Historic Preservation Commission
Certificate of Historic Appropriateness
Application Packet

Home to be submitted to the Planning Department:
1. Detailed Summary
2. Historical Context Statement
3. Architectural History
4. Present Condition
5. Proposed Development
6. Comments of the Applicant
7. Application and Statement of Eligibility
Certificate of Historic Appropriateness - Application Checklist

- Completed application form signed by the current property owner/s.

- Signed Restrictive Covenants Affidavit

- Letter of intent including a general description of the present use and proposed activity, and a written statement addressing the approval criteria

- Site Plan drawn to an Engineer’s scale showing the property dimensions, and dimensions and locations of existing and proposed structures and improvements, parking areas, Grand Trees, wetlands (properties containing DHEC-OCRM Critical Line areas must contain an up to date DHEC-OCRM signature on the site plan or plat), and holding basins and buffers when applicable. However, if the property was developed before April 21, 1999, or no site improvements have been made since April 21, 1999, and the proposed use does not require site improvements, as determined by the Zoning and Planning Department Director, the applicant may submit an aerial photograph printed to engineer’s scale showing the property lines, locations of existing structures and improvements, parking areas, etc. as the site plan. One 24 x 36 copy and 10 reduced 11 x 17 copies shall be submitted.

- Current Recorded Deed of each property included in the application

- Current Recorded Plat of each property included in the application

- Proposed Subdivision Plat (if applicable)

- Required Fee

NOTE: All payments to Charleston County Zoning and Planning Department are by CASH or CHECK with a valid Driver’s License. *WE DO NOT ACCEPT CARDS.

Important Contact Information: Planning/Zoning 843-202-7200
planning@charlestoncounty.org
# Certificate of Historic Appropriateness – Application Form

## Owner Information

<table>
<thead>
<tr>
<th>First Name:</th>
<th>Last Name:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mailing Address:</td>
<td></td>
</tr>
<tr>
<td>Home/Cell Phone #:</td>
<td></td>
</tr>
<tr>
<td>Email Address:</td>
<td></td>
</tr>
</tbody>
</table>

## Applicant Information (if not being submitted by owner)

<table>
<thead>
<tr>
<th>First Name:</th>
<th>Last Name:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mailing Address:</td>
<td></td>
</tr>
<tr>
<td>Home/Cell Phone:</td>
<td></td>
</tr>
<tr>
<td>Email Address:</td>
<td></td>
</tr>
</tbody>
</table>

## Property Information

| Address: |
| TMS #: | Acres: |
| Deed: | Plat: |

I (we) certify that __________________ is the authorized representative for my (our) Certificate of Historic Appropriateness application.

________________________________________________________
Signature of Owners                                      Date

________________________________________________________
Signature of Applicant (if other than owner)              Date

## OFFICE USE ONLY

Amount Received _____________ Cash? □ Check? □ # __________ Invoice Number ____________

________________________________________________________
Permit Specialist/Planner’s Signature                    Date
Certificate of Historic Appropriateness – Letter of Intent

In granting a Certificate of Historic Appropriateness, the Historic Preservation Commission shall consider:

a. The historic, cultural, and architectural significance of the district, site, building, structure, or object under consideration;
b. The exterior form and appearance of any proposed additions or modifications and the effect of such additions and modifications upon other structures on the Historic Property or within the Historic District;
c. When considering applications for new construction, alteration, repair, rehabilitation, or restoration, the Historic Preservation Commission shall apply the Secretary of the Interior's Standards for the Treatment of Historic Properties; and
d. Certificate of Historic Appropriateness applications for properties located within Historic Districts, or for Subdivision Plats or Site Plan Review proposals for properties located within 300 feet of Historic Districts, must demonstrate consistency with the prevailing patterns of existing lots, densities, spacing of homes, lot sizes and shapes, and other characteristics of the Historic District that the Historic Preservation Commission deems applicable.

In granting a Certificate of Historic Appropriateness for Subdivision Plats and Site Plan Review proposals for properties located within 300 feet of a Historic Property, the Historic Preservation Commission shall require that potential negative impacts of the proposed development be minimized through site design techniques such as the location of vehicular access points, screening treatments, and buffering treatments.

Please provide a general description of the present use and proposed activity on the property and a written statement addressing how the Certificate of Appropriateness relates to and meets each criterion above.
RESTRICTIVE COVENANTS AFFIDAVIT

I, ________________________________, have researched the restrictive covenants applicable to Parcel Identification Number/s (PID #) ________________________________ located at (address/es) ________________________________, and have found that either there are no restrictive covenants applicable to the subject property/properties or that the proposed application is not contrary to, does not conflict with, and is not prohibited by any of the restrictive covenants, as specified in South Carolina Code of Laws, Section 6-29-1145.

(Signature)  (Date)

(Print Name)

Explanation:
Effective July 1, 2007, South Carolina Code of Laws Section 6-29-1145 requires local governments to inquire in the permit application, or in written instructions provided to the applicant, if a tract or parcel of land is restricted by a recorded covenant that is contrary to, conflicts with or prohibits an activity for which a permit is being sought. (Section 6-29-1145 is copied on the back of this page)

For Staff Use Only:

Received by __________________________ Date __________________ Application Number ________________________

www.charlestoncounty.org
"Section 6-29-1145. (A) In an application for a permit, the local planning agency must inquire in the application or by written instructions to an applicant whether the tract or parcel of land is restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the permitted activity.

(B) If a local planning agency has actual notice of a restrictive covenant on a tract or parcel of land that is contrary to, conflicts with, or prohibits the permitted activity:

(1) in the application for the permit;

(2) from materials or information submitted by the person or persons requesting the permit; or

(3) from any other source including, but not limited to, other property holders, the local planning agency must not issue the permit unless the local planning agency receives confirmation from the applicant that the restrictive covenant has been released for the tract or parcel of land by action of the appropriate authority or property holders or by court order.

(C) As used in this section:

(1) 'actual notice' is not constructive notice of documents filed in local offices concerning the property, and does not require the local planning agency to conduct searches in any records offices for filed restrictive covenants;

(2) 'permit' does not mean an authorization to build or place a structure on a tract or parcel of land; and

(3) 'restrictive covenant' does not mean a restriction concerning a type of structure that may be built or placed on a tract or parcel of land."
MEMORANDUM

TO: Historic Preservation Applicants

FROM: Andrea N. Pietras, AICP

DATE: August 22, 2018

SUBJECT: Signatures for Historic Preservation Applications

This memo is to inform potential and current Historic Preservation applicants of the documentation required for signatures on Historic Preservation applications. All signed documents submitted must be the original documents (no copies). All signed documents must be dated by the person(s) signing the document.

General:
Historic Preservation applications must be signed by all property owners as listed on the current, recorded deed of record for the subject property(ies). In the case of applications for designations of Historic Districts, a petition and/or written consent and other supporting documentation to show that 51% or more of the registered voters of the properties in the proposed Historic District are in favor of the designation.

Properties owned by corporations or partnerships:
The applicant must submit a resolution of the corporation or partnership authorizing and granting the applicant signing and authority to act and conduct business on behalf of and bind the corporation or partnership.

Properties for which there are multiple owners:
Applicants for properties that are owned by multiple persons (as shown on the current, recorded deed) may submit separate sheets (other than the application) for the signatures of the owners on a case by case basis. If this is permitted, one property owner must sign on the application and each of the other owners must sign a statement that reads “I have read the application for and agree with the Historic Preservation request for TMS # ______” This statement must be notarized (with the raised seal) and submitted as part of the application.

www.charlestoncounty.org
CHAPTER 11 | VIOLATIONS, PENALTIES AND ENFORCEMENT

ARTICLE 11.1 | ORDINANCE COMPLIANCE REQUIRED

§11.1.1  COMPLIANCE REQUIRED

A. No activity regulated by this Ordinance shall be undertaken except in full compliance with the express provisions of this Ordinance.

B. No activity that is the subject of any permit or approval issued pursuant to the provisions of this Ordinance shall be undertaken except in full compliance with the subject permit or approval, including any attached conditions.

C. The commencement or continuation of any activity regulated by this Ordinance that is not in compliance with the express provisions of this Ordinance, or that is not in compliance with the express provisions of any permit or approval, including any attached conditions, shall be a violation of this Ordinance, and subject to enforcement under the terms of this Chapter and South Carolina law.

ARTICLE 11.2 | VIOLATIONS

§11.2.1  VIOLATIONS

All of the following constitute violations of this Ordinance:

A. To use or attempt to use land or a building in any way not consistent with the requirements of this Ordinance;

B. To erect or attempt to erect a building or other structure in any way not consistent with the requirements of this Ordinance;

C. To engage or attempt to engage in the development or subdivision of land in any way not consistent with the requirements of this Ordinance;

D. To transfer title to any lots or parts of a development unless the subdivision has received all approvals required under this Ordinance and an approved plan or plat, if required, has been filed in the appropriate County office;

E. To submit for recording with a County office any subdivision plat that has not been approved in accordance with the requirements of this Ordinance;

F. To install or use a sign in any way not consistent with the requirements of this Ordinance;

G. To engage in the use of a building or land, the use or installation of a sign, the subdivision or development of land or any other activity requiring one or more approvals or permits under this Ordinance without obtaining all such required approvals or permits;
H. To engage in the use of a building or land, the use or installation of a sign, the subdivision or development of land or any other activity requiring one or more approvals or permits under this Ordinance in any way inconsistent with any such approval or permit and any conditions imposed;

I. To violate the terms of any approval or permit granted under this Ordinance or any condition imposed on such approval or permit;

J. To obscure or obstruct any notice required to be posted or otherwise given under this Ordinance;

K. To violate any lawful order issued by any person or entity under this Ordinance; or

L. To continue any violation as defined above, with each day of continued violation to be considered a separate violation for purposes of computing cumulative civil or criminal penalties.

ARTICLE 11.3 ENFORCEMENT RESPONSIBILITY, COMPLAINTS

§11.3.1 RESPONSIBILITY
The responsibility for the enforcement of this Ordinance is delegated to the Planning Director. The Planning Director may utilize other County Department/Agencies as necessary to enforce the provisions of this Ordinance.

§11.3.2 NOTICE
If the Planning Director finds that any of the provisions of this Ordinance are being or have been violated, the Planning Director may notify in writing the person responsible for such violation, setting forth the nature of the violation and the action necessary to correct it, or issue a Uniform Ordinance Summons for the violation.

§11.3.3 COMPLAINTS

A. Whenever a violation of this Ordinance occurs, or is alleged to have occurred, any person may file in writing a complaint with the County. Such complaint shall state fully the causes and basis thereof.

B. The Planning Director shall properly record such complaint, immediately investigate to determine the validity of the charge, and take whatever action is necessary to assure compliance with this Ordinance.

§11.3.4 AUTHORITY
Any staff member of Planning Department who is authorized by County Council shall have the authority to enforce the provisions of this Ordinance.