked, shall be retained by the Zoning Administrator.



**Section 803. Certificates of Occupancy for New or Altered Uses.**

It shall be unlawful to use, occupy or permit the use of any building or premises, or both, or parts thereof hereafter created, erected, changed, converted, or wholly or partly altered or enlarged in its use or structure until a Certificate of Occupancy shall have been issued therefore by the Pickens County stating that the proposed use of the building or land conforms to the requirements of this Ordinance.

Pickens County shall maintain a record of all Certificates of Occupancy and a copy shall be furnished upon request to any person.

Failure to obtain a Certificate of Occupancy shall be a violation of this Ordinance, and punishable under Section 807 of this Ordinance.

**Section 804. Conditional and Temporary Uses.**

Conditional uses, as set forth in Article V of this Ordinance, are declared to possess characteristics that require certain controls in order to insure compatibility with other uses in the District within which they are proposed for location.

804.1           General Requirements. Conditional uses shall be permitted subject to a determination by the Zoning Administrator that they conform to all regulations set forth herein and elsewhere in this Ordinance, with particular reference to those requirements established for those districts in which they are proposed for location.

804.2           Conditional Use Administration and Duration. Applications for permission to build, erect, or locate a conditional use shall be submitted and processed in accordance with the regulations set forth in this Article, prior to the issuance of any permits.

804.3           Temporary Uses. The Zoning Administrator is authorized to issue a temporary Certificate of Zoning Compliance for temporary uses, as follows:

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- a) Carnival or circus for a period not to exceed twenty-one (21) days, subject to the approval of the Town Council.
- b) Religious meeting in a tent or other temporary structure in GC, LI, and BI Districts, for a period not to exceed sixty (60) days.
- c) Open lot sale of Christmas trees, in the NC, GC, CC, LI, and BI Districts for a period not to exceed forth-five (45) days.
- d) Real estate sales office, in any district, for a period not to exceed one (1) year, provided no cooking or sleeping accommodations are maintained in the structure.
- e) Contractor's office and equipment sheds, in any district, for a period of one (1) year, provided that such office is placed on the property to which it is appurtenant.
- f) All temporary Certificates of Zoning Compliance may be renewed provided that it is determined that said use is clearly of a temporary nature, will cause no traffic congestion and will not create a nuisance to surrounding uses.

**Section 805. Expiration of Building Permit.**

If the work in any building has not begun within six (6) months from the date of issuance thereof, said permit shall expire; Pickens County shall cancel it, and written notice thereof shall be given to the persons affected.

**Section 806. Complaint Regarding Violations.**

Whenever a violation of this Ordinance occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint stating fully the causes and basis thereof shall be filed with the Zoning Administrator, who shall record properly such complaint, immediately investigate, and take action thereon as provided by this Ordinance.

**Section 807. Penalties for Violation.**

Any person charged with violating any provisions of this Ordinance shall be charged with a misdemeanor and, upon conviction, shall be fined or imprisoned, as determined by the Court, for each offense.

Nothing herein contained shall prevent the Town from taking such other lawful action as is necessary to prevent or remedy any violation.

**Section 808. Appeal from the Decision of the Zoning Administrator.**

It is the intention of this Ordinance that all questions arising in connection with the enforcement of the Ordinance shall be presented first to the Zoning Administrator and that such question shall be presented to the Zoning Board of Appeals only on appeal from the decision of the Zoning Administrator. A petition for the appeal of any decision or order rendered by the Zoning Administrator must be filed within thirty (30) days of receiving notice of the decision or order rendered.

## ARTICLE IX

### ZONING BOARD OF APPEALS

#### **Section 900. Establishment of Zoning Board of Appeals.**

A Zoning Board of Appeals is hereby established. Said Board shall consist of five (5) members, who shall be citizens of the Town of Six Mile and shall be appointed by the Six Mile Town Council for overlapping terms of three (3) years. Initial appointment shall be as follows: One (1) member for a term of three (3) years; two (2) members for a term of two (2) years; and two (2) members for a term of one (1) year. Any vacancy in the membership shall be filled for the unexpired term in the same manner as the initial appointment. Members shall serve without pay but may be reimbursed for any expenses incurred while representing the Board.

#### **Section 901. Proceedings of the Zoning Board of Appeals.**

The Zoning Board of Appeals shall elect a chairman and a vice-chairman from its members who shall serve for one (1) year or until re-elected or until their successors are elected. The Board shall appoint a secretary, who may be a Town officer, an employee of the Town, or a member of the Board of Appeals. The Board shall adopt rules and bylaws in accordance with the provisions of this Ordinance and of the General Statutes of South Carolina, 1976 Code of Law, 1984 Cumulative Supplement, Title VI, Chapter 29, Section 780. Meetings of the Board shall be held at the call of the Chairman and at such other times as the Board may determine. All meetings of the Board shall be open to the public.

