

BOARD OF ZONING APPEALS

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

AGENDA

CALL TO ORDER

ADOPTION OF MINUTES

- [1.](#) Approval of July 5, 2022 minutes

NEW BUSINESS

- [2.](#) Consider a variance to reduce minimum lot size at 411 Wall Street, TMS 142-04-01-032

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, JULY 05, 2022 at 6:00 PM

MINUTES

CALL TO ORDER

Meeting called to order at 6:00 pm

PRESENT

Board Member Carolyn Haynes-Smith
Board Member Theresa McLaughlin
Board Member Patricia Smith

STAFF PRESENT

Douglas Polen, Development Director

ABSENT

Board Member Clayton Morton
Chairman Thurman Pellum

ADOPTION OF MINUTES

1. Approval of May 3, 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 Smith

NEW BUSINESS

2. Consider a variance to sign regulations for 777 Stony Landing Road, TMS #143-00-00-051

Mr. Polen presented the item. Diane Driggers attended to represent the School District.

Motion made to allow the sign under the following conditions:

- Sign face no more than 50 sq. ft.
- Sign no more than 8' 6" tall
- The changeable face is no more than 60% of overall face size
- The changeable face dims to night level at sundown
- The sign may be internally illuminated

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

3. Consider a variance to design regulations for a proposed structure west of 309 Rembert Dennis Blvd., TMS 143-00-00-002.

Mr. Polen presented the item. The applicant, Ricky Parler, attended the meeting.

Mr. Parler explained that he had incorporated the entity that would be building this structure on February 15, 2022, which is before the Planning Commission made any recommendation on the requirement for exterior quality materials. He further explained that the buildings across the street from his proposed structure were metal buildings, as were the new Meade Agency Building, RED Electric, and the Town's Public Service Building.

The Board members asked about vinyl or composite siding, or if other covers could be put on the building. Mr. Parler explained that that was outside of his budget.

Ms. McLaughlin made a motion to allow a variance requiring hardiplank or other quality materials on the front and 1/3 of the way down each side. Motion failed for lack of a second.

Ms. Haynes Smith made a motion to allow the variance as requested, with a metal building featuring a brick knee wall on the front and approximately 1/3 of the way down the sides.

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

OLD BUSINESS

STAFF COMMENTS

MOVE TO ADJOURN

The meeting was adjourned at 6:33 pm

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

Voting Yea: Board Member Haynes-Smith, Board Member McLaughlin, Board Member Smith

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Staff Report

Variance Request

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

Report Summary	
<i>Property Location</i>	411 Wall Street
<i>Property TMS</i>	142-04-01-032
<i>Acreage</i>	13,630 s.f.
<i>Zoning</i>	R-2, Single Family Residential
<i>Applicant/Owner</i>	Habitat for Humanity of Berkeley County
<i>Use</i>	Vacant
<i>Request</i>	Variance to minimum lot size
<i>Current Requirements</i>	The minimum lot size in the R-2 District is 8,500 s.f.

Background

The applicant, Habitat for Humanity, is seeking to reduce the required lot size for the lot at the northwest corner of Wall Street and Hutchinson Lane. Habitat purchased this lot in April, 2021, and the remaining lots on the west side of Hutchinson in March, 2022. Habitat intends to build approximately five or six homes on the lots in the future, with the house at the corner beginning immediately.

In the past, Habitat has applied for and received similar variances, including George Street in March of 2017 and Jenkins Street in November of 2018.

In this case, the minimum lot size in the R-2 zone is 8,500 s.f. The applicant is seeking to reduce the minimum lot size to 6,815 s.f. The applicant is not seeking to reduce the minimum lot width of 70', with the new lots being at least 71.5' wide.

The Wall Street neighborhood has a wide variety of lot sizes, but the six lots on the east side of Hutchinson Lane average 6,530 s.f. As such, the lots Habitat seeks to create are slightly larger than average for the street. This variance will allow for the construction of at least one additional house on Hutchinson, providing more genuinely affordable housing for the area while spreading the cost of infrastructure improvements to the road and utilities across at least one more home. In 2021, Berkeley County awarded a Community Development Block Grant to the applicant to help pay for these infrastructure improvements.

Analysis

1. Are there are extraordinary and exceptional conditions pertaining to the particular piece of property?

No.

2. Do these conditions generally apply to other property in the vicinity?

N/A

3. Because of these conditions, does the application of the ordinance to the particular piece of property effectively prohibit or unreasonably restrict the utilization of the property?

