



COUNTY OF SPARTANBURG, SOUTH CAROLINA

Department of Planning and Development

366 N. Church Street, Spartanburg, SC 29303

Phone (864) 596-3570 Fax (864) 596-3018

PROPERTY OWNER CONSENT AGREEMENT

Circulation Date: _____ TMS#: _____

Applicant: _____ Phone #: _____

Principal Activity Description: _____

Principal Activity Location: _____

The Spartanburg County Performance Zoning Ordinance allows the above described Principal Activity to be permitted by the Spartanburg County Zoning Administrator if it meets the Compatibility Performance Standards as outlined in that Ordinance. These standards are intended to provide the "Protected Property Owner" described below with various forms of compatibility buffering from this activity.

PROTECTED PROPERTY OWNER(S) INFORMATION

Owner(s) of Record: _____

Property Location: _____

_____ TMS#: _____

Mailing Address (if different from property location): _____

As a Protected Property Owner, you may consent to lesser Compatibility Performance Standards in whole, or in part, by completing and signing this form. When multiple property owners are involved, all must agree to the same Standards or the form will become null and void.

HEIGHT: The Spartanburg County Performance Zoning Ordinance provides that the height restriction for structures is an initial 20-foot vertical rise at the protected property lines plus an additional _____ foot of rise for each foot of distance from the protected property lines.

_____ (Zoning Staff only) The proposed Principal Activity meets the height standard of the Performance Zoning Ordinance. No other selection is necessary for this HEIGHT section.

If the above selection has not been initialed by the Zoning Staff, select one of the following choices. All property owners must agree to and initial the same selection.

_____ As the Protected Property Owner(s), I/we prefer that the standard for height outlined in the Performance Zoning Ordinance remain in effect.

_____ As the Protected Property Owner(s), I/we do hereby consent to relief from all height restrictions listed in the Performance Zoning Ordinance for the above described Principal Activity.

_____ As the Protected Property Owner(s), I/we do hereby consent to reduce the height restriction listed in the Performance Zoning Ordinance to allow an additional _____ foot/feet of overall structure height for the above described Principal Activity as shown on the submitted site plan.

BUFFER: The Spartanburg County Zoning Ordinance provides that the buffer distance restriction from the protected property lines is _____ feet. No Principal or Accessory Activity is permitted in this area with the exception of certain utilities, stormwater structures, etc.

_____ (**Zoning Staff only**) The proposed Principal Activity meets the buffer distance requirement of the Performance Zoning Ordinance. No other selection is necessary for this **BUFFER** section.

If the above selection has not been initialed by the Zoning Staff, select one of the following choices. All property owners must agree to and initial the same selection.

_____ As the Protected Property Owner(s), I/we prefer that the distance restriction for buffer outlined in the Performance Zoning Ordinance remain in effect.

_____ As the Protected Property Owner(s), I/we do hereby consent to relief from **all** buffer distance restrictions listed in the Performance Zoning Ordinance for the above described Principal Activity.

_____ As the Protected Property Owner(s), I/we do hereby consent to reduce the buffer distance restriction listed in the Performance Zoning Ordinance for the above described Principal Activity to _____ feet as shown on the submitted site plan.

SETBACK: The Spartanburg County Performance Zoning Ordinance provides that the setback distance restriction for buildings, structures, or other activities from the protected property lines is _____ feet.

_____ (**Zoning Staff only**) The proposed buildings, structures, or other activities meet the setback distance requirement of the Performance Zoning Ordinance. No other selection is necessary for this **SETBACK** section.

If the above selection has not been initialed by the Zoning Staff, select one of the following choices. All property owners must agree to and initial the same selection.

_____ As the Protected Property Owner(s), I/we prefer that the distance restriction for setback outlined in the Performance Zoning Ordinance remain in effect.

_____ As the Protected Property Owner(s), I/we do hereby consent to relief from **all** setback distance restrictions listed in the Performance Zoning Ordinance for the above described Principal Activity.

_____ As the Protected Property Owner(s), I/we do hereby consent to reduce the setback distance restriction listed in the Performance Zoning Ordinance for the above described Principal Activity to _____ feet as shown on the submitted site plan.

SCREENING: The Spartanburg County Performance Zoning Ordinance provides that total screening is required for a Principal or Accessory Activity with _____ feet of the protected property lines. Additionally, partial screening is required for a Principal or Accessory Activity with _____ feet of the protected property lines.

_____ (**Zoning Staff only**) The proposed activity/structure meets the screening restriction requirements of the Performance Zoning Ordinance. No other selection is necessary for this **SCREENING** section.

If the above selection has not been initialed by the Zoning Staff, select one of the following choices. All property owners must agree to and initial the same selection.

_____ As the Protected Property Owner(s), I/we prefer that the screening restrictions as outlined in the Performance Zoning Ordinance remain in effect.