**Section 902. Decisions of the Zoning Board of Appeals.**

The concurring vote of three (3) members of the Board of Appeals shall be necessary to reverse any order, requirement, decision or determination of the Zoning Administrator or to decide in favor of the applicant on any matter upon which it is required to pass under this Ordinance or to affect any variation of this Ordinance. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board and shall be a public record. On all appeals, applications and matters brought before the Board of Appeals, the Board shall inform in writing all the parties involved of this decisions and the reasons therefore.

**Section 903. Appeals, Hearing, and Notice.**

Appeals to the Board may be taken by any person aggrieved or by any officer, department, board, or bureau of the municipality. An appeal from an administrative decision must be filed within 30 days after the decision becomes a matter of public record by denial of issuance of a permit or the filing of a written decision in the office of the Zoning Administrator. An appeal shall be filed by delivery of the approved appeal form with the officer from whom the appeal is taken and with the Board of Appeals notice of appeal specifying the ground thereof. The Zoning Administrator shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken.

An appeal stays all legal proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the Board, after the notice of appeal shall have been filed with him, that by reason of facts stated in the certificate of stay would, in his opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board or by a court of record on application, on notice to the officer from whom the appeal is taken, and on due cause shown.

The Board shall fix a reasonable time for the hearing of the appeal or other matter referred to it, within thirty (30) days of when the appeal was filed, and give public notice thereof in a newspaper of general circulation in the community and post a sign on the property affected by the zoning appeal at least fifteen (15) days prior to the meeting, as well as provide notice to the parties in interest, and decide the same within a reasonable time. At the hearing, any party may appear in person or by agent or by attorney.

**Section 904. Powers and Duties of the Board of Appeals.**

The Zoning Board of Appeals shall have the following powers and duties:

- 904.1 To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Zoning Administrator in the enforcement of this act.
- 904.2 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 cases as unnecessary hardship upon a finding by the Board of 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;

- 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.

904.3 To decide on other such matters where a decision of the Board of Appeals may be specifically required by the provisions of the Ordinance.

In exercising the above powers, the Board of 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 officer from whom the appeal is taken and may issue or direct the issuance of a permit. The Board, in the execution of the duties for which appointed, may subpoena witnesses and in case of contempt may certify such fact to the circuit court in and for the County of Pickens.

#### **Section 905. Appeals from Decisions of the Board of Appeals.**

Any person who may have a substantial interest in any decision of the Board of Appeals may appeal any decision of the Board to the Circuit Court in and for the County of Pickens by filing with the clerk of such court a petition in writing setting forth plainly, fully, and distinctly wherein such decision is contrary to law. Such appeal must be filed with the Clerk of court within thirty (30) days after the decision of the board is mailed.

#### **Section 906. The Planning Commission**

##### **THE PLANNING COMMISSION**

906.1 Name of Commission. The official name of the Commission shall be the Six Mile Planning Commission

906.2 Authority. The Six Mile Planning Commission is hereby created in accordance to Article X of the Official Zoning Ordinance of the Town of Six Mile.

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**MEMBERSHIP**

906.3 Eligibility. Any individual that resides within the corporate limits of the Town of Six Mile, South Carolina.

906.4 Election of officers. Any individual deemed eligible that has been duly selected and approved by the Town Council.

906.5 Length of term. Planning Commission members shall serve a staggered term of three years that will commence with notification from the Town Council and last until September 30 of the year in which the term expires. Members of the Planning Commission may be reappointed without limit.

906.6 Resignation. Any member of the Planning Commission may resign at any time by submitting notice of resignation to the Secretary.

**OFFICERS**

906.7.Officers. Annually, at the regular meeting of the Planning Commission held in the month of January, the Commission shall elect a Chairman, a Vice Chairman and a Secretary. The officers may succeed themselves. The Planning Commission shall have seven members.

906.8 Tenure. The officers shall serve from the date of their election until January 30 of the following year or until their successors shall have been elected.

906.9. Chairman. The Chairman shall preside at all meetings of the Planning Commission and at other meetings and public hearings called by the Commission. He shall call special meetings of the Planning Commission when required and shall transmit reports, plans and recommendations of the Planning Commission to the appropriate governing authority, and, in general, shall act as spokesman for the Commission.