No. The applicant can build on this property following the current design standards.

4. Will the authorization of the variance be of substantial detriment to adjacent property or to the public good, and will the character of the district be harmed by the granting of the variance?

No. The area is zoned for 8,500 square foot minimum lots, but many lots in the area are at or below the size requested by the applicant. The average size of the lots on Hutchinson Lane are 6,530 s.f. The applicant's proposed lot size is larger than this.

5. The board may not grant a variance the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a nonconforming use of land, or to change the zoning district boundaries shown on the official zoning map. The fact that property may be utilized more profitably, should a variance be granted, may not be grounds for a variance. Does the request accompany any of the aforementioned considerations?

The applicant is a non-profit, so profit is not the motive. While it is true that the applicant could build more houses with a smaller lot size, this better fulfills the organization's vision of a world where everyone has a decent place to live. Moreover, this smaller lot size is in keeping with the neighboring properties.

Staff Recommendation

Staff must note that Mr. Polen is the board chairman of Habitat for Humanity of Berkeley County. However, Mr. Polen has no financial interest in Habitat for Humanity.

That having been said, the Board has supported smaller lot sizes in keeping with the neighborhood on prior occasions for Habitat, both in the Wall Street and the George Street neighborhoods. Likewise, staff recommends **APPROVAL** for this variance.

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

Board of Zoning Appeals | September 6, 2022



Habitat for Humanity Variance

411 Wall Street, TMS 142-04-01-032

Board of Zoning Appeals | September 6, 2022



Board of Zoning Appeals | September 6, 2022



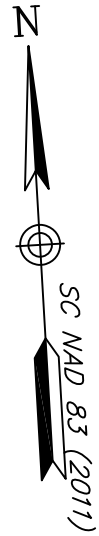
NOTES:

1. AS PER F.I.R.M. PANEL NUMBER 45015 0385 E, WITH AN EFFECTIVE DATE OF DECEMBER 7, 2018, BY GRAPHICAL PLOTTING ONLY, THIS PROPERTY APPEARS TO LIE WITHIN FLOOD ZONE "X" AND SHOULD BE VERIFIED BY ALL GOVERNING MUNICIPALITIES AND ASSOCIATIONS BEFORE DESIGN OR CONSTRUCTION.
2. THE AREA WAS DETERMINED BY THE COORDINATE METHOD.
3. THIS SURVEY IS BASED ON FOUND MONUMENTATION, REFERENCES, AND LINES OF OCCUPATION
4. ANYTHING SHOWN OUTSIDE THE DEFINED BOUNDARIES OF THIS SURVEY IS FOR DESCRIPTIVE PURPOSES ONLY.
5. THE PUBLIC RECORDS REFERENCE ARE ONLY THOSE USED FOR ESTABLISHMENT OF THE BOUNDARY OF THIS PROPERTY AND DOES NOT IN ANY WAY CONSTITUTE A TITLE SEARCH.
6. PROPERTY MAY BE SUBJECT TO EASEMENTS AND RESTRICTIONS NOT OBVIOUS OR APPARENT TO THE SURVEYOR.
7. PROPERTY IS ZONED R-2. ZONING IS PER MONCK'S CORNER GIS AND SHOULD BE VERIFIED WITH ALL GOVERNING MUNICIPALITIES AND ASSOCIATIONS BEFORE DESIGN OR CONSTRUCTION
8. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AS PART OF THIS SURVEY. NO STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND UTILITIES OR OVERHEAD CONTAINERS OF FACILITIES THAT MAY EFFECT THE USE OR DEVELOPMENT OF THIS TRACT.
9. THE UNITED STATES ARMY CORPS OF ENGINEERS HAS NOT MADE A DETERMINATION OF THE PRESENCE OR ABSENCE OF WETLANDS AND/OR WATER OF THE UNITED STATES OF THIS PROPERTY/THESE PROPERTIES AS OF THE DATE OF APPROVAL/RECORDING OF THIS PLAT.
10. MONCK'S CORNER MAY REQUIRE A JURISDICTIONAL DETERMINATION BY THE UNITED STATES ARMY CORPS OF ENGINEERS ON THIS PROPERTY/THESE PROPERTIES PRIOR TO THE ISSUANCE OF ZONING PERMITS FOR LAND DEVELOPMENT ACTIVITIES.

