

Medical Exception Applicant **Packet** **Zoned Areas**

Anderson County Development Standards

401 E River Street Anderson, SC 29624

Office: 864-260-4719

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Please read packet before proceeding with application

A letter from the Anderson County Development Standards Department:

When applying for a medical exception with the county it is usually accompanied with a range of emotions because of the reasonings a medical exception may be sought out. This conducive packet is to help navigate the process of opening a medical exception file with the county or to weigh what other options can be taken if a potential medical exception applicant may feel that this is not the best option for them. Please read the packet in its entirety to help in deciding whether to move forward with the application or to help to see if another route is best. Thank you.

Anderson County Development Standards

What is a medical exception?

Per Anderson County Ordinance, for residential areas, only one dwelling is allowed and permitted per a parcel. A medical exception is a special exception and permit that can potentially be granted to allow a temporary mobile to be placed on a property where a dwelling may already exist. A medical exception is a temporary use until the applicant no longer wishes to utilize it or if the medical exception is no longer needed. Medical exceptions are required to be renewed every year and are accompanied by an annual renewal fee. Medical exceptions are usually sought after to take care of loved one who may need assistance in day to day living.

What other options do I have if I do not want to move forward with a medical exception application?

If a medical exception is not the route a potential applicant may want to take, there are two possible alternative options that maybe chosen if the circumstances are applicable.

Medical Exception Alternative One: Subdividing property

To subdivide property, it must meet the minimum lot size for its zoning verification, property must have access to sewer or septic, and the existing dwelling on the property must meet minimum set back requirements. The process of subdividing the property includes the following process: obtaining a survey, submitting the survey to the Development Standards department for review, if the survey is approved by Development Standards the survey will need to be taken to the Register of Deeds department to be recorded, next a new address will need to be received from the GIS & E-911 Addressing department, last all appropriate permits will need to be obtained from the Building and Codes department.

Medical Exception Alternative Two: Constructing an addition and attaching it with a breezeway to an existing dwelling (home).

To construct an addition and attach it with a breezeway to an already existing dwelling, a compliance letter must be issued from the Development Standards department. Once the compliance letter has been issued, all other appropriate permits will need to be obtained from the Building and Codes department.

Medial Exception Checklist for New Applicants (Zoned Areas)

This checklist is to help assist and provide guidance in opening new medical files for applicants that live in zoned areas.

<u>Steps</u>	<u>Dates Received</u>	<u>Check if Completed</u>
1. Medical Exception Application		
2. Physician's Statement (must be recent)		
3. Sewer or Septic Tank Permit (DHEC will issue)		
4. Application Fee (\$200)		
5. BZA Public Hearing (Board will approve or deny request)		
6. Approval letter received from Development Standards department (this will only be received if applicant is approved in step 5) (approval letter is required for step 7)		
7. Receive new address from GIS. E911 Addressing Department (required for step 8)		
8. Compliance Letter Issued from Development Standards Department (required for step 9)		
9. Mobile home permit (Building and Codes department will issue)		
10. Medical exception applicant is added to renewal list (renewals accompanied by \$100 fee)		

Side Notes:

- **Septic Tanks**

If an applicant is able to have the existing septic tank on the property tied into the mobile home that will be placed in the property for the medical exception, a second septic tank will not be required. The applicant will need to verify this with DHEC and have a written statement from DHEC to place on file.

- **Board of Zoning Appeals Public Hearing**

All medical exception applicants that live in zoned areas will have to appear before the Board of Zoning Appeals in which they will approve or deny the medical exception request.

- **Medical Exception Renewal Fee**

The medical exception renewal fee went into effect July 2021. All medical exceptions prior to this are grandfathered in and exempt to the medical exemption renewal fee. All medical exceptions that have been enacted after the renewal fee went into effect are required to pay an annual renewal fee of \$100. All applicants that fall under this category will be listed on the medical exception renewal fee list.



Development Standards Medical Exception Application (Zoned Areas)

Please submit applications, supporting documents, and processing fees simultaneously to avoid delay in processing.