906.10 Vice-Chairman The Vice-Chairman shall serve as Chairman in the absence or disability of the Chairman. In the event of the death or resignation of the Chairman, the Vice-Chairman shall perform the latter's duties until such time as the Commission shall elect a new Chairman.

906.11 Secretary. The secretary shall assist the Chairman in the preparation of agenda for Planning Commission meetings, shall prepare and send out notices for regular and special meetings, shall prepare and distribute minutes of Commission files and its books of account and shall have custody of all funds coming into the possession of the Commission and shall deposit the same in the name of the Commission in such bank or banks as the Commission may select. Under the Commission's direction and upon its authorization, the Secretary shall sign all



orders and checks for payment of money and shall pay out and disburse Commission funds

906.11 Additional Duties. The Chairman, Vice-Chairman and Secretary shall perform such other duties and functions as may from time to time be required by the Commission by its by-laws.

#### MEETINGS

906.12 Regular Meetings Regular meetings of this Commission shall be held as scheduled by the chairman of the Planning Commission. The meeting will typically be on the fourth Tuesday of the month. A minimum of eight meetings will be held each year. One meeting each year shall be termed the annual meeting.

906.13 Special Meetings Special meetings may be held at the call of the chairman or of acting chairman, provided that notice of such meetings shall be given to all members at least twenty-four (24) hours before the hour for which the meeting is called.

906.14 Meetings and Records Open. All meetings of the Planning Commission at which official action is taken shall be open to the public and all records of the Commission shall be a public record.

906.15 Quorum. Four members shall constitute a quorum of this Commission for transacting business and taking official action. Whenever a quorum is not present at a regular or special meeting, those present may postpone the meeting to another day or hold the meeting for the purpose of considering such matters as are on the agenda or introduced by members. No action taken at such a meeting shall be official unless and until ratified and confirmed in a subsequent meeting of this Commission at which a quorum is present.

906.16 Voting. Voting shall be by vote and shall not be recorded by yeas and nays unless such a record is requested, at the time the vote is taken, by a member of this Commission.

906.17 Conflict of interest. No member shall vote, or participate in discussion, on any issue in which he has a personal, professional or financial interest.

906.18 Attendance by Commissioners. No member of the Commission shall miss three consecutive meetings without due cause. Absence from three consecutive meetings shall be considered appropriate cause for dismissal of the member from the Commission. A new member shall than be appointed by the Mayor and Council.

906.19 Proxy. None shall be accepted.

906.20 Order of Business. The order of business at all regular meetings shall be as follows:

- a) Roll call;
- b) Approval of minutes of previous meetings;
- c) Unfinished business
- d) New business; and
- e) Adjournment.

906.21 Parliamentary Procedure. Procedure in all meetings of this Commission shall be Governed by Roberts Rules of Order except when such rules of order are in conflict with these By-Laws.

#### COMMITTEES

906.22 Special Committees. The Chairman of this Commission may create special committees, without limit as to number of members, to study matters which in his judgment would not be properly included in the work of the Commission. He shall designate one member of each committee as its Chairman.

906.23 Committee meetings. Any committee shall meet at the call of its Chairman.

906.24 Quorum; Ratification. A majority of its members shall constitute a quorum of any committee. When it appears that a quorum may not be present at a committee meeting, the Chairman of this Commission may designate other members of this Commission as temporary members of such committee with full functional rights in that particular meeting. In the absence of a quorum any member of a committee, after reviewing the file and after discussion with a member who was present, may join in making a recommendation to this Commission; if a majority action of the committee is so attained, the resultant recommendation may be received. However, such ratifying action shall be called to the attention of this Commission at the time of presentation.

#### AMMENDMENTS TO BY-LAWS

906.25 Ammendments to By-Laws. Changes may be made to the by-laws of the Planning Commission by the affirmative vote of four members of the Commission.

## **ARTICLE X**

### **AMENDMENTS**

#### **Section 1000. Authority.**

This Ordinance, including the Official Zoning Map of Six Mile, South Carolina, may be amended from time to time by the Town Council as herein specified, but no amendment shall become effective unless it shall have been proposed by or shall first have been submitted to the Planning Commission for review or recommendation. The Planning Commission shall have thirty (30) days within which to submit its report. If the Planning Commission fails to submit a report within the thirty (30) day period, it shall be deemed to have approved the proposed amendment.

#### **Section 1001. Requirements for Change.**

When the public necessity, convenience, general welfare, or good zoning practice justifies such action, and after the required review and report by the Planning Commission, the Town Council may undertake the necessary steps to amend the Zoning Ordinance.

