



Residential Permit Application

Accessory Structure ~ Fence ~ Swimming Pool

Staff Use Only
 Received: _____
 Staff: _____
 Inspected: _____

City of Conway Planning Department
 196 Laurel Street, Conway SC 29526

Phone: (843) 488-9888
www.cityofconway.com

Application must be completed prior to the issuance of a building permit for the construction, enlargement, or modification to an accessory structure. Separate permits are required for electric, plumbing, gas, and HVAC work as may be authorized under the building permit. When payment has been received and the application has been approved, a building permit will be issued.

APPLICANT:	PIN#:	
APPLICANT ADDRESS:	CITY, STATE & ZIP:	
EMAIL ADDRESS:	PHONE:	
PROPERTY OWNER (IF DIFFERENT FROM APPLICANT) AND ADDRESS:		
CITY:	STATE:	ZIP:

TYPE OF STRUCTURE:

- **FENCE:** Proposed height: _____ Fence Material: _____
- **POOL / SPA:** In-ground / Above-ground: _____
*Fencing and/or suitable enclosure device shall be provided, in compliance with applicable building codes, a minimum of 48-inches in height.
- **NEW GARDEN STRUCTURE (Pergola, Gazebo, Arbor):** _____
 Attached to home: YES _____ NO _____
- **NEW STORAGE BLDG / SHED:** _____ x _____ = _____ total sq. ft.
HEIGHT OF STORAGE BLDG/SHED: _____ **MATERIAL OF STORAGE BLDG/SHED:** _____
- **GARAGE:** Attached or Detached: _____ Dimensions: _____ sq. ft.
- **ADDITION TO AN EXISTING ACCESSORY STRUCTURE:** _____ Sq. Ft. addition
*additions to the principal structure (i.e. home) are not considered "accessory" in nature and are not required to complete this form.
 - For detached structures **200' square feet** or greater in size, please note siding material as required by Section 5.2.1 (A.6): _____
 - For structures **400' square feet** in size or greater, please note siding material that architecturally compliments the primary structure, per Section 5.2.1 (A.6) _____
 - For **detached garages** on **corner lots** please note siding material that architecturally compliments the primary structure (per Section 5.2.1 (A.6) _____

Please include a scaled site plan, or sample plan provided, indicating where the requested accessory structure, pool, or fence is to be placed along with any existing accessory structures on the subject property.

FENCES MAY ONLY BE ERECTED ON THE PROPERTY OF THE APPLICANT. THE CITY DOES NOT DETERMINE THE LOCATION OF PROPERTY LINES NOR ISSUES PERMITS FOR ANY FENCE THAT CROSSES A PROPERTY LINE. IF AN APPLICANT BUILDS A FENCE THAT CROSSES A PROPERTY LINE, THEY SHALL BE REQUIRED TO REMOVE THE FENCE AT THEIR OWN EXPENSE.

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**WAIVER AND DISCLAIMER
CONSTRUCTION IN EASEMENTS**

Generally, no structures shall be permitted to be constructed and/or located within a public easement owned and maintained by the City of Conway.

Fences and/or walls of any construction shall not be permitted to be installed within a public “drainage” easement owned and maintained by the City of Conway without approval from the City of Conway Public Works Department as well as a recorded Disclosure Statement and HOA approval, if applicable.



AFFIDAVIT – Structure setbacks / offset:

As the owner / contractor of the property located at: _____

_____, I understand that the structure(s) hereby permitted must be constructed to be entirely out of all building setback area(s), in compliance with the City of Conway *Unified Development Ordinance (UDO)*, and in accordance with the *Zoning Compliance* issued in conjunction with the building permit. Further, I agree to schedule a final inspection once all work is completed to ensure that all applicable Code has been complied with and to close the permit out accordingly.

By signing below, I acknowledge that as the property owner/contractor, I have read and understand the requirements stated herein, and doing so shall also constitute as an offset pre-inspection.

Property owner / contractor name (**PRINT**)

Phone Number

Property owner / contractor signature

Date

I hereby certify that I have read this application and know the same to be true and correct. I understand that construction will be inspected for compliance with the current adopted International Residential Code, as amended, and other State and City of Conway ordinances governing this work and agree to abide by the same whether specified herein or not. I further understand that the granting of a permit does not presume to give authority to violate or cancel the provisions of any State or City ordinance regulating construction or the performance of construction. Issuance of a permit does not imply or represent that proposed construction complies with subdivision or deed restrictions, restrictive covenants, or other conditions which may be applicable to a particular parcel of property, nor does it imply that approval from the HOA/POA is not applicable, and it is my responsibility to obtain these approvals should they be required. I further acknowledge that I am in compliance with these deed restrictions, restrictive covenants, and all regulations within the City of Conway Unified Development Ordinance (UDO), as well as all other applicable City ordinances.

Signature of Applicant: _____ Date _____

Printed Name: _____

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5.2.1 **Accessory Structures**

- A. Single-family detached dwelling, single-family semi-detached dwelling, and two family dwelling uses shall be permitted to construct and utilize structures which are accessory to the principal use of the property (including but not limited to detached private garages, storage sheds, children's playhouses, private kennels, non-commercial greenhouses, bath houses, cabanas, garden structures (gazebos, arbors, pergolas), book exchange boxes and structures designed and used for purposes of shelter in the event of a man-made or natural catastrophe). They shall meet the following requirements: [Amended 1-2-18 ZA2018-01-02 (C)] [Amended 10-15-18 ZA2018-10-15 (D)]
1. Location: Shall be located in the rear yard only. Detached garages and garden structures may also be located in the side yard. Book exchange boxes may also be located in any yard provided they do not impede access or circulation, obstruct parking areas, and/or create unsafe conditions. Book exchange boxes may not be located in a right-of-way or sight triangle. [Amended 1-2-18 ZA2018-01-02 (C)] [Amended 10-15-18 ZA2018-10-15 (D)]
 - (a) Garden structures may be located in corner front yards. [Amended 10-15-18 ZA2018-10-15 (D)]
 2. Setbacks: Shall be located a minimum of five (5) feet from all property lines. Exempting garden structures, accessory structures shall be a minimum of five (5) feet from other accessory structures, and the principal structure. Detached garages and garden structures located in the side yard shall meet the setback requirements of the zoning district in which they are located and shall not be located more forward than the front façade of the primary structure. Building codes and buffers, landscaping, and other requirements stated throughout the UDO may require a greater setback. [Amended 10-15-18 ZA2018-10-15 (D)]
 3. Height: Shall not exceed fifteen (15) feet in height unless it is located entirely in the buildable area of the lot in which it is located. If the accessory structure is more than fifteen (15) feet in height, it will be subject to the maximum height requirements of the zoning district and shall not be higher than the principal structure.
 4. Number: Shall be limited to three (3). Book exchange boxes, education facilities, public recreation facilities and children's playhouses shall not contribute to this number. [Amended 1-2-18 ZA2018-01-02 (C)] [Amended 10-15-18 ZA2018-10-15 (D)]
 5. Size: The total square footage of all accessory structures on a lot shall not exceed fifty (50%) percent of the rear yard. The square footage of one (1) accessory structure shall not exceed 50% of the area of the primary structure on the same lot.
 6. Design: The following design standards shall be required:
 - a. Less than two hundred (200) square feet: If the structure exceeds ten (10) feet in height, it shall not be constructed with any corrugated metal, sheet metal, and / or exposed metal and shall be required to use stucco, tabby, wood siding, brick, fiber cement siding, or other material with similar texture.
 - b. Between two hundred (200) and three hundred ninety-nine (399) square feet: Shall not be constructed with any corrugated metal, sheet metal, and / or exposed metal and shall be required to use stucco, tabby, wood siding, brick, fiber cement siding, or other material with similar texture.
 - c. Four hundred (400) square feet and greater: Shall not be constructed with any corrugated metal, sheet metal, and / or exposed metal and shall architecturally complement the primary structure in exterior finish and roof pitch.
 - d. Corner lots: In addition to the design standards stated above, the following conditions shall apply to accessory structures located on a corner lot:
 1. Detached garage: Shall architecturally complement the primary structure in exterior finish and roof pitch.
 7. CAB: Any proposed accessory structure that is located in a Historic Design Review District shall be approved by the Community Appearance Board (CAB).

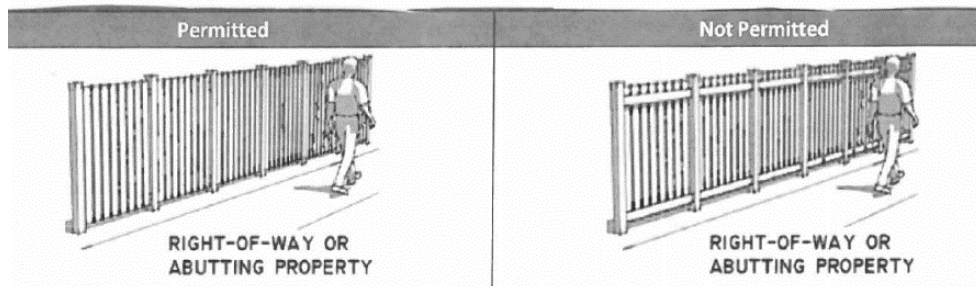
5.2.3 **Fences & Walls**

A fence or wall, constructed of wood, vinyl, brick, stone, ornamental (iron / aluminum), chain link (where permitted) and other similar materials approved by the Zoning Administrator (or their designee), may project into or enclose required yards (but not over any boundary) in all zones providing that a maximum height, measured from the natural grade at which the fence or wall occurs, does not exceed the following: [Amended ZA2018-10-15 (E); ZA2020-09-21 (B); ZA2021-07-19(C)]

- A. Residential:
1. Front yards—4 feet,
 2. Corner front yards-6 feet (provided it meets a 10-foot setback from the property line)
 3. Side yards--6 feet,
 4. Rear yards--8 feet,
- B. N/A
- C. Corner Lots: A fence or wall located on a corner lot may be up to six (6) feet in height provided it meets a mandatory ten (10) foot setback from the property line. Furthermore, fences and walls installed on corner lots must remain clear of all sight triangles, in accordance with Section 7.1.8. [Amended 10-15-18 ZA2018-10-15 (E)]
- D. Design: Wherever a fence or wall is installed, if one side of the fence or wall appears more "finished" than the other (i.e. one side has visible support framing and the other does not), then the more "finished" side of the

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fence shall face the perimeter or outside of the lot, rather than facing the interior of the lot. This design provision shall also be mandatory for fences and walls required for buffering and screening purposes. Decorative or ornamental wood, brick, stone or stucco piers, built as a structural component of a fence, wall, or gate may be located in all required yards.



- E. Maintenance: The structural and aesthetic integrity shall be maintained for all new and existing fences and walls. Any fence or wall provided to meet buffering and screening requirements may be exempted from the height and location standards as necessary to meet the requirements of that section. All fences and walls must meet the requirements of Article 9 (Landscaping & Buffering).
1. Posts, supports, rails, boards, panels, etc. that are considered to be in a dilapidated state, shall be repaired or replaced as reasonably required toward the purpose of maintaining the structural and aesthetic integrity of the fence.
 - (a) A fence in a dilapidated state is considered as any section of a fence that is visibly out of vertical alignment or that has multiple pickets or other structural components that are damaged, missing, rotted or destroyed.
 - (b) Violations of this section are considered a misdemeanor offense.
- F. Spite Fences, widely regarded as fences (or walls) built to annoy neighbors or with malice, are prohibited. Such fences include, but are not limited to, those which do not comply with the permitted construction (material) types, height limitations, or those which fail to be properly maintained, as provided herein. Fences (or walls) that are obnoxious in appearance, or which causes injury to adjacent property owners, may also be considered a spite fence; however, deprivation of light, air, or view from adjacent properties is not (by itself) necessarily grounds to deem a fence (or wall) a spite fence.
- G. Chain Link fencing (with or without barbed wire) shall not be permitted on properties zoned CBD, or as specified throughout this UDO.
1. Exception: Utility substations which require the use of chain link fencing, if no other practical alternative is available. [Amended #ZA2020-09-21 (B)]
- H. Fences and/or Walls of any construction shall not be permitted to be installed within any Public Drainage Easements owned and maintained by the City of Conway without approval from the Public Works Director as well as a Recorded Disclosure Statement and HOA approval, if applicable.

5.2.8 **Residential Swimming Pools, Hot Tubs & Spas**

A swimming pool (above ground or in-ground), hot tub, or other type of spa may be constructed in the side or rear yard of a private residence under the following conditions:

- A. The edge of water in the pool and/or spa must meet a six (6) foot minimum setback from all property lines, and meet building codes for separation from buildings; provided there is a principal structure on the parcel and the pool and/or spa is not located forward of the principal structure. Pools or spas may not be placed in any existing easements.
- B. Fencing and/or a suitable enclosure device shall be provided, in compliance with applicable building codes. Pool enclosures or pool decks over twelve (12) inches in height must meet a six (6) foot minimum setback.
- C. Pool lighting shall be shielded and oriented away from adjacent properties. If individual light shielding is not provided, they shall be placed so that enclosure walls or fences direct light away from adjacent properties.
- D. Swimming pools not capable of holding more than twenty-four (24) inches of water are exempt from permitting procedures. [ZA2022-08-01]