Processing Fee: \$200

Public Hearing Date: _____ **Application Status:** _____

Date: _____

Applicant's Name: _____

The medical exception is for (please list name): _____

Relationship between the applicant and who medical exception for (examples, self, mother, daughter, father, son, parents, etc.): _____

Mailing Address: _____

TMS#: _____

Phone Number: _____

Alternate Number: _____

Email Address: _____

Please List Zoning Area (types of single-family district zonings R-40, R-20, R-15, R-12, R-10, R-8, R-M, R-M1, R-M2, R-M7, R-MA, R-A, and R-A2): _____

Reasons for Medical Exception: _____

Is there an existing septic tank on the property? Yes ☐ No ☐

Required: If yes, please provide a statement from DHEC stating whether or not the existing septic tank can be tied into the temporary mobile home that will be placed on the property. If the already existing septic tank cannot be tied into the temporary mobile home that will be placed on property a new septic tank permit will need to be issued by DHEC and submitted with your medical exception application

Has a septic tank permit been obtained for the structure/home? Yes ☐ No ☐

Required: If yes, please provide a copy of the issued septic tank permit along with the medical exception application to the Development Standards department.

Are there any covenants or deed restrictions on the property (please reference page i)? Yes ☐ No ☐
If you checked no, your signature is required:

Signature: _____ Date: _____

If you checked yes, please provide a copy of your covenants and deed restrictions with this application. Pursuant to State Law (Section 6-29-1145: July 1, 2007) *Determining existence of restrictive covenants*. Copies may be obtained at the Register of Deeds Office. If your property is deed restricted or has a current mortgage, please check to ensure there is no conflict with your financial institution.

All medical exception request for zoned areas are required to be reviewed by Anderson County Board of Zoning appeals at a regularly scheduled public hearing. It is strongly encouraged for all applicants to attend the public hearing in which their medical exception application is to be reviewed. This is highly suggested to applicants in case that the board may have questions about an application or if those that live in the surrounding vicinity may not be in-favor of the medical exception request.

Medical Exception Renewals (for future use): Please note that annual medical exception renewals are accompanied by a \$100 renewal fee.

I, _____ have read and understand the requirements for a Medical Exception.

Signature: _____ Date: _____

Required: Please attach a recent physician statement (please reference physician statement page) of approval indicating that constant care is needed for the individual the medical exception is for and a copy of your DHEC approved septic tank permit or letter indicating that an existing septic tank can be tied-in (please reference sewer or septic tank page). Please note that we cannot accept any medical exception applications without a physician's statement of approval or DHEC issued septic tank permit.

For Office Use Only :

Application Received on (Date): _____

Application Received by (Development Standards Official): _____

Anderson County Code of Ordinances Chapter 48, Article 7, Section 7:9

Uses permitted by special exception. The following uses may be permitted by special exception by the Board of Zoning Appeals in accordance with provisions in article 7:

Section 7:9. Temporary accessory residential use

A manufactured home as defined in article 4 of this chapter may be permitted in any zoning district as a temporary accessory residential use, which shall be clearly subordinate to a principle single-family, detached dwelling or manufactured home, whether or not such principle use is conforming, subject to all the requirements listed below. In authorizing the temporary accessory residential use, the Board of Zoning Appeals may impose such reasonable and additional stipulations, conditions, or safeguard that in the board's judgement will better fulfill the intent of this chapter.

The Board of Zoning Appeals may authorize issuance of a permit for a temporary accessory residential use for a period not to exceed one year. At the end of that year each subsequent year thereafter, the board may, after a complete review of the request, grant an extension of the original application procedure. It shall be the responsibility of the zoning administrator to present to the board after each one-year period a status report of the conditions and to notify the applicant of the review.

The Board of Zoning Appeals may at any time terminate the authorization at the request of the initiating applicant or upon the finding that the extenuating conditions no longer exist. The temporary accessory residential use and any associated services be removed from the premises within 3- days after notice of termination.

