

**STATE OF SOUTH CAROLINA  
COUNTY OF JASPER**

**ORDINANCE # \_\_\_ - \_\_\_**

**AN ORDINANCE  
OF JASPER COUNTY COUNCIL**

To amend the Jasper County Zoning Ordinance, as amended, so as to establish standards for the permitting and construction of Accessory Structures and Family Accessory Dwelling Units within Jasper County; to amend Section 9:6; to add Section 9:6.1, General Standards; to add Section 9:6.2, Accessory Structures and Dwelling Units in the Residential District; to add Section 9:6.3, Accessory Structures in Commercial, Industrial and Community Commercial Districts; to add Section 9:6.4, Accessory Structures in Resource Conservation and Rural Preservation; to add Section 9:6.5, Hunt Camp and Rural Accessory Seasonal Dwelling Units; to add Section 11:7, Family Accessory Dwellings.

**BE IT ORDAINED** by the Jasper County Council in council duly assembled and by the authority of the same:

1. Section 9:6 of the Zoning Ordinance of Jasper County, as amended, is amended to read as follows:

**9:6 ACCESSORY STRUCTURES**

An accessory structure is any structure over 120 square feet that supports an approved accessory use as defined in Article 4.

2. Section 9:6.1 of the Zoning Ordinance of Jasper County, as amended, is amended to read as follows:

**9:6.1- General Standards**

1. Except for accessory structures used in connection with agricultural uses or accessory dwelling units allowed by Section 11:6 or 11:7, accessory structures shall not exceed twenty (20) feet in height.

2. Accessory Dwelling Units and Commercial Accessory Structures are limited to height restrictions required in Article 7.
3. Accessory structures shall be at least ten (10) feet from the principal structure and at least ten (10) feet from another accessory structure. Placement may be subject to Fire Marshal approval.
4. No accessory structure shall occupy any part of a bufferyard.
5. No accessory structure shall occupy any part of a required setback.
6. Square footage limitations apply to the entire property and can be divided between multiple accessory structures.
7. Square footage limitations apply only to covered square footage separate from the primary use or structure.
8. Structures 120 SF or larger require a building and zoning permit. Structures under this size must still adhere to the provisions of this section.

3. Section 9:6.2 of the Zoning Ordinance of Jasper County, as amended, is amended to read as follows:

**9:6.2- Accessory Structures and Dwelling Units in the Residential Zoning District**

Accessory structures provide opportunities for small scale aesthetic and shade structures; functional, protected, enclosed ancillary storage and activity space; among other benefits. As subordinate facilities to a principal structure, however, appropriate regulation is required in order to ensure compatibility of land uses, protect privacy of neighbors, ensure minimum open space and area requirements, and protect the health, safety, and welfare of the neighborhood and community.

1. One dwelling unit is allowed per lot, except as allowed by section 11:6 or 11:7. However, second floor garage apartments are considered an approved accessory structure and use.
2. Buildings accessory to single family dwellings include non-commercial garages, barns, storerooms, open shelters woodsheds, laundry rooms, play houses, greenhouses, hobby shops, and animal or fowl shelters.
3. Accessory structures shall be allowed in side and rear yards and shall meet all setback requirements stated in Article 7. Detached

garages in conjunction with the primary dwelling may be located in front yards but are subject to setback requirements. All other accessory structures shall be allowed in side and rear yards.

4. For larger-lot Residential designated property (over two acres), accessory structures in front yards shall be allowed but are subject to 75 foot setbacks.

5. Accessory structures shall be limited in size to either 25% of the total ground floor area of the principal structure or 800 SF of total floor area, whichever is greater.

6. Where an accessory building is erected in the side yard adjacent to a street on a corner lot, it shall not be located closer to the street than the required front yard setback distance.

7. Shipping containers cannot be used as accessory structures in the Residential areas.

8. There is a limit to two accessory structures per Residential lot.

4. Section 9:6.3 of the Zoning Ordinance of Jasper County, as amended, is amended to read as follows:

**9:6.3- Accessory Structures in Commercial, Industrial and Community Commercial Districts.**

1. There is no limit on accessory structures for approved accessory uses as defined in Article 4.

2. Accessory structures shall meet all setbacks as noted in Article 7.

5. Section 9:6.4 of the Zoning Ordinance of Jasper County, as amended, is amended to read as follows:

**9:6.4- Accessory Structures in Resource Conservation and Rural Preservation**

Accessory structures provide opportunities for small scale aesthetic and shade structures; functional, protected, enclosed ancillary storage and activity space; among other benefits. As subordinate facilities to a principal structure, however, appropriate regulation is required in order to ensure compatibility of land uses, protect privacy of neighbors, ensure minimum open space and area requirements, and protect the health, safety, and welfare of the neighborhood and community.