#### **Section 1002. Procedure for Amendments.**

Requests to amend the Zoning Ordinance shall be processed in ordinance with the following requirements:

- 1002.1      Initiation of Amendments. A proposed amendment to the Zoning Ordinance may be initiated by the Town Council, the Planning Commission or by application filed with the Secretary of the Planning Commission by the owner or owners of the property proposed to be changed, provided, however, that action shall not be initiated for a zoning amendment affecting the same parcel or parcels of property, or any part thereof, and requesting the same change in district classification

by a property owner or owners more often than once every six (6) months.

1002.2 Application Procedure. Application forms for amendment requests shall be obtained from the Secretary of the Town of Six Mile. Completed forms, together with an application fee to cover administrative costs (as established by Town Council resolution), plus any additional information the applicant believes to be pertinent, will be filed with the Town for submission to the Planning Commission. Any communication purporting to be an application for an amendment shall be regarded as mere notice of intent to make application until it is made in the form required.

Applications for amendments must be submitted, in proper form, at least fifteen (15) days prior to a Planning Commission meeting in order to be heard at that meeting.

1002.3 Hearing by the Planning Commission. All papers and other data submitted by the applicant on behalf of the amendment request shall be transmitted to the Planning Commission. The Planning Commission, at regular meeting shall review the application, conduct a public hearing, and prepare a report, including its recommendation, for transmittal to the Town Council. All meetings of the Planning Commission shall be open to the public. At a meeting, any party may appear in person, or by agent, or by attorney.

No member of the Planning Commission shall participate in a matter in which he has any pecuniary or special interest.

The Planning Commission shall hold a public hearing regarding any proposed amendments. Such hearing shall be advertised with the time and place of the hearing to be published in a newspaper of general circulation serving the municipality at least fifteen (15) days prior to the hearing. In rezoning cases, conspicuous notice must be posted at least

fifteen (15) days prior to the hearing on or adjacent to the property, with one notice visible from each public street bordering the property.

Following action by the Planning Commission, the recommendation along with all papers and data pertinent to the application shall be transmitted to the Town Council for final action.

1002.4 Changes to the Zoning Ordinance Text or Map. The original Ordinance or amendment to the Zoning Ordinance must be adopted by an ordinance on two (2) readings by Town Council at least seven days apart. Any necessary changes shall be made in the Zoning Ordinance text or Map. A written record of the type and date of such change shall be maintained by the Town Clerk. Until such change is made, no action by the Town Council on text or map amendments to the Zoning Ordinance shall be considered official, unless the Town Clerk fails to make the change within seven (7) days after formal action by the Town Council. In the latter event, action by the Town Council shall be considered official seven (7) days after the date of action even if the Town Clerk has failed to make the appropriate changes.

## ARTICLE XI

### LEGAL STATUS PROVISIONS

#### **Section 1100. Conflict with Other Laws.**

Whenever the regulations of this Ordinance require a greater width or size of yards, or require a greater percentage of lot to be left unoccupied, or impose other more restrictive standards than are required in or under any other statutes, the requirements of this Ordinance shall govern. Whenever the provisions of any other statute require more restrictive standards than are required by this Ordinance, the provisions of such statute shall govern.

#### **Section 1101. Validity.**

Should any section or provision of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the Ordinance as a whole or any part thereof that is not specifically declared to be invalid or unconstitutional.

#### **Section 1102. Repeal of Conflicting Ordinances.**

All ordinances and parts of ordinances in conflict herewith are repealed to the extent necessary to give this Ordinance full force and effect.

#### **Section 1103. Effective Date.**

This Ordinance shall take effect and be in force from and after the date of its adoption by the Six Mile Town Council.

## ARTICLE XII

### DEFINITION OF TERMS USED IN THIS ORDINANCE

#### Section 1200. Interpretation of Certain Terms or Words.

Except as specifically defined herein, all words used in this ordinance have their customary dictionary definitions. For the purpose of this ordinance, certain words or terms used herein are defined as follows:

The word "shall" is mandatory.

The word "may" is permissive.

The word "lot" includes the word "plot" or "parcel".

The word "structure" includes the word "building".

The word "person" includes a firm, association, organization, partnership, trust company, or corporation as well as an individual.

The word "used" or "occupied" as applied to any land or building shall be construed to imply that said land or building is in actual use or occupancy and shall be construed to include the words intended, arranged, or designed to be used or occupied.

The word "map" or "zoning map" shall mean the Official Zoning Map of the Town of Six Mile, South Carolina.

The term "Planning Commission" refers to the Six Mile Planning Commission. The term "Council," "Town Council," or "Mayor and Council" refer to the legally constituted and elected governing body of the Town of Six Mile. The term "Building Official" refers to that person so designated by the Council and so employed as the Building Official for the

Town of Six Mile. The term "Board of Appeals" refers to the Zoning Board of Appeals of the Town of Six Mile.