The Board Shall Determine that the following requirements have been satisfied:

- A. The use shall be necessitated by the incapacity, infirmity, or extended illness of an individual who requires continuous nursing care. The attending physician shall certify the physical and or mental condition of the person in question.
- B. The use is intended only to meet a temporary need or hardship.
- C. If the principal residential use is nonconforming, the provisions of section 6:2.1 shall be satisfied. (6:2 Nonconforming uses of land or structures existing at the time of initial adoption of the precinct zoning map shall not hereafter be enlarged or extended in any zoning district provided that the new additions conform to the setback requirements provided in the zoning district in which such structures or uses are located. In addition to the right to enlarge or extend in any way, legally nonconforming farms shall be permitted to diversify or change the scope of their agricultural activities.)
- D. The temporary accessory residential use shall meet all of the requirements contained in this chapter for accessory uses.
- E. The temporary accessory residential use shall conform to all of the requirements for uses permitted by special exception as set forth in section 7:1. (7:1. General provisions. The board of zoning appeals may issue permits for those uses permitted by special exception, which are in accordance with the provisions of this chapter, and the specific conditions set forth below. The board may grant, deny, or modify any request for a use permitted by special exception after a public hearing has been held on the written request submitted by an applicant in accordance with article 9, section 9:5.3. It may also attach any necessary conditions such as time limitations

or requirements that one or more things be done before the request can be initiated. Additionally, the board may require an acceptable bond to ensure that uses allowed on review are completed consistent with proposed time schedules. This bond may be issued for a maximum period of one year, renewable upon request to the board of appeals. The board shall act on requests for uses permitted by special exception within 60 days of the date of submittal, Failure to act within 60 days shall constitute approval of the request. If the request is granted, the board shall determine that:

- a. The use meets all required conditions.
- b. The use is not detrimental to the public health or general welfare.
- c. The use is appropriately located with respect to transportation facilities water supply, fire and police protection, waste disposal, and similar services.
- d. The use will not violate neighborhood character nor adversely affect surrounding land uses.

If the board denies the request, the reasons shall be entered in the minutes of the meeting at which the permit is denied. In granting the permit, the board may designate any necessary and appropriate conditions in addition to the specific conditions contained in this chapter to assure that the proposed use will be in harmony with the area in which it is to be located and within the spirit of this chapter.

Medical exception applicants will be contacted on an annual basis to provide an updated status for the request. As stated in the ordinance, a medical statement must be submitted to the Development Standards department on an annual basis to remain in compliance.

The Development Standards department is to be contacted when the medical necessity and exception is no longer needed. This includes if a loved one has passed away or has moved to another location. The medical exception applicant will be required to obtain the necessary permits from Building and Codes and have the mobile home moved within thirty days and will be required to bring a copy of the permit to the Development Standards department to close the medical exception file.

Medical exceptions are not a permanent situation; it is only temporary until the medical necessity is no longer needed and would require the temporary mobile home to be moved within 30 days prior to the annual renewal. If the annual renewal is not received by the approved date, your medical exception will be null and void and will require a new application.

Covenant and Deed Restrictions

- For the medical exception applications process it is required for all applicants to check to see if there are any covenant and deed restrictions that could potentially prohibit a mobile home from being placed on the property for a medical exception.
- If a property potentially being used for a medical exception has any covenant and deed restrictions a copy has to be provided to the Development Standards department along with the medical exception application, processing fee, signed physician's statement, and sewer or septic tank permit.
- To check if a property has any covenants or deed restrictions please contact register of deeds.

Register of Deeds

Office Address: 401 E River Street, Anderson, SC 29624

Mailing Address: P.O Box 8002, Anderson, SC 29622

Phone: 864-260-4054

Fax: 864-260-4443

Website: <https://www.andersoncountysc.org/departments-a-z/register-of-deeds/>

Physician Statements

- What is a Physician's Statement?
 - A physician's statement is a statement from a primary care physician stating that their patient needs their care or services.
- Do I only need to submit a physician's statement to open a medical exception file?
 - A signed physician's statement is required to be provided to Anderson County's Development Standards Department for all initial medical exception application submittals, and upon approval, on a yearly basis until the use of the medical exception is no longer needed.
- Why do I have to submit a physician's statement on a yearly basis?
 - Submitting a physician's statement on a yearly basis will keep medical exception files open and active.
- What happened if I do not submit a physician's statement on a yearly basis?
 - If a yearly physician's statement is not provided to Anderson County's Planning and Development Standards Department the medical exception applicant poses risk of becoming non-compliant.
 - Non-compliant applicants may be subject to non-compliance letters, stop orders, and non-compliance fees.
- Will I be notified when it is time to submit a new physician's statement?
 - Once a medical exception application has been approved and all the appropriate documents received, applicants will receive a medical exception renewal letter as a reminder to submit a new physician's statement a month prior to its due date.
 - Upon receiving an initial medical exception renewal letter, applicants have until the disclosed due date to provide a new physician's statement for their medical exception file.
 - If a new physician's statement is not received by the disclosed due date, a second notice will be sent, if no physician's statement has been received after the second notice, the medical exception applicant poses risk of becoming non-compliant.
- How do I submit physician's statement to renew my medical exception to keep my file active?
 - All new, updated, and signed physician statements can be submitted to Anderson County Planning and Development Standards Department through the following ways:
 - Email: dsapplications@andersoncountysc.org
 - Mail: Anderson County Development Standards
 - Address 1: 401 E River Street, Anderson, SC 29624
 - Address 2: P.O Box 8002 Anderson, SC 29624
 - In-Person: Office hours are 8:30 AM- 5:00 PM Monday through Friday with the exception of state recognized holidays.
- Important
 - All physician statements provided to Anderson County's Planning and Development Standards department have to be from the current year and must include the physician's or medical provider's signature.

Sewer and Septic Tank Permits for Medical Exceptions

- A sewer or septic permit has to be obtained before a compliance letter or building permit can be issued by Development Standards and Building Codes.
- How do I obtain a Sewer permit?
 - The current sewer provider for your designated jurisdiction will be the one to issue a sewer permit for the temporary mobile home that will be put into place for the medical exception.
- How do I obtain a septic tank permit?
 - All septic tank permits will be issued by DHEC. DHEC has implemented a new system to request septic tank permits, please view the next page to read details about how to apply for a DHEC issued septic tank permit.
- How do I submit a sewer or septic tank permit to Development Standards?
 - A sewer or septic tank permit can be submitted by bringing a copy of the permit in person to Development Standards office, by mail, or to Development Standards email (dsapplications@andersoncountysc.org)
 - If submitting a sewer or septic tank permit through email be sure to specify that it is for a medical exception for the email subject.
 - If submitting a sewer or septic tank permit by mailing it to Anderson County's Development Standards office, be sure to include a memo or letter along with the permit stating that the permit being provided is for a medical exception file.
- **Important: Sewer Tap and Septic Tank Tie-ins**
 - When requesting a sewer or septic tank permit, inquire if it could be tied into the current sewer tap or septic tank on the property. If the answer is yes, then a new sewer tap and septic tank will not need to be installed. To confirm this, a statement from the sewer provider or DHEC will need to be provided to the Development Standards department to keep on file.
 - Sewer and septic tank permits should be submitted simultaneously with medical exception applications, physician statements, and processing fees.



Septic Tanks Permitting

Helpful [scdhec.gov](https://dhec.sc.gov) Webpages



- /Septic
- /ePermittingSeptic
- /ePermitting

Questions? Contact our customer service team at 1-855-731-2504 or by email at OSWWCentral@dhec.sc.gov.

WHAT

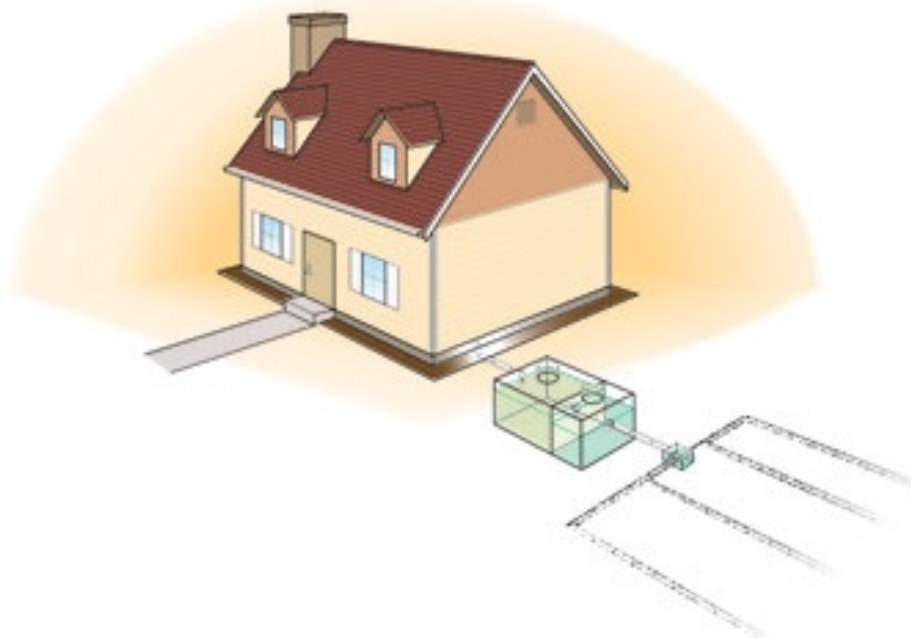
DHEC will be offering an online option for Septic Tank permit applications through our ePermitting system beginning Jan. 17, 2023. ePermitting will streamline the application process, allow you real-time access to your application status and associated permitting information, and provide 24-hour access to your account.

WHEN

Beginning Jan. 17, 2023, Septic Tank permit applications may be submitted online through ePermitting by visiting <https://epermweb.dhec.sc.gov>.

SPECIAL NOTICE

If you need assistance completing the online application, please contact our Customer Service Center at 1-855-731-2504 or by email at OSWWCentral@dhec.sc.gov.



GIS & E911 Addressing

- What is GIS & E911 Addressing?
 - The GIS & E911 Addressing Department is responsible for the determination, maintenance, and analysis of all geographic information pertinent to Anderson County and ensures systematic assignment and maintenance of all addresses and street data in Anderson County.
 - GIS & E911 Addressing Responsibilities: “GIS & E911 Addressing compiles data from outside sources, aerial views, site visits, GPS, survey plats, and owner descriptions. The streets and addresses are updated daily. The parcel data is updated daily from the Assessor and Mapping Departments information. Ensure correct information from addressing applicants for the 911 Dispatch and all emergency services, Fire Law, and EMS. Corroborate with other departments for data and map request. Allocate data with the SC State GIS Coordinator, USGS, DNR, Census, and other entities. Continuous data reviewing, maintenance, and corrections. Create political, emergency, school, zoning, and other cartographic maps.”- *GIS & E911 Addressing Webpage*
- How is an address assigned for a medical exception?
 - An application will be required for the issuance of the temporary address from Anderson County’s GIS & E911 Addressing department.
- Why is E911 Addressing needed for a medical exception temporary mobile home?
 - All approved medical exceptions will be required to obtain a temporary address for the temporary mobile home that will be placed on the property.
 - This temporary address will be associated with the required compliance letter issued from Development Standards and mobile home permit issued from Building and Codes.

GIS & E911 Addressing

Office Address: 401 E River Street, Anderson, SC 29624

Mailing Address: P.O Box 8002, Anderson, SC 29622

Phone: 864-260-4392(E911 Addressing) 864-260-4217 (GIS)

Fax: 864-260-4099

Website: <https://www.andersoncountysc.org/departments-a-z/gis-e911-addressing/>

Compliance Letters for Medical Exceptions

- What is a compliance letter?
 - A compliance letter is a document issued by the Development Standards department, that the proposed use requested for a parcel or property, is in accord with all applicable requirements, and certifies that the actual construction and use of the property by the owner/developer shall be consistent with the application for the preliminary *certificate of compliance* and accompanying documents.
- Why is one needed for a medical exception?
 - Compliance letters are required by Anderson County's Chapter 24 Ordinance anytime a new structure is being erected or change is occurring on a parcel regardless if its use is temporary or not. Failure to obtain a compliance letter can result in an issuance of non-compliance letter, stop work orders, and non-compliance fees.
- How do I obtain one?
 - Compliance letters are issued from Anderson County's Development Standards Department.
- Is there a compliance letter processing fee?
 - There is processing fee for a compliance letter of \$50.00 (this does not include the processing fee if payment is paid with debit or credit card).
- Can I get a building permit without a compliance letter?
 - Building permits cannot be issued with a compliance letter issued from the department of Development Standards.

Development Standards

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