

## What to Expect After Applying for a BZA Public Hearing

- After you submit a Board of Zoning Appeals (BZA) application (Variance, Special Exception, or Appeal) in person or digitally, Planning Staff will contact you via email and/or phone within 5 business days.
  - If Staff deems the application complete, the application will be scheduled for the next available BZA Public Hearing. Please note that Staff will return the application to the applicant within 15 business days if the application is incomplete or inaccurate.
  - You will not be able to pay the application fee online until Staff processes your application in the permitting system. Staff will send you an invoice and instructions on how to pay online via email after the application is processed.
  - If you pay by check, Staff will email you a receipt after the application is processed. If you pay online, you will receive a receipt automatically.
  
- At least 15 days prior to the BZA Public Hearing:
  - Staff will visit your property to take pictures and to post the Zoning Notice sign(s) on your property. The Zoning Notice sign(s) must stay on the property until the Staff picks up the sign(s) after the BZA Public Hearing.
  - Staff will mail an official public hearing notification letter to the mailing address you provided on the application.
  - Public notice will run in the Post & Courier.
  
- A week before the BZA Public Hearing, Staff will send a meeting reminder to you via email that contains the web link to all of the materials the board received, including the staff report.
  
- The Friday before the BZA Public Hearing, Staff will notify you via email if Staff received public comments in support or in opposition to your case. If you do not receive an email, that means Staff did not receive any public comments for your case.

## What to Expect at the BZA Public Hearing

- It is imperative that the applicant, property owner, or the applicant's representative, attends the BZA Public Hearing in person to present their case, and to answer any questions that the board may have. Please note: Typically, when an applicant does not notify Staff in advance and does not appear before the board, the board will table the case for 30 to 90 days. This is very inconvenient for the board, staff, community members that may be in attendance regarding the case, and it may require additional fees to reschedule a public hearing for your application.
- If you have an emergency the day of the public hearing, and cannot attend or will be late, please notify Jenny Werking via email [jwerking@charlestoncounty.org](mailto:jwerking@charlestoncounty.org) Do not call and leave a voice mail or email the BZA email on the day of the meeting. Staff may not have access to our desk phones or BZA email and therefore may not receive your message until the next day.
- The BZA is a 9-member volunteer body that are appointed by the 9 elected County Council members. Charleston County Council determines members of the BZA for their specific expertise, community knowledge, and concern for the future welfare of the total community and its citizens. They represent a broad cross section of community interest, concerns and professions. Each member must be a resident of Charleston County.
- The BZA is a quasi-judicial body which means they make the final decision on each case. The BZA's decisions may be appealed to Circuit Court.
- In each case, the BZA is authorized to approve, to approve with conditions, or to deny a request. The BZA is authorized to defer action if additional information is deemed necessary.
- Swearing of witnesses by the BZA Secretary may be done individually or as a group. All persons addressing the BZA to give testimony or evidence must be sworn in. All persons addressing the BZA to give testimony or evidence shall state their full name and current address.

## What to Expect at the BZA Public Hearing

- The normal order of hearing, subject to modification by the Chair, shall be:
  - a. Variances and Special Exceptions
    - i. Statement of matter to be heard (Chair or Secretary)
    - ii. Presentation of Application by Staff (limited to five [5] minutes);
    - iii. Questions to Staff by BZA;
    - iv. Presentation of Application by Applicant (limited to five [5] minutes);
    - v. Questions to the Applicant by BZA;
    - vi. Presentation of information either in support of or in opposition to the Application (limited to two [2] minutes per person);
    - vii. Applicant's Reply to Opposition (limited to two [2] minutes); and
    - viii. BZA Motions to Close the Case to the Public.
    - ix. BZA Motions Concerning Application, stating specific findings of fact and conclusions of law.

Note: Time limits may be extended by motion and affirmative simple majority vote of the BZA.

## What to Expect After the BZA Public Hearing

- The Zoning Notice signs are reusable (dry erase). Staff will pick up the sign(s) from your property a day or two after the BZA Public Hearing, or by the end of the week at the latest. Please do NOT remove or move the sign(s).
- The BZA's Final Decision and Order for each application will be mailed via USPS Certified Mail (required by state law) 10 business days after the BZA Public Hearing. Please make sure you pick up the Certified Mail.
  - Any person with a substantial interest may appeal the BZA's decision to the Circuit Court of Charleston County within 30 calendar days after the decision of the BZA is mailed.
  - Public notice (the BZA's decision) will run in the Post & Courier.
- If the BZA approves your application, please contact Permitting Staff (residential requests), the Site Plan Review Committee Staff (commercial or multi-family requests), or the Short-Term Rental Staff (STR requests) in order to proceed with the next step of the process.