



BOARD OF ZONING APPEALS

Town Council Chambers, Moncks Corner Municipal
Complex, 118 Carolina Avenue
TUESDAY, DECEMBER 06, 2022 at 6:00 PM

AGENDA

CALL TO ORDER

ADOPTION OF MINUTES

1. Approval of the November 1, 2022 minutes

NEW BUSINESS

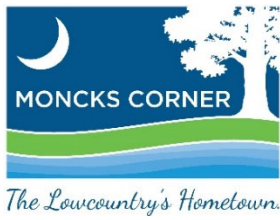
2. Consider a variance to the sign requirements for 487 N Hwy 52, TMS 123-00-01-045

OLD BUSINESS

STAFF COMMENTS

MOVE TO ADJOURN

In accordance with the Americans with Disabilities Act, persons who need accommodation in order to attend or participate in this meeting should contact Town Hall at (843) 719- 7900 within 48 hours prior to the meeting in order to request such assistance.



BOARD OF ZONING APPEALS

Town Council Chambers, Moncks Corner Municipal
Complex, 118 Carolina Avenue
TUESDAY, NOVEMBER 01, 2022 at 6:00 PM

MINUTES

CALL TO ORDER

Meeting called to order at 6:00 p.m.

PRESENT

Board Member Carolyn Haynes-Smith
Board Member Theresa McLaughlin
Board Member Clayton Morton
Chairman Thurman Pllum
Board Member Patricia Smith

STAFF PRESENT

Doug Polen, Development Director

ADOPTION OF MINUTES

1. Approval of the October 4, 2022 minutes

Motion made by Board Member Haynes-Smith, Seconded by Board Member Smith.

Voting Yea: Board Member Haynes-Smith, Board Member McLaughlin, Board Member Morton, Chairman Pllum, Board Member Smith

NEW BUSINESS

2. Consider a special exception to allow for outdoor storage at 2700 Hwy 52, TMS 197-00-01-027

Mr. Polen presented the item.

Mr. Pllum asked if the recommendation encompassed the entire project. Mr. Polen stated yes.

Holly McAlhany spoke as the applicant.

Mr. Pllum stated that he tends to want businesses to use their land as they will, but this section of Town has become less attractive on the east side of 52 and hates to see that continue. He stated that he would prefer a wooden fence in front of the chain link.

Ms. McAlhany stated that the wax myrtles will grow quickly so the fence will be covered soon.

Mr. Pllum asked about the cost of a fence, and the applicant said that while she didn't know the cost, it would be considerable.

Ms. P. Smith stated that she dislike striping inside a fence, and Mr. Pllum concurred.

Mr. Morton stated that even with a wood fence, you won't be able to see it after a while due to vegetation.

Mr. Pllum asked does the Board want wood or chain link?

Ms. McLaughlin made a motion to allow the use with a Type D equivalent buffer and all other recommendations of staff, but with a wooden privacy fence in front of the chain link.

Motion made by Board Member McLaughlin, Seconded by Board Member Morton.
Voting Nay: Board Member Haynes-Smith, Board Member McLaughlin, Board Member Morton, Chairman Pellum, Board Member Smith

Motion failed.

Ms. C. Smith made a motion to allow the use with a Type D equivalent buffer on the west, a Type B buffer on the north, and no buffer on the east or south, and no striping in the chain link.

Motion made by Board Member Haynes-Smith, Seconded by Board Member Morton.
Voting Yea: Board Member Haynes-Smith, Board Member McLaughlin, Board Member Morton, Chairman Pellum, Board Member Smith

OLD BUSINESS

STAFF COMMENTS

MOVE TO ADJOURN

Meeting adjourned at 6:30 p.m.

Motion made by Board Member Haynes-Smith, Seconded by Board Member McLaughlin.
Voting Yea: Board Member Haynes-Smith, Board Member McLaughlin, Board Member Morton, Chairman Pellum, Board Member Smith

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The Lowcountry's Hometown

PO Box 700 | Moncks Corner, SC 29461 | 843.719.7900 | monckscornersc.gov

Staff Report

Special Exception Request

DATE: December 6, 2022
TO: Moncks Corner Board of Zoning Appeals
FROM: Douglas Polen, Community Development Director
SUBJECT: Variance Request
STAFF RECOMMENDATION: **DENIAL**

Report Summary	
<i>Property Location</i>	487 N Hwy 52
<i>Property TMS</i>	123-00-01-045
<i>Acreage</i>	1 acre
<i>Zoning</i>	C-2, General Commercial
<i>Applicant/Owner</i>	Coastal Outdoor Services
<i>Use</i>	Body Shop
<i>Request</i>	Variance to setback for flagpole
<i>Current Requirements</i>	Per the Zoning Ordinance, the setback for a flagpole is equal to the height of the flagpole, and the maximum height of a commercial flagpole is 25'.