1200.1        Accessory. A use of building subordinate to the principal building on a lot and used for purposes customarily incidental to the main or principal use or building and located on the same lot therewith.

1200.2        Alley. A secondary way that affords access to the side or rear of abutting property.

1200.3        Alteration of Building. Any change in the supporting members of a building (such as bearing walls, columns, or girders), any addition or reduction to a building; any change in use; or any relocation of a building from one location or position to another.

1200.4        Automobile Service Station. Buildings and premises on any parcel or lot where gasoline, oils, greases, batteries, tires, or automobile accessories may be supplied and dispensed at retail (or in connection with a private operation), where no part of the premises is used for the storage of dismantled or wrecked vehicle parts, and also where the following services may be rendered, and none other:

- a) sale and service of spark plugs, batteries, and distributors;
  - b) tire repair and servicing, but no recapping;
  - c) replacement of mufflers and tail pipes, water hose, fan belts, brake fluid, light bulbs, floor mats, seat covers, wiper blades, windshield wipers, grease retainers, and wheel bearings.
  - d) washing and polishing;
  - e) greasing and lubrication;
  - f) exchanging fuel oil pumps and installing fuel lines;
  - g) minor servicing and replacing of carburetors;
  - h) emergency wiring repairs;
  - i) adjusting and repair of brakes;
  - j) minor repairs of engines, not involving removal of the head and/or crank case, or racing the motor;
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k) sale of cold drinks, packaged foods and other products targeted to the traveling public, as accessory only to the principal operation.

1200.5 Boarding House. Any dwelling in which three (3) or more persons either individually or as families are housed for rent with or without meals.

1200.6 Buildable Area. That portion of any lot which may be used or built upon in accordance with the regulations governing the given zoning district, within which the particular lot is located once the various front, side, and rear yard requirements for the District have been subtracted from the total lot area. For instructions related to the determination of Buildable Area, see Section 707.

1200.7 Building. A structure which is completely enclosed by a roof and by solid exterior walls along whose outside faces can be traced an unbroken line for the complete circumference of the structure, which is permanently affixed to a lot or lots, and used or intended for the shelter, support or enclosure of persons, animals, or property of any kind.

1200.8 Building, Principal. A building in which is conducted the principal use of the lot on which said building is situated.

1200.9 Building Line. That line which represents the distance from which a building or structure must be set back from a lot boundary line or a street right-of-way line or a street centerline according to the terms of this Ordinance. In all cases, the building lines of a lot shall be determined to run parallel to and set back the appropriate distance required within the district in which the lot is located from street right-of-way lines, street centerlines, or other boundary lines.

1200.10 Camper. A mobile home, tent, trailer, or other self-contained vehicle, designed for recreational purposes, made of metal or other materials, mounted on two or more wheels and either self-propelled or rigged for

towing, provided such vehicle is less than thirty (30) feet in length and is not used for residential purposes within the Town of Six Mile.

- 1200.11 Care Homes. A rest home, nursing home, convalescent home, home for the aged, or similar use established and operated on a profit or non-profit basis to provide lodging and/or meals and/or domiciliary care for aged, infirm, chronically ill, or convalescent persons.
- 1200.12 Clinic. An establishment where medical or dental patients, who are not lodged overnight, are admitted for examination or treatment.
- 1200.13 Communication Tower. A tower, pole or similar structure that supports a commercially operated telecommunications antenna above ground in a fixed location, freestanding, guyed, or on a building.
- 1200.14 Density. The number of dwelling units per acre of land developed or used for residential purposes. Unless otherwise clearly stated, density requirements in this Ordinance are expressed in dwelling units per net acre. That is per acre of land devoted to residential use exclusive of land utilized for streets, alleys, parks, playgrounds, school ground, or other public uses.
- 1200.15 District. The term applied to various geographical areas of the Town of Six Mile for the purpose of interpreting the provisions of this Ordinance. The districts are designated with the use of symbols on the Official Zoning Map. Regulations controlling land use in the various districts within the Town of Six Mile are set forth in Article V of this Ordinance. The terms "district" and "zoning district" are synonymous and are used interchangeably throughout this Ordinance.
- 1200.16 Dwelling. A building or portion of a building arranged or designed to provide living quarters for one (1) family, but not to include a tent, travel trailer, tourist home, hotel, or motel.

