



# APPLICATION TO CREATE TDRs ON A SENDING AREA PARCEL

APPLICATION No. \_\_\_\_\_ (to be completed by the County)

**Beaufort County Community Development Department**  
100 Ribaut Road / Room 115 / County Administration Building  
Beaufort, South Carolina 29902  
Phone: 843-255-2140 / Fax: 843-540-9432

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## ABOUT THIS FORM

### WHEN SHOULD I USE THIS FORM?

Use this form when:

- You own property in the TDR sending area, as defined by § 2.10.30 of the Beaufort County Community Development Code;
- You wish limit the development potential for you and for all future owners of your property to certain thresholds of residential density, as provided in your TDR easement;
- In exchange for that limitation, you would like to receive a TDR certificate from the County, which you can sell or transfer to a third-party interested in developing property in a TDR receiving area, as defined by § 2.10.30 B. of the Beaufort County Community Development Code, for additional density or intensity than otherwise would be allowed by County ordinances on that property.

### IF I SUBMIT THIS APPLICATION, AM I GUARANTEED TO RECEIVE TDR CERTIFICATES?

No. In order to remain eligible for a TDR certificate, the County must verify whether your property is eligible for TDRs and, if so, calculate the number of TDRs available, in accordance with § 2.10.100, of the County Community Development Code. In addition, there must be no change in land use and no development permit issued for the property between the submission of your application and the issuance and recording of a TDR easement. The validity of the TDR certificate issued by the County is contingent upon the truthfulness and accuracy of the information provided in this application, and the recordation of a TDR easement.

### WHAT WILL HAPPEN NEXT?

The County Community Development director will determine whether the application is complete and, if so, will indicate an application number above, will calculate the number of eligible TDRs on your property, and will contact you to coordinate on final processing and the terms of the proposed TDR easement.

Once the easement is approved and you have recorded the easement, the County will issue a TDR certificate, which establishes the number of TDRs issued for your property by the County. You may then make the approved TDRs available to a third-party or to a property owner for use in a TDR receiving area. If you chose to sell the right to use the TDRs that have been approved for your property, you and the purchaser establish the sale price. The County also may establish a TDR bank that may purchase TDRs at market value.

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### A. APPLICATION CHECKLIST

\_\_\_\_\_ Completed and notarized application.

\_\_\_\_\_ Proof of clear title of ownership of each parcel for which TDRs are to be established.

\_\_\_\_\_ If the owner of the property is an entity, attach evidence of authority of the applicant to act on behalf of the entity.

\_\_\_\_\_ A legal description and survey of the subject parcel.

\_\_\_\_\_ A draft TDR easement limiting residential density on the property. The County Community Development department and County attorney will review the proposed language and will contact you to discuss any needed changes. The County can provide sample easement language upon request.

\_\_\_\_\_ Written consent to remove development rights from the parcel(s) by all holders of liens on each subject parcel.

\_\_\_\_\_ Application fee of \$\_\_\_\_\_

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## **B. CONTACT INFORMATION**

### **APPLICANT (SENDING PROPERTY OWNER)**

**If property has additional owners, please provide this information for each owner on separate paper.**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

### **PROPERTY OWNER'S REPRESENTATIVE (IF APPLICABLE)**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

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## **C. STATEMENT OF INTEREST**

I would like to apply for a TDR certificate for:

\_\_\_\_\_ The entire parcel; or

\_\_\_\_\_ A portion of the parcel. If a portion, please provide map and legal description of the subject portion.

**D. SENDING PROPERTY INFORMATION**

**Please provide the following information and clear title of ownership.**

Address \_\_\_\_\_

District map/parcel number \_\_\_\_\_

Acreage \_\_\_\_\_ Acreage for which you wish to apply for TDR certificates \_\_\_\_\_

Number of residential units existing on property \_\_\_\_\_ Permitted number of dwelling units \_\_\_\_\_

Other uses on property \_\_\_\_\_

Is the property restricted by any recorded covenant that is contrary to, conflicts with, prohibits, or limits development of the property? \_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, please describe. \_\_\_\_\_

Number of TDRs requested \_\_\_\_\_ Property eligible for up to \_\_\_\_\_ TDRs (staff to complete)

Names of all lien holders with their signatures agreeing to this application. Attach more sheets if necessary.

Name	Signature	Date
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Name	Signature	Date
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**E. CERTIFICATIONS BY PROPERTY OWNER**

I certify that all information provided in this application is true, correct, and complete. I certify that I am the legal owner of the property listed above, that I have marketable title to the property, and that I have the legal right to sever the development rights from the property, pursuant to a TDR easement. I agree that, as owner of this property, I have provided notice of this request to all lien holders of the property.

**I understand that the severance of development rights from this property and placement of the property under an easement has the effect of removing and limiting the development potential on the property.**

If I have listed a representative on page 1 of this application, I agree that he/she can act as my agent in this application.

Signature of property owner	Date
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Signature of property owner	Date
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STATE OF SOUTH CAROLINA

COUNTY OF BEAUFORT

Sworn/affirmed to and subscribed before me on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
Personally known [ ] or Produced identification [ ] Type of Identification produced\_\_\_\_\_

\_\_\_\_\_  
Signature of Notary Public

\_\_\_\_\_  
Printed name and commission number

My commission expires \_\_\_\_\_

(Notary Seal)

**F. CERTIFICATIONS BY REPRESENTATIVE** (if applicable)

I certify that all information provided in this application is true, correct, and complete to the best of my knowledge.

\_\_\_\_\_  
Signature of representative

\_\_\_\_\_  
Date

**BUYER/GRANTEE**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

**SENDING AREA SELLER/GRANTOR**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Attach written evidence of the transaction (a contract of sale or bill of sale).

I, \_\_\_\_\_, the buyer/grantee identified above, certify that the information provided herein is true and correct.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date