Background

A flagpole has been located at the body shop at 487 N. Hwy 52 for years. Earlier in 2022 Better Collision took over the location and hired Coastal Outdoor Services to remove the existing flagpole and put in a new, larger pole.

This new pole was placed approximately 18' off the sidewalk and the setback for flagpoles is equal to the height of the pole. Likewise, the maximum height of commercial flagpoles is 25', whereas the height of the newly erected flagpole is 39'.

Lastly, from the zoning map it appears that all land to the front of the building is in the right of way, requiring an encroachment from SCDOT for any structures in this area.

Per Town sign regulations:

D. Government Flags

1. Definition: means any fabric, banner or bunting containing distinctive colors, patterns or symbols, used as a symbol of government, political subdivision or other entity.
2. Permitted Zones: All
3. Requirements
 - i. Height of Flagpole: Fifteen (15) feet maximum residential; Twenty-five (25) feet maximum commercial
 - ii. Area of Flag: Per the guidelines of the U.S. General Services Administration, a flag pole should be approximately three (3) to four (4) times the length of the flag. As such, a fifteen (15) foot tall pole should utilize 3' x 5' flags, a twenty (20) foot pole should use 3' x 5' or 4' x 6' flags, and a twenty-five (25) foot pole should use 4' x 6' or 5' x 8' flags. The maximum flag sizes allowed per this ordinance are fifteen (15) square feet per flag, no more than thirty (30) square feet total (residential); Forty (40) square feet per flag, no more than one hundred twenty (120) square feet total (commercial)
 - iii. Number of Flagpoles Allowed: One (1) residential; Three (3) commercial
 - iv. Setback: Pole must be setback from all property lines an amount equal to or greater than the height of the pole
 - v. Governmental flags must be externally lit or removed at dusk.
 - vi. If the flags of the United States and the State of South Carolina are flown, a third, commercial flag may be flown on the third pole. The flag will not be included in the overall sign area total on the lot.

Analysis

From Sec. 11-2 of the Zoning Ordinance:

Duties of the Board – To permit uses by special exception subject to the terms and conditions for the uses set forth below. Special exceptions may be allowed after determination by the BZA of additional controls required and after the holding of a public hearing. A listed special exception is eligible for location within the subject zoning district if all of the following conditions can be clearly demonstrated to exist:

- a. **The proposed use is consistent with the purpose and intent of the Town's Comprehensive Plan as well as the character and intent of the underlying zoning district;**

The flag is consistent with the purpose of the Plan, although it is too large and close to the road.

- b. **The proposed use is compatible with existing uses in the vicinity and will not adversely affect the general welfare or character of the immediate community;**

The flag does not adversely affect the general welfare or character of the area, although it is oversized.

- c. **Adequate provision is made for such items as setbacks, buffering (including fences and/or landscaping) to protect adjacent properties from the possible adverse influence of the proposed use, such as noise, vibration, dust, glare, odor, traffic congestion, and similar factors;**

There will be no adverse influence, but adequate provision for setback was not made.

- d. **Where applicable, the proposed use will be developed in a way that will preserve and incorporate and important natural features;**

There are no important natural features.

- e. **The proposed use shall not destroy, create a loss, or cause damage to natural, scenic, or historic features of significant importance;**

No.

- f. **Vehicular traffic and pedestrian movement on adjacent roads shall not be hindered or endangered;**

No.

- g. **The proposed use complies with all applicable regulations and development standards of the Town.**

No. The flagpole is 14' taller than allowed by code and is too close to the road.

Staff Recommendation

The applicant has not yet submitted required plans to the Building Department to determine if it was installed correctly and is able to withstand 140 mph winds, as per regulation. Should the pole not meet building code requirements it will need to be removed or re-installed.

Staff is not overly concerned with the setback. If the entire front of the lot is in the right of way, no setback would be sufficient. However, Staff is concerned with the height of the pole. The tallest allowable signs in Town are 20' for shopping centers with more than four businesses and 25' for commercial flagpoles. 39' for this flagpole seems unnecessarily large and well beyond the intention of the Code. That having been said, the pole is in the ground and secured with hundreds of pounds of concrete.

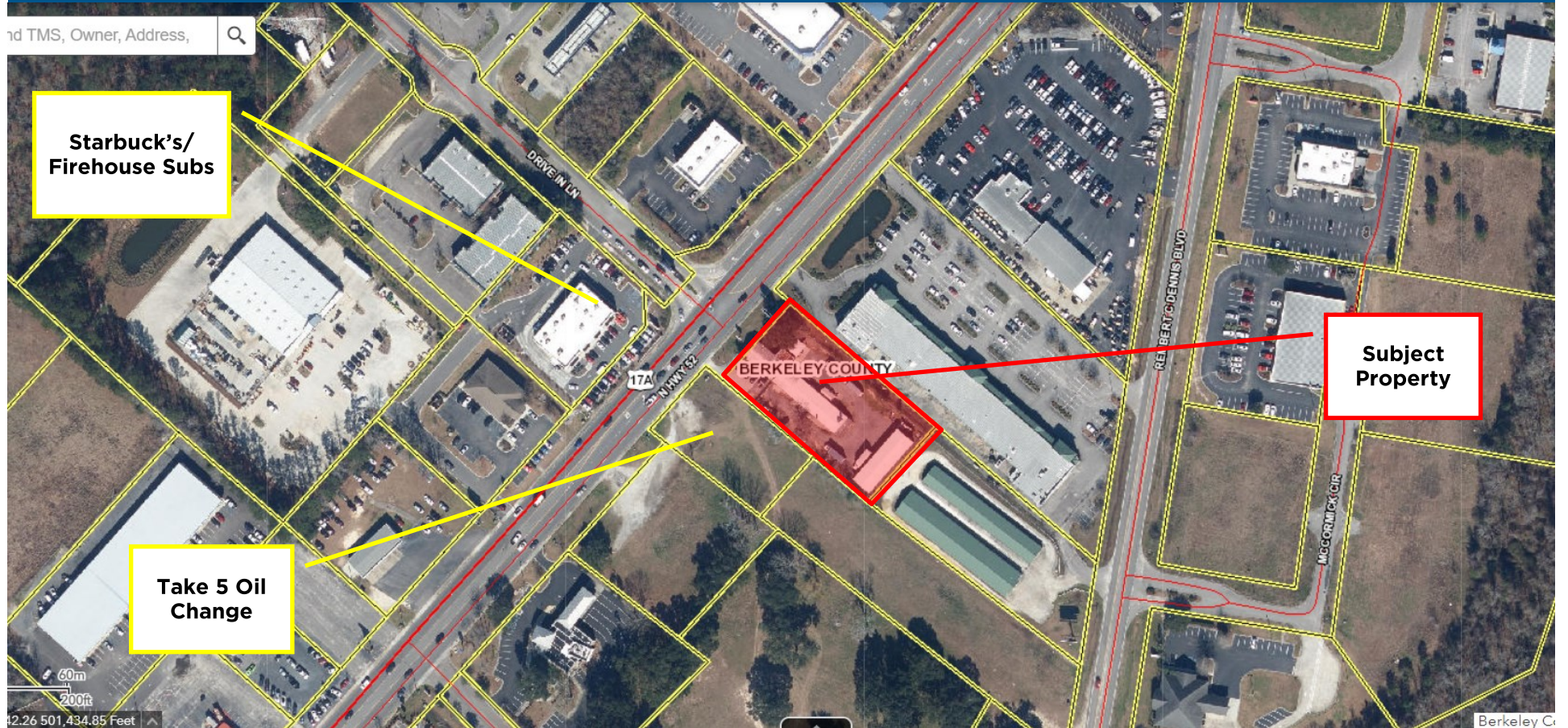
Staff must recommend **DENIAL** for this application.

The Board may also wish to consider any specified conditions it wishes to place upon the property should it determine to grant a special exception.

478 N. Hwy 52

TMS 123-00-01-045

Board of Zoning Appeals | December 6, 2022



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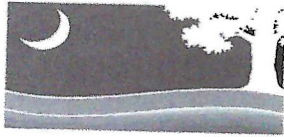


478 N. Hwy 52

TMS 123-00-01-045

Board of Zoning Appeals | December 6, 2022





VARIANCE APPLICATION
Moncks Corner Community Development

**MONCKS
CORNER**
The Lowcountry's Hometown

Applicant Information

Name: Coastal Outdoor Services LLC Address: 2735 S Live Oak dr. Moncks Corner
Phone: 843-899-7446 E-Mail: Coastal Outdoor LLC @ gmail . com

Property Owner Information (If Different)

Name: * Jonathon Best Address: 487 Hwy 52 Moncks Corner SC 29461
Phone: * 843-597-7044 E-Mail: * Jonathon@BetterCollision.com

Property Location (Attach Plat if Available): 487 Hwy 52 Moncks Corner SC 29461

Describe the variance request, reason for request, and any supporting information:

Replaced Flagpole now is to close to Rd (26')
pole is Already Concreted in and installed

Has any variance been applied for on this property previously? YES NO

If Yes, Please Describe: _____

I (we) certify that I (we) are the free holder(s) of the property(s) involved in this application and further that I (we) designate the person signing as applicant to represent me (us) in this variance.

Owner's Signature: * Jon D. Best Date: * 10/28/2022
Applicant's Signature: Shen Villan Date: 10-24-22

For Official Use Only

Received: _____ Property Posted: _____
Receipt #: _____ Hearing: _____
Advertised: _____ Approved: _____