

ACCESSORY DWELLING UNITS

In order to encourage accessory dwellings as an alternative housing choice, accessory dwelling units (ADUs) are permitted in the RC-1, RC-2, RR, CC, CL, R-1, R-2, R-3, R-4, WG-W, and PD* zoning districts, provided all of the following conditions are met. For full regulations see Sections [156.110](#) and [156.111](#) of the Town of Mount Pleasant Code of Ordinances. The below excerpt is from § 156.110 (A) (11):

- (a) Prior to construction, a scaled site plan must be submitted which shall show all information listed on the Accessory Dwelling Unit Site Plan Checklist provided by the Department of Planning and Development, as may be amended from time to time;
- (b) In conjunction with the site plan, a Recorded Covenant Affidavit must be submitted, which certifies that no covenants exist that prohibit the construction of an accessory dwelling unit;
- (c) There shall be a limit of one accessory dwelling unit per lot, subject to lot coverage requirements;
- (d) Each accessory dwelling unit shall be limited to 850 square feet of conditioned floor area.
 - 1. In the case of an accessory dwelling unit located above a detached garage, footprint maximums described in § 156.111(A)(4) take precedence over the requirements of this section.
 - 2. In the case of an accessory dwelling unit located on the ground level and attached to or located within a detached garage building or similar building, neither the building footprint nor the total conditioned floor area of the entire building shall exceed 850 square feet.
- (e) No detached accessory dwelling unit shall exceed 25 feet in height;
- (f) The architectural design, color and material of an accessory dwelling unit shall be compatible with the neighborhood in which it is established;
- (g) One private, off-street parking space is required for use by occupants of each accessory dwelling unit, in addition to any and all spaces required for the principal structure. The location of this dedicated off-street parking space must be clearly indicated on the site plan. Tandem parking is not permitted unless the tandem spaces serve only the accessory dwelling unit;
- (h) Either the principal structure or the accessory dwelling unit must be owner-occupied and serve as the owner's primary residence. If neither unit is owner-occupied, the accessory dwelling unit may not be rented separately from the principal structure. No subleases of the accessory dwelling unit are permitted;
- (i) Occupancy of an accessory dwelling unit shall be limited to no more than three persons;
- (j) Under no circumstances shall the property be converted to a horizontal ownership regime.

* Note: At this time, the only neighborhoods zoned PD, Planned Development District, that allow ADUs are: Carolina Park, Cassina Plantation, Central Mount Pleasant, l'On, Pepper Tract (includes Pepper Plantation and Tupelo), Pinckney Place, Seaside Farms, Wando Farms, and Watermark. No other PD neighborhoods have amended their ordinances to allow accessory dwelling units. Please contact your Neighborhood Association if you would like them to consider allowing ADUs. The regulations governing ADUs in PDs may be different from the Town regulations. Check with the Department of Planning & Development if you are unsure which standards apply.



PLANNING AND DEVELOPMENT

ACCESSORY DWELLING UNIT SITE PLAN CHECKLIST

Label as ADU Site Plan and return with the following information:	
(A) OWNER AND APPLICANT INFORMATION	
Project Address:	_____
Applicant Name:	_____
Address:	_____
Daytime Phone:	_____ Email: _____
Property Owner:	_____
Address:	_____
Daytime Phone:	_____ Email: _____
(B) IDENTIFY BY GRAPHIC DEPICTION OR NOTE	
1	Title block labeled as ADU Site Plan with subdivision name, property address, and TMS number.
2	North arrow.
3	Written & graphic scales.
4	Lot boundaries.
5	Lot acreage/square footage.
6	Zoning classification.
7	For properties located (in whole or in part) in Special Flood Hazard Areas, flood hazard zones & elevations shall be referenced & graphically depicted. Reference FIRM map date, community number, & panel number.
8	Significant topographic & physical features, including the location of protected trees, within the lot.
9	Location & dimensions of all existing structures (principal & accessory).
10	Location & dimensions of proposed ADU. If ADU is located less than 15 feet from a property line, also show the location of principal structures on adjacent properties.
11	Height of proposed ADU.
12	Calculation of building coverage.
13	Setbacks. Minimum front, rear & side yard setbacks, including all easements, buffers, OCRM Critical Line/Setback shall be clearly identified and correctly labeled.
14	Clearly labeled location of all required off-street parking spaces. One off-street parking space is required for an ADU and shall be labeled <i>ADU Parking Space</i> . Any and all spaces required for the principal dwelling unit shall be clearly designated as such.
(C) ACCOMPANYING DOCUMENTS	
1	Site Plan
2	Recorded Covenant Affidavit

100 ANN EDWARDS LANE
MOUNT PLEASANT, SC 29464



PHONE: 843-884-1229
FAX: 843-856-2195

DEVELOPMENT APPROVAL APPLICATION (PERMIT):
RECORDED COVENANT AFFIDAVIT

This form complies with a state law that took effect on July 1, 2007 (South Carolina Code of Laws Section 6-29-1145) that requires all planning agencies to ask each applicant if recorded covenants exist that prohibit the requested activity. If such a covenant exists, the agency shall not issue the permit until written confirmation of its release is received. The release must be through the action of an appropriate legal authority. Please read Section 6-29-1145, provided below, and complete the following.

Section 6-29-1145. Determining the existence of restrictive covenant; effect.

(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 document 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.

Nature of Approval Requested: _____

Parcel Identification Number: _____

Property Address: _____

I, _____ (print name), hereby certify that the tract(s) or parcel(s) of land to which this approval request pertains ***is not restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the activity for which approval is sought***, as provided in South Carolina Code of Laws (Section 6-29-1145) and the Town of Mount Pleasant Code of Ordinances (Chapter 155, Land Development Regulations, Section 084, Zoning Code Chapter 156, Section 048).

(Signature)

(Date)