BOARD OF ZONING APPEALS

Town Council Chambers, Moncks Corner Municipal Complex, 118 Carolina Avenue
TUESDAY, OCTOBER 06, 2026 at 6:00 PM

AGENDA

CALL TO ORDER

ADOPTION OF MINUTES

1. Approval of Minutes for the August 4, 2026 meeting.

NEW BUSINESS

2. Consider a Variance (VR-26-03) request to reduce the required parking for an "Trade School" use in the General Commercial (C-2) zoning district located at 228 E Main Street (142-07-05-026).
3. Consider a Special Exception (SE-26-07) request to establish a "Government" use in a Transitional District (TD) and Single-family Residential (R-1) zoning district located at N Live Oak Drive (142-03-01-009).

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, AUGUST 4, 2026, at 6:00 PM

MINUTES

CALL TO ORDER

Meeting called to order at 6:03 p.m.

PRESENT
Chairman Thurman Pellum
Board Member Clayton Morton
Board Member Theresa McLaughlin
Board Member Carolyn Haynes-Smith
Board Member Pat Smith

STAFF PRESENT
Justin Westbrook, Development Director
Carter France, Planner

APPROVAL OF MINUTES

1. Approval of Minutes for the meeting of May 5th, 2026.

   Motion made by Board Member Haynes-Smith to approve the minutes as presented, Seconded by Board Member Morton.

   