- 1200.17      Dwelling, One-Family. A detached dwelling other than a mobile home designed or occupied exclusively by one family on a single lot.
- 1200.18      Dwelling, Two-Family. A dwelling arranged or designed to be occupied by two (2) families in separate dwelling units living independently of each other on a single lot.
- 1200.19      Dwelling, Multi-Family. A building or series of buildings on the same lot or portions thereof used or designed as dwellings for three (3) or more families living independently of each other, with the number of families in residence not exceeding the number of dwelling units provided. The terms "multiple-family" and "multi-family" are synonymous and are used interchangeably throughout this Ordinance.
- 1200.20      Dwelling Unit. One (1) or more rooms connected together and constituting a separate, independent housekeeping establishment for use on a basis with provisions for cooking, eating, sleeping, and physically set apart from any other rooms and dwelling units in the same structure or another structure, intended and designed to provide living quarters to one family.
- 1200.21      Drive-In. A retail or service enterprise oriented to automobile driving patrons wherein service is provided to the consumer on the outside and/or inside of the principal building. The term "drive-in" includes drive-in restaurants, and dairy bars, theaters, banks, laundries, food stores, car washes, and other similar retail service activities.
- 1200.22      External Storage. Storage of materials, inventory, parts, machinery, or equipment outside of the primary building.
- 1200.23      Family. One (1) or more persons occupying a single dwelling unit, provided that unless all members are related by blood or marriage, or adoption, no such family shall contain over three (3) persons.
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- 1200.24      Fee Simple Townhouse. An attached housing unit in which real land property is platted and converted to the titleholder of the housing unit.
- 1200.25      Fence. “Fence” shall mean a substantial, continuous barrier aesthetically constructed and extending from the surface of the ground to uniform height of not less than six (6) feet. The finished side of the fence shall face the public and be constructed of treated lumber, stockade, masonry, chain link or other approved material. Fabric fences shall not be allowed.
- 1200.26      Floor Area Ratio. A number generated by dividing the total gross area (in square feet) of a structure by the total gross area (in square feet) of the parcel containing the structure.
- 1200.27      Garage, Private. An accessory building or portion of a principal building used only for the private storage of motor vehicles as an accessory use.
- 1200.28      Garage, Public. Any garage other than a private garage which is used for storage, minor repair, rental, servicing, washing, adjusting, or equipping of automobiles or other vehicles.
- 1200.29      Garage, Repair. Buildings and premises designed or used for purposes indicated under "automobile service station" and/or major commercial repairs; provided that body work and painting shall be conducted within fully enclosed buildings and provided further that self-propelled vehicles in process of repair shall be stored in a fully enclosed and secluded area.
- 1200.30      Home Occupation. Any business activity conducted out of a dwelling. A home occupation shall include either a business operated on-site or a business in which the primary office, or storage facility is on-site but activities take place off-site.
- 1200.31      Hotel. A building or buildings in which lodging, with or without meals, is provided and offered to the public for compensation, which is open to

transient or permanent guest. The word "hotel" includes the terms "motel" and "tourist court."

- 1200.32 Junk or Salvage Yards. The use of any part of a lot, whether inside or outside of a building, for the storage, keeping, abandonment, sale or resale of junk, salvage, or scrap materials; or the dismantling, demolition or abandonment of automobiles and other vehicles, machinery, equipment, or parts thereof.
- 1200.33 Junked Car. "Junked or abandoned vehicle" shall mean any vehicle without a current and valid license plate. A wrecked vehicle with a current license plate shall also be considered a junk vehicle.
- 1200.34 Loading Space, Off-Street. Space logically and conveniently located for pickups and deliveries, scaled to delivery vehicles expected to be used, and accessible to such vehicles when required off-street parking spaces are filled.
- 1200.35 Lot. An area designated as a separate and distinct parcel of land on a legally recorded deed as filed in the official records of Pickens County, as maintained in the Pickens County Court House.  
The terms "lot," "plot," "lot of record," "property," or "tract" whenever used in this Ordinance, are interchangeable.
- 1200.36 Lot, Corner. A lot located at the intersection of two (2) or more streets.
- 1200.37 Lot, Double Frontage. A lot which has frontage on more than one (1) street, provided, however, that no corner lot shall qualify as a double frontage lot unless said corner lot has frontage on three (3) or more streets.
- 1200.38 Lot, Interior. A lot, other than a corner lot, which has frontage on only one (1) street other than an alley.