1. Total square footage of accessory units is limited to 1-1.9 acres, 800 SF, 2-2.9 acres, 1200 SF, 3-4.9 acres, 1500 SF, 5 or more acres, 2000 SF plus an 250 SF per additional acre.
2. Buildings accessory to single family dwellings include non-commercial garages, barns, storerooms, open shelters woodsheds, laundry rooms, play houses, greenhouses, hobby shops, and animal or fowl shelters.
3. Site plan review is required for all accessory structures exceeding 2,000 SF.
4. There is no limit on the number of accessory structures, only limits on square footage.
5. Accessory structures can be placed in side and back yards but must adhere to setback requirements. Front yard accessory units are only allowed if they meet a 75 foot setback.
6. Section 9:6.5 of the Zoning Ordinance of Jasper County, as amended, is amended to read as follows:

**9:6.5- Hunt Camp and Rural Accessory Seasonal Dwelling Units**

Hunt Camp and Rural Accessory Seasonal dwelling units (mobile homes and cabins) are allowed on land owned by hunt club organizations or large land owners without subdivision for the purpose of seasonal hunting and recreational use, provided:

1. Clustering is acceptable, but 25 feet between structures must be maintained.
2. Building setback is 150' from any roadway or property line.
3. One Hunt Camp and Rural Seasonal Dwelling Unit is allowed for every 100 acres of land.
4. Zoning and Building Permits must be attained prior to construction.

7. Section 11:7, is added, and is to read as follows:

**11:7 FAMILY ACCESSORY DWELLINGS**

A Family Accessory Dwelling may be permitted in the Residential and Rural Preservation Zoning District to allow one additional residential structure on a single lot so to be exempt from requirements in the Zoning and Land Development Regulations Ordinances limiting one structure to a lot-of-record. Any combination of not more than two single-family detached dwellings and/or manufactured or mobile home dwellings may be permitted on a lot-of-record, provided:

1. All applicable lot area and setback requirements are met for both units as if they were established separately on their own lots and so arranged to ensure public access in the event the property is subsequently subdivided for sale or transfer.
2. There is a minimum of one acre per dwelling unit (2 acre minimum), so as to not increase overall allowed density.
3. Applicant must sketch dwelling location(s) on an existing plat or tax map copy to demonstrate setback compliance at time of application.
4. Property must be subdivided before the use of the structure is no longer a Family Accessory Dwelling.
5. Permit shall be terminated at the request of the initiating applicant or agent or upon the finding that the conditions no longer exist. At that point, the property must be subdivided before additional County Permits are granted for any activity or use on-site. If the dwelling is a mobile home, the unit shall be removed from the premises within thirty (30) days after notice of termination.

In order to grant a Zoning Permit for a Family Accessory Dwelling, the DSR shall determine that the following requirements have been satisfied:

1. The principal from whom the Family Accessory Dwelling unit is requested must be a relative by blood or marriage or in a relationship created through adoption or through foster parental care.
2. The dwelling or mobile home unit must be the property of the parcel owner or owned by a family member of the parcel owner.

3. Adequate notification must be provided to adjacent property owners by mail and receipt confirmation provided.
9. This ordinance shall take effect upon approval by Council.

---

**Dr. George M. Hood**  
**Chairman**

**ATTEST:**

---

**Judith M. Frank**  
**Clerk to Council**

**ORDINANCE: #** \_\_\_ - \_\_\_

**First Reading:** \_\_\_\_\_

**Second Reading:** \_\_\_\_\_

**Public Hearing:** \_\_\_\_\_

**Adopted:** \_\_\_\_\_

---

Considered by the Jasper County Planning Commission at it's meeting on  
June 9, 2009 and recommended for approval.

---

Reviewed for form and draftsmanship by the Jasper County Attorney.

---

**Marvin C. Jones**

---

**Date**