_____ As the Protected Property Owner(s), I/we do hereby consent to relief from **all** screening restrictions listed in the Performance Zoning Ordinance for the above described Principal Activity.

_____ As the Protected Property Owner(s), I/we do hereby consent to reduce the maximum screening restrictions listed in the Performance Zoning Ordinance for the above described Principal Activity to _____ feet for total screening and _____ feet for partial screening as required for the Activity shown on the submitted site plan.

NOISE: The Spartanburg County Performance Zoning Ordinance provides for noise level limits at property lines.

_____ (**Zoning Staff only**) The proposed Principal Activity meets the maximum permitted noise levels of the Performance Zoning Ordinance. No other selection is necessary for this **NOISE** section.

If the above selection has not been initialed by the Zoning Staff, select one of the following choices. All property owners must agree to and initial the same selection.

_____ As the Protected Property Owner(s), I/we prefer that the noise limits as outlined in the Performance Zoning Ordinance remain in effect.

_____ As the Protected Property Owner(s), I/we do hereby consent to relief from **all** noise limits in the Performance Zoning Ordinance for the above described Principal Activity.

_____ As the Protected Property Owner(s), I/we do hereby consent to increase the maximum permitted noise levels allowed by the Performance Zoning Ordinance for the above described Principal Activity by _____ decibels.

LIGHT: The Spartanburg County Performance Zoning Ordinance provides for limitations on the illumination levels at property lines.

_____ (**Zoning Staff only**) The proposed Principal Activity meets the maximum limits on illumination of the Performance Zoning Ordinance. No other selection is necessary for this **LIGHT** section.

If the above selection has not been initialed by the Zoning Staff, select one of the following choices. All property owners must agree to and initial the same selection.

_____ As the Protected Property Owner(s), I/we prefer that the light limits as outlined in the Performance Zoning Ordinance remain in effect.

_____ As the Protected Property Owner(s), I/we do hereby consent to relief from **all** light limits in the Performance Zoning Ordinance for the above described Principal Activity.

_____ As the Protected Property Owner(s), I/we do hereby consent to increase the maximum permitted illumination levels allowed by the Performance Zoning Ordinance for the above described Principal Activity by _____ foot candle(s).

Special Notes

1. The Compatibility Performance Standards contained in the Spartanburg County Performance Zoning Ordinance are considered maximum restrictions. A reduction to the maximum standards as outlined on this form shall become valid only when the consent of the Protected Property Owner(s) is verified by the Spartanburg County Zoning Office and when this form is attached to a valid Zoning Permit.
2. A reduction in the Compatibility Performance Standards as outlined on this form shall become valid only if an appropriate Zoning Permit is issued within 90 calendar days of the circulation date listed at the beginning of this form.
3. The lesser restrictions outlined on this form and consented to by the Protected Property Owner(s) shall remain in effect for as long as the Principal Activity remains the same. Any change in the Principal Activity shall render the lesser restrictions invalid.
4. If the Protected Property Owner(s) does not consent to the Compatibility Performance Standard desired by the applicant requesting a zoning permit, the applicant may apply to the Board of Zoning Appeals for a variance request.
5. This form does not grant permission to violate any recorded deed restrictions or covenants. If the tract or parcel of land has any recorded deed restrictions or covenants that are more restrictive than the County's standards, the deed restriction or covenant shall control. It is the applicant's responsibility to identify any and all recorded deed restrictions and covenants which are contrary to, conflicts with, or prohibits the proposed activity and/or the proposed standards.
6. Consent for reduction of Compatibility Performance Standards does not authorize the applicant to encroach upon any existing easements on the property. It is the applicant's responsibility to identify any and all easements and to ensure that construction does not encroach upon existing easements.

By signing this form, as the Owner(s) of Record for the Protected Property described above, I do hereby declare that I have read this form in its entirety and I agree to reduce the maximum Compatibility Performance Standards as stated in the Spartanburg County Performance Zoning Ordinance relative to the above described Principal Activity.

Property Owner's Signature(s)	Printed Name(s)	Date(s)	Phone(s)
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____



For Zoning Office Use Only

I certify that the property owner(s) have been contacted either by phone or in person in order to verify that they understand the Compatibility Performance Standards consent granted herein.

Property owner(s) contacted: _____

Verification Date: _____ Zoning Staff Signature: _____

Zoning Permit Date: _____ Zoning Permit #: _____

Zoning Staff issuing Permit: _____

A Reminder: *“A Consent Agreement shall not be allowed to apply to any Conditional Use activity in Article 4, any Special Exception in Article 5, or Dark Sky Friendly Lighting standards in Section 2.3.94. A consent agreement shall be allowed to remove a restriction that makes an activity a legal nonconformity as described in Article 8 if it is not a Conditional Use or Special Exception.”*