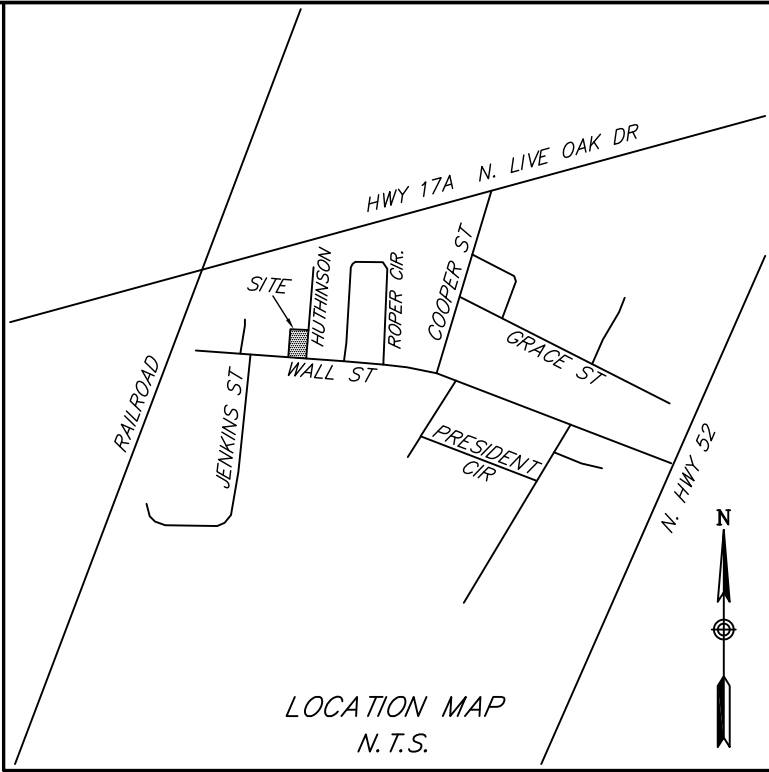
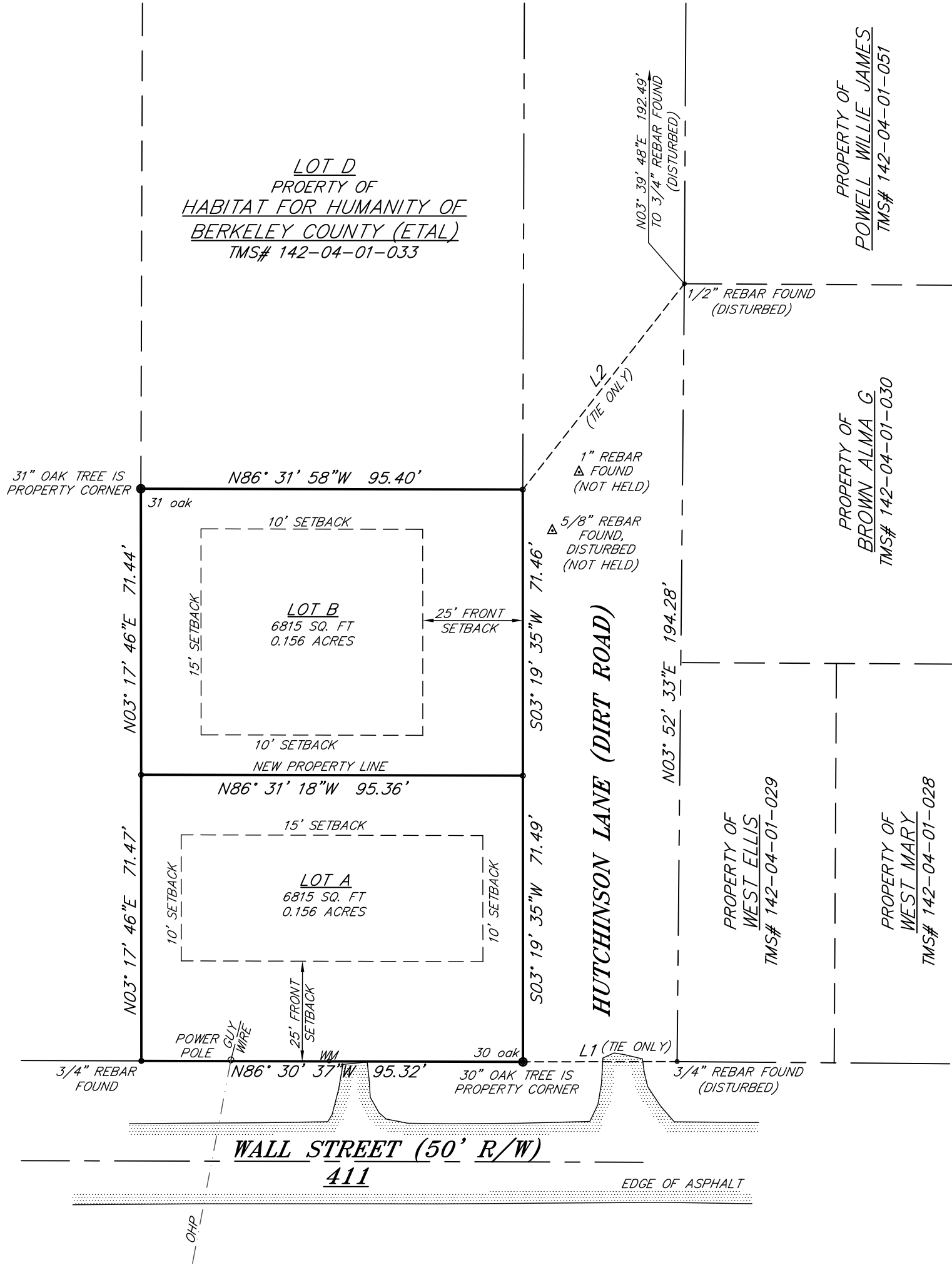
REFERENCES:

