



REQUEST TO LIFT THE LARGE-SCALE DEVELOPMENT MORATORIUM

ALL SECTIONS OF THIS APPLICATION ARE REQUIRED TO BE COMPLETED TO BE ACCEPTED

Requests to Lift the Large-Scale Development Moratorium are considered by the Land Use Committee, which is comprised of County Council and typically convenes on the second Monday of every month unless noticed otherwise. To meet the 15-day public notice requirement, applications, supporting documentation, and **\$150 non-refundable application fee** should be submitted at least 4 weeks prior to the Land Use Committee meeting in which the request is intended to be considered, typically the previous month's Land Use Committee meeting date. Cash, Card, and Check Accepted. Checks may be made out to **BERKELEY COUNTY**.

APPLICANT INFORMATION

PRINTED Name of Applicant: _____

Relation to Property Owner (Check One):

I am the Owner I am the Authorized Agent

Phone #: _____

Email Address: _____

Mailing Address: _____

PROPERTY OWNER'S CONTACT INFORMATION (IF NOT STATED ABOVE)

Name: _____

Mailing Address: _____

Email Address: _____

Phone #: _____

PROPERTY INFORMATION

TMS#: _____

Acreeage: _____

Current Zoning: _____

Intended Zoning District to Pursue: _____

Present Use of Property: _____

Physical Address or Location of Subject Property: _____

Summary of Request: _____

Intended Number of Dwelling Units: _____

MEETING DATE AND EXPECTATIONS

LAND USE COMMITTEE MEETING DATE APPLIED FOR: _____

Acknowledgements:

**Applicant's
Initials Here:**

I understand that I will be asked to speak on behalf of my request and that I, or a representative will need to be in attendance. If, for some reason I or a representative will not be able to attend the scheduled meeting, I must submit a written request for deferral to another date in accordance with the adopted [Defeat/Deferral Policy](#) or withdraw my application.

I understand that this request will be entertained in a public meeting, and the parcel(s) associated with the request will be posted with public meeting signage at least fifteen (15) days' prior to the intended meeting.

I understand that, unless approved by Berkeley County Council, staff is prohibited from considering or expending resources on, any application or request for (a) a development agreement; (b) a zoning amendment for a planned development district, as defined in S.C. Code Ann. Sec. 6-29-720, that includes residential uses, or (c) a zoning amendment that would increase the total allowable residential density on the property where the project is located. This moratorium shall apply only to projects consisting of more than 75 acres of land or combined acres of the project area or (ii) more than 75 residential dwelling units.

I understand that, should Berkeley County Council authorize me to proceed, I, or my authorized agent, shall coordinate with County staff to apply for, develop, and prepare for formal consideration a rezoning request and necessary supporting documentation, including the text and any accompanying exhibits necessary for the proposed Planned Development and/or Development Agreement, as pursuant to the processes, deadlines and requirements set forth in the Berkeley County Code of Ordinances and relevant County Department(s).

I understand that, should the proposed development, Planned Development, and/or Development Agreement contemplate substantial deviations in intent, including but not limited to increases in development intensity, from that which was considered by County Council when the initial authorization to proceed was granted, the moratorium shall be reinstated and the applicant shall reapply to lift the moratorium as pursuant to the requirements and processes stated herein.

I understand that, should Berkeley County Council authorize my application to proceed, there is no guarantee that the ultimate rezoning, PD, and/or Development Agreement request will be approved as it, too, is subject to County Council's final decision-making authority.

I understand that, should my request be denied, I may modify the proposal and re-apply in accordance with the same process required for my initial request.

Council's determination to lift the moratorium will be based upon the development's private resources to address the following. I understand these criteria and have included a project narrative and other supporting documentation demonstrating how I address them.

1. Roads, intersections, and traffic;
2. Public Safety including police, fire, and EMS;
3. Schools;
4. Water and sewer infrastructure;
5. Impacts to surrounding communities including but not limited to buffers and setbacks;
6. Input from surrounding communities including but not limited to a minimum of two (2) publicly noticed community meetings with record of attendance and provision of information intended to ensure a general awareness of proposed development;
7. Consideration of future easements for road and utility expansion and right of way;
8. Connectivity to surrounding communities;
9. Preservation of green space;
10. Traffic calming devices for roads in proposed development;
11. Impact on local business;
12. Other government provided services.

The following information MUST BE submitted with this application:

1. CONCEPT PLAN

Conceptual land use plans depicting the physical limits of the subject property, existing and proposed buildings, bufferyards, open space, amenities, land setbacks or reservations for public or other facilities or rights of way, internal and off-site roadways serving the proposal, parking lots and access aisles, utilities, and other physical improvements in relation to the request.

2. PROJECT NARRATIVE

Narrative describing the intent of the intended development, a description of uses proposed and their intensities/densities, and demonstration of how the criteria listed herein have been addressed. Please include any additional supporting documentation.

APPLICANT DISCLOSURES AND AUTHORIZATION

1. The applicant may present, at the discretion of the Chairperson, items and/or individuals related to the request.
2. A quorum of Council members must be present before action can be taken on the request, and the concurring majority vote is necessary in order for the request to be approved.
3. Any person who may have a substantial interest in any decision of County Council may appeal said decision to a court of competent jurisdiction in and for the county of Berkeley, filing with the clerk of such court a petition in writing setting forth plainly, fully and distinctly wherein such decision is contrary to the law. Such appeal shall be filed within thirty (30) days after the decision is rendered.

I, the applicant, hereby acknowledge by my signature that this application is complete and accurate to the best of my knowledge, information, and benefit, **have read and understand the terms and expectations associated with this Application**, hereby release, hold harmless, and indemnify forever Berkeley County, its employees, and agents, both individually and jointly, from any and all liability or responsibility for any foreseen or unforeseen damage, including, but not limited to, death, bodily injury, personal injury, and property damage, arising from the home occupation located at the above-referenced property by adjoining landowners, visitors and/or any user of the home, including, but not limited to, the public at large. **I am the owner of the subject property or the authorized representative of the owner**, authorize the subject property to be posted and/or inspected, AND hereby certify that the tract(s) or parcel(s) of land to which this request pertains is not restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the activity for which approval is sought, as provided in the South Carolina Code of Laws, Section 6-29-1145, and are exempt per Section 59.35 of the Berkeley County Code of Ordinances.

Signature: _____ Date: _____

PROPERTY OWNER AUTHORIZATION (IF DIFFERENT FROM APPLICANT)

I (we) certify that I (we) are the owners of the property involved in this application and further that I (we) designate the person signing as applicant to represent me (us) in this special exception application (Please Use Additional Sheets, as necessary).

Property Owner(s) Printed Name:

Property Owner(s) Name:

Property Owner(s) Signature:

Property Owner(s) Signature:

Date:

Date:

OFFICE USE SECTION

AMOUNT PAID: _____ CHECK #: _____; CASH; ONLINE PAYMENT INTENDED
 DATE RECEIVED: _____; RECEIPT NUMBER: _____
 DATE FILED: _____; MEETING DATE: _____

 ZONING OFFICIAL

 DATE