

ORDINANCE No. 386.2022
AMENDMENT AND RESTATEMENT OF AN ORDINANCE BY KERSHAW COUNTY
COUNCIL TO AMEND THE KERSHAW COUNTY UNIFIED CODE OF ZONING AND
LAND DEVELOPMENT REGULATIONS (ZLDR)
ARTICLE 6 – RIGHT OF APPEAL

WHEREAS, the Kershaw County Planning and Zoning Commission recommends text amendments to the Unified Code of Zoning and Land Development Regulations concerning Large-Scale Commercial Standalone Solar Energy Farm Uses; and

WHEREAS, the Kershaw County Planning and Zoning Commission on April 11, 2022 unanimously recommended a text amendment to the Unified Code of Zoning and Land Development Regulations as requested by Kershaw County Council; and

WHEREAS, Kershaw County Council wishes to amend the Unified Code of Zoning and Land Development Regulations in accordance with the recommendations of the Kershaw County Planning and Zoning Commission.

NOW, THEREFORE, BE IT ORDAINED by Kershaw County Council that:

Article 6 – Right of Appeal be amended by adding text as indicated in *italicized underlined* format, and removing text as indicated with strikethrough marking:

6:1.3 Right of Appeal

An appeal of a decision of a Planning Official *or Building official* who is not the Planning and Zoning Director shall be made to the Planning and Zoning Director.

6:1.3-1 Appeal to the Board of Zoning Appeals

An appeal of a decision of the Planning and Zoning Director made under a provision of Article 3, Zoning District Regulations, shall be made to the Board of Zoning Appeals.

6:1.3-2 Appeal to Circuit Court

A person who may have a substantial interest in any decision of the Board of Zoning Appeals or an officer or agent of the County, as the case may be, may appeal from a decision of the Board of Zoning Appeals provided by SC Code of Laws §6-29-820 et sec. The appeal must be filed within 30 days after the decision of the Board is mailed (date of postmark).

6:1.3-3 Appeal to the Planning and Zoning Commission

An appeal of a decision of the Planning and Zoning Director, County Engineer, or other County official made under a provision or regulation of Article 5, Land Development Regulations, shall be made to the Planning and Zoning Commission. The appeal must be filed within sixty (60) days after actual notice of the administrative decision, and shall be

heard at the next regular Planning and Zoning Commission meeting scheduled at least thirty (30) days after the appeal is filed.

6:1.3-4 Exceptions Granted by the Planning and Zoning Commission

The Planning and Zoning Commission shall have the power to grant exceptions from the requirements for sketch plan approvals, and other projects under the review authority of the Planning and Zoning Commission as may be reasonable and within the general purpose and intent of the provisions of this Ordinance if the literal enforcement of one or more of the provisions of this Ordinance is not applicable to the specific project and/or is impractical or will exact undue hardship because of peculiar conditions pertaining to the site in question.

6:1.3-5 Appeal to County Council

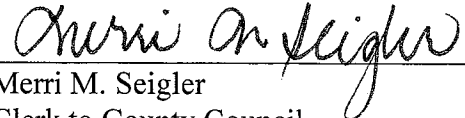
An appeal of an action of the Planning and Zoning Commission shall be made to County Council per Chapter 4, Article VI of the Code of Ordinances of Kershaw County.

DONE, RATIFIED, AND ADOPTED IN REGULAR MEETING THIS 14th DAY OF JUNE, 2022.

KERSHAW COUNTY COUNCIL

BY: 

ATTEST:


Merri M. Seigler
Clerk to County Council

First Reading: April 26, 2022
Second Reading: May 10, 2022
Public Hearing: June 14, 2022
Third Reading: June 14, 2022