- 1200.39      Lot Depth. The mean horizontal distance between front and rear lot lines.
- 1200.40      Lot of Record. An area designed as a separate and distinct parcel of land on a legally recorded subdivision plot or in a legally recorded deed as filed in the official records of Pickens County, as maintained in the Pickens County Court House.  
The terms "lot," "plot," "lot of record," "property," or "tract" whenever used in this Ordinance, are interchangeable.
- 1200.41      Lot Width. The distance between side lot lines measured at the front building line.
- 1200.42      Major Recreational Equipment. Equipment or vehicles used for recreational purposes, including but not limited to motor homes, recreational vehicles, campers, trailers, motorboats, sailboats, boat trailers, all terrain vehicles, off-road vehicles, motorcycles, snowmobiles, and bicycles.
- 1200.43      Mobile Homes. "Mobile Homes" means a movable or portable dwelling on wheels or on a permanent foundation of masonry units cemented together and supported on concrete footings; conforming to typical construction standards for the area of location. The unit is constructed to be towed on its own chassis and designed for year-round occupancy, which includes two (2) or more units separately towable but designed to be joined into one integral unit, as well as a portable dwelling composed of a single unit. All mobile homes under the jurisdiction of this Ordinance shall comply with the standards for mobile homes by the American National Standards Institute, Inc. (ANSI), A119.1 - 1969.
- 1200.44      Mobile Home Park. Premises where two (2) or more mobile homes are parked for living or sleeping purposes, or where spaces are set aside or offered for sale or rent for use for mobile homes for living or sleeping

purposes, including any land, building, structure, or facility used by occupants or mobile homes on such premises.

- 1200.45 Mobile Home Space. A plot of ground within a mobile home park designed for the accommodation of one (1) mobile home.
- 1200.46 Motel. A building or buildings in which lodging, with or without meals, is provided and offered to the public for compensation, which is open to transient or permanent guests.  
The word "motel" includes the terms "hotel" and "tourist court."
- 1200.47 Natural Material. Wood or other organic matter.
- 1200.48 Nonconforming Use. A structure of land lawfully occupied by an existing use which does not conform with the permitted uses for the zoning district in which it is situated, either at the effective date of this Ordinance or as the result of subsequent amendments to this Ordinance.
- 1200.49 Parking Lot. Any public or private open area used for the express purpose of parking automobiles and other vehicles, with the exception of areas on the premises of single-family dwellings used for parking purposes incidental to the principal use. Otherwise, parking lots may be the principal use on a given lot or an accessory use to the principal use on a given lot.
- 1200.50 Parking Space. A space within a parking lot or on a single-family dwelling lot expressly provided for purposes of parking an automobile or other vehicle.
- 1200.51 Permanently Mounted. Attached securely to a building, wall, canopy, or the ground or pavement; by means of concrete, bolts, metal braces, treated wood, or cedar.

- 1200.52      Plot. An area designated as a separate and distinct parcel of land on a legally recorded subdivision plat or in a legally recorded deed as filed in the official records of Pickens County, as maintained in the Pickens County Court House.  
The terms "lot," "plot," "lot of record," "property," or "tract" whenever used in this Ordinance are interchangeable.
- 1200.53      Residence. A building or portion of a building arranged or designated to provide living quarters for one (1) family.  
The terms "dwelling" and "residence" shall be interchangeable.
- 1200.54      Service Station. See definition of "Automobile Service Station," 1200.4.
- 1200.55      Sign. The term "sign" shall mean and include every sign, billboard, poster panel, free-standing ground sign, roof sign, projecting sign, pylon sign, illuminated sign, sign painted on a wall, window, marquee, awning or canopy, and shall include any announcement, declaration, demonstration, display, ribbon, banner, illustration, or insignia used to advertise or promote the interests of any person when the same is placed in view of the general public, traveling along a public street right-of-way.
- a) Free-Standing Sign Structure. A freestanding sign structure may contain a sign or signs on one (1) side only, or it may be a V-shaped structure or one containing signs back to back. A freestanding sign structure is one (1) sign.
  - b) Sign Area. The area of a sign is the area of the face of the sign formed by a perimeter consisting of a series of straight lines enclosing all parts of the sign. The area of a freestanding sign structure is the area of the face or faces on one (1) side only.
  - c) Business Identification Sign. A business identification sign is a sign that contains the name of the business enterprise located on the same premises as the sign and the nature of the business conducted there.
  - d) Business Identification Pylon Sign. A business identification sign is a sign erected on a single pole or multiple poles that contains
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only the name or the nature of the business conducted on the premises on which it is located.

- e) Illuminated Signs. A sign in which illumination techniques are used in any fashion to project the message on a sign.
- f) Portable Sign. Temporary, moveable sign.

1200.56 Special Exception. A use so specifically designated in this Ordinance, that would not be appropriate for a location generally or without restriction throughout a given zoning district but which, if controlled as to number, area, location, or relation to the neighborhood, would in the opinion of the Board of Appeals, promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or general welfare.