1. PLAT BOOK S, PAGE 131 A
2. PLAT BOOK S, PAGE 280 B
3. PLAT BOOK O, PAGE 250 P

LINE TABLE		
LINE	DIRECTION	LENGTH
L1	S86° 45' 27"E	38.51
L2	N41° 29' 09"E	65.34



PROPERTY OF
WARING BARBARA W
TMS# 142-04-01-034



Parker Land Surveying, LLC
5910 Griffin Street
Hanahan, SC 29410
Phone: (843) 554-7777
PLSSC.COM

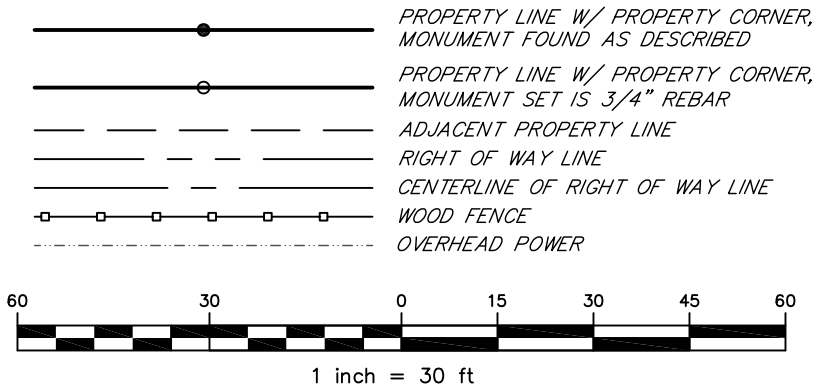
I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN.



LAUREN MAURICE WILDER S.C.P.L.S. NO. 29523



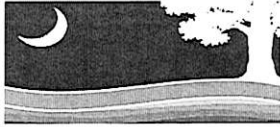
LEGEND



PLAT
SHOWING THE SUBDIVISION OF TMS# 142-04-01-032 (0.313 ACRES) CREATING LOTS A (0.156 ACRES) AND B (0.156 ACRES), PROPERTY OF HABITAT FOR HUMANITY OF BERKELEY COUNTY, LOCATED IN THE TOWN OF MONCK'S CORNER, BERKELEY COUNTY, SOUTH CAROLINA

DATE: MAY 6, 2022

SCALE 1" = 30'



VARIANCE APPLICATION
Moncks Corner Community Development

**MONCKS
CORNER**
The Lowcountry's Hometown

Applicant Information

Name: HABITAT FOR HUMANITY Address: 1 BELKNAP RD GOOSE CREEK, SC 29445
OF BERKELEY COUNTY
Phone: 843-203-3749 E-Mail: CEO@BERKELEYHABITAT.ORG

Property Owner Information (If Different)

Name: _____ Address: _____
Phone: _____ E-Mail: _____

Property Location (Attach Plat if Available): 411 WALL STREET

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

ASKING FOR A VARIANCE IN THE SQUARE
FOOTAGE OF LOT SO THAT WE MAY SUBDIVIDE
LOT INTO 2 PARCELS FOR MORE AFFORDABLE
HOUSING

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: [Signature] Date: 8/1/2022
Applicant's Signature: [Signature] Date: 8/1/2022

For Official Use Only

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