



# BOARD OF ZONING APPEALS

Town Council Chambers, Moncks Corner Municipal  
Complex, 118 Carolina Avenue  
TUESDAY, JUNE 07, 2022 at 6:00 PM

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## AGENDA

### CALL TO ORDER

### ADOPTION OF MINUTES

1. Approval of May 3, 2022 minutes

### NEW BUSINESS

2. Special Exception to allow outdoor vehicle storage on the lot adjacent to 478 N. Hwy 52, TMS 123-00-01-066

### 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, MAY 03, 2022 at 6:00 PM

## MINUTES

### CALL TO ORDER

Meeting called to order at 6:00 pm

#### PRESENT

Board Member Carolyn Haynes-Smith  
Chairwoman Theresa McLaughlin  
Board Member Clayton Morton  
Board Member Patricia Smith

#### STAFF PRESENT

Doug Polen, Development Director

#### ABSENT

Board Member Thurman Pellum

### ADOPTION OF MINUTES

1. Approval of April 5, 2022 minutes

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

### NEW BUSINESS

2. Administrative Review for two drive-thru businesses at 2727 Hwy 52, TMS 197-00-01-020

Mr. Polen presented the item. For reasons of safety and the blocking of traffic, Mr. Polen recommends denial of the appeal.

Sanders Chapman, development associate from Twin Rivers Capital, spoke on behalf of the applicant. He mentioned a few businesses in Town with right side drive-thrus, such as Little Caesar's and That's My Dawg. At both examples, the Board stated that those areas are dangerous and block traffic flow through the parking lot.

Mr. Chapman stated that they could remove the talkbox to deter businesses with food or longer lines.

Board Members Smith and Morton both stated that they thought the second drive thru would interfere with traffic in the parking lot.

Motion made to deny the appeal. Motion made by Board Member Morton, Seconded by Board Member Smith. Voting Yea: Board Member Haynes-Smith, Chairwoman McLaughlin, Board Member Morton, Board Member Smith

### OLD BUSINESS

### STAFF COMMENTS

## **MOVE TO ADJOURN**

Meeting adjourned at 6:30 p.m.

Motion made by Chairwoman McLaughlin, Seconded by Board Member Smith.

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

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## Staff Report

### Special Exception Request

**DATE:** June 7, 2022  
**TO:** Moncks Corner Board of Zoning Appeals  
**FROM:** Douglas Polen, Community Development Director  
**SUBJECT:** Special Exception Request  
**STAFF RECOMMENDATION:** **DENIAL / CLASS D BUFFER**

Report Summary	
<i>Property Location</i>	478 N Hwy 52
<i>Property TMS</i>	123-00-01-066
<i>Acreage</i>	1.47 acres
<i>Zoning</i>	C-2, General Commercial
<i>Applicant/Owner</i>	Jonathon Best
<i>Use</i>	Body Shop Vehicle Storage
<i>Request</i>	<b>Special Exception to allow outdoor storage of vehicles at a body shop</b>
<i>Current Requirements</i>	Per the Zoning Ordinance, all outdoor vehicle storage requires a special exception to allow the use

### Background

The applicant is seeking to purchase property adjacent to his current body shop, Better Collision, located at 478 N Hwy 52. This property is proposed to be used as storage for vehicles that have been dropped off for repair and are pre- and post-repair.

Per the Zoning ordinance, all outdoor storage of vehicles requires a special exception in order to be considered an allowable use. If approved as a use, the Board of Zoning Appeals must designate the proper landscape buffer required in this particular instance.

### **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;**

Yes and no. The underlying zoning is C-2, General Commercial, and vehicle repair is permitted in this district. However, this particular location is a very attractive lot located next to two financial institutions as well as a new restaurant and a new automotive service business. Staff does not find outdoor vehicle storage to be the highest and best use for this lot, and a special exception for such storage was placed in the Zoning Ordinance in the last couple of years to prevent such uses in areas that were not appropriate.

- 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;**

As stated above, Staff feels that the proposed use is not compatible with existing uses in the vicinity. While there is a mini warehouse business and a body shop adjacent to the subject property, these businesses are both over twenty years old (thirty in the case of the body shop) and the surrounding area has changed considerably in the intervening period. This particular area is now known for beautiful live oak trees and the Starbucks across the street, not the mini warehouse and the body shop.

- 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;**

Should the Board of Zoning Appeals approve the use of outdoor vehicle storage on this lot, Staff strongly recommends a Type D buffer be placed on the property, so as to shield the vehicles from view by the nearby properties and the road.

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

The property appears to be free of any natural features with the exception of the overall viewshed.

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

The importance of the view of the lot is best left to the individual, but Staff does feel that outdoor vehicle storage would cause significant damage to the scenic features of the area.

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

Staff sees no negative effect on adjacent roads.

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

Staff has not seen any plans, but would ensure that the property meets all applicable regulations, including stormwater, paving, and landscaping.

### **Staff Recommendation**

Staff finds the proposal to place outdoor vehicle storage on the lot to be in conflict with the Town's vision for this property. With the large live oak trees and nearby new commercial investment, the Town would like to see office and/or retail development on this property. Staff has also heard from numerous members of the public that this property should be a park. That having been said, the lot is zoned commercial and proper, quality development is allowed and encouraged on the property. Staff does not find that outdoor vehicle storage is that proper, quality development and, as such, recommends **DENIAL** of the special exception.

Should the Board of Zoning Appeals choose to allow the special exception for the use of outdoor vehicle storage, Staff strongly recommends a Type D buffer, in addition to any fencing desired by the applicant, be placed around the property wherever the storage would be visible from off-site.

A type D buffer is the buffer required around mobile home parks and light industrial uses. It is 50' wide and requires 8 trees and 75 shrubs per 100 linear feet.

**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.**



**SPECIAL EXCEPTION APPLICATION**  
Moncks Corner Community Development

**MONCKS  
CORNER**  
*The Lowcountry's Hometown*

**Applicant Information**

Name: Jonathon Best Address: 478 N US Hwy 52  
Phone: (843) 597-7044 E-Mail: moncks corner SC, 29461  
jonathon@bettercollision.com

**Property Owner Information (If Different)**

Name: Cohen Gaskins Address: 2418 Santee River Rd  
Phone: 843-514-8689 E-Mail: St. Stephen, SC 29479  
Cohen.Gaskins@RhodesSC.com

Property Location (Attach Plat if Available): attached

TMS: 123-00-01-066  
Describe the special exception request, reason for request, and any supporting information:

special exception for outdoor storage of cars,  
both fixed : "to-be-fixed" for Better Collision. Applicant  
will put up fence (wood where needed) and buffer, vegetated.

Has the Board of Zoning Appeals taken action 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 application.

Owner's Signature: Cohen Gaskins J. Date: 4-29-2022

Applicant's Signature: Jon D. Best Date: 4/29/2022

*For Official Use Only*

Received: \_\_\_\_\_ Property Posted: \_\_\_\_\_

Receipt #: \_\_\_\_\_ Hearing: \_\_\_\_\_

Advertised: \_\_\_\_\_ Approved: \_\_\_\_\_

Town of Moncks Corner  
Community Development Department



## Board of Zoning Appeals | June 7, 2022





# Better Collision Special Exception

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