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Historic Structures and Variance Procedure

Zoning and Historic Designation

For historic structures in Unincorporated Charleston County, Charleston County Zoning needs to be satisfied for the use of the structure. The applicant will then apply for a Certificate of Historic Appropriateness application, which would be heard by the Historic Preservation Commission. If a certificate is granted, it is treated like a historic structure. If the structure is outside of Unincorporated Charleston County, but in one of the municipalities we service, then the definition* of historic structure from the Building Code and Flood Ordinance is to be followed.

Construction Board of Adjustments and Appeals

The applicant has to submit to the Construction Board of Appeals to receive a variance for the historic structure. Variances shall be issued only on a determination that the variance is the minimum necessary needed to afford relief considering the flood hazard; and in the instance of an historical building, a determination that the variance is the minimum necessary so as not to destroy the historic character and design of the building. The structure still has to be made reasonably safe from flooding (elevating utilities, Class 4/5 materials, etc.) if in a flood zone with degree of appropriateness determined by the Board.

Note: Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum to preserve the historic character and design of the structure.

Note: Any alteration of a historic structure is NOT a substantial improvement provided that the alteration will not preclude the structure's continued designation as a historic structure by the Department of Interior.

Recordkeeping

All records, including Certificate of Historic Appropriateness, variance request, variance application, Board decision in the form of a signed affidavit agreeing to the variance terms. This will be kept by the Building Official and Floodplain Manager and sent to FEMA upon request if in a flood zone.

Historic structure is any structure that is: (*Definition for historic structure as referenced from the building code)

- (1) Listed individually in the National Register of Historic Places;
- (2) Certified by the Secretary of the Interior as meeting the requirements for individual listing in the National Register;
- (3) certified or preliminary determination by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary of the Interior to qualify as a registered historic district;
- (4) Individually listed on a state inventory of historic places, in states with historic preservation programs that have been approved by the Secretary of the Interior; or
- (5) Individually listed on a local inventory of historic places in communities with historic programs certified by an approved state program or by the Secretary of the Interior.