1200.57 Story. That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is no above floor, then the space between the floor and the above ceiling.

1200.58 Story, Half. A story in which one (1) or more exterior walls intersect a sloping roof no more than two (2) feet above the floor of such story.

1200.59 Street. A dedicated and accepted public right-of-way for vehicular traffic that affords the principal means of access to abutting properties.

1200.60 Street Centerline. That line surveyed and monumented by the governing body shall be the centerline of a street; or in the event that no centerline has been so determined, it shall be that line running midway between and parallel to the general direction of, the outside right-of-way lines of such streets.

1200.61 Structure. Anything constructed or erected, the use of which requires more or less permanent location on the ground, or which is attached to something having more or less permanent location on the ground. A "building," as defined in 1100.7, is a "structure."

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- 1200.62      Subdivision. "Subdivision" means all divisions of a tract or parcel of land into two (2) or more lots, building sites, or other divisions for the purpose, whether immediate or future, of sale, legacy, or building development, and includes all division of land involving a new street or a change in existing streets, and includes resubdivision and, where appropriate, to the process of subdividing or to the land or area subdivided; provided, however, that the following exceptions are included within this definition only for the purpose of requiring that the local planning commission be informed and have record of such subdivisions:
- 1) the combination or recombination of portions or previously platted lots where the total number of lots is not increased and the resultant lots are equal to the standards of the governing authority.
  - 2) the division of land into parcels of five (5) acres or more where no new street is involved.
- 1200.63      Tract. See "Lot," 1100.30.
- 1200.64      Trailer. Any vehicle or structure capable of moving, or being moved, over streets and highways on its own wheels or on flat beds or other carriers, which is designed or utilized to:
- 1) provide temporary or permanent quarters for the conduct of business, profession, trade, or occupation;
  - 2) serve as a carrier of people, new or used goods, products, or equipment;
  - 3) be used as a selling, advertising, or display device. For purposes of this Ordinance, the term "trailer" shall not include the term "camper," "mobile home," or "house trailer."
- 1200.65      Travel Trailer. A portable vehicle structure built on a chassis and designed to be used as a temporary dwelling for travel or recreational purposes.
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- 1200.66      Trailer, House. The term "house trailer," for purposes of this Ordinance, shall be interchangeable with the term "Mobile Home," as defined in 1100.38.
- 1200.67      Use, Accessory. See "Accessory," 1100.1.
- 1200.68      Use, Principal. The primary purpose for which a lot is occupied and/or used.
- 1200.69      Variance. A modification of the strict terms of this Ordinance granted by the Board of Appeals where such modification will not be contrary to the public interest, and where, owing to conditions peculiar to the property and not as the result of any action on the part of the property owner, a literal enforcement of the Ordinance would result in unnecessary and undue hardship, and where such modification will not authorize a principal or accessory use of the property which is not permitted within the zoning district in which the property is located.
- 1200.70      Yard. A space on the same lot with a principal building, open, unoccupied and unobstructed by building or structures from ground to sky except where encroachments and accessory buildings and structures are expressly permitted.
- 1200.71      Yard, Front. A yard situated between the front building line and the front lot line extending the full width of the lot.
- 1200.72      Yard, Rear. A yard situated between the rear building line and the rear lot line extending the full width of the lot.
- 1200.73      Yard, Side. A yard situated between a side building line and a side line and extending from the front yard to the rear yard.
- 1200.74      Zoning District. See "District," 1100.14.

**Section 1201. Comprehensive Plan Revision Requirements.**

All planning elements must be an expression of the planning commission recommendations to the appropriate governing bodies with regard to the wise and efficient use of public funds, the future growth, development, and redevelopment of its area of jurisdiction, and consideration of the fiscal impacts on property owners. Regulations of the zoning ordinance must be made in accordance with the comprehensive plan for the jurisdiction, and be made with a view to promoting the purposes set forth throughout this chapter. As the plan or elements are revised, it is important to amend any ordinances based on the plan to conform to the most current comprehensive plan. Regular review of the comprehensive plan is mandatory under SC Code 6-29-510(E) that requires the following plan updates:

The Planning Commission must re-evaluate the comprehensive plan elements at least every five years to determine whether changes in the amount, kind, or direction of development of the area or other reasons make it desirable to make additions or amendments to the plan.

Last Review Date: \_\_\_\_\_ Next Review Date: May 8, 2012

The comprehensive plan, including all elements of the plan, must be updated at least every ten years. The Planning Commission must prepare and recommend a new plan and the governing body must adopt a new comprehensive plan every ten years.

Last Update Date: May 8, 2007 Next Update Date May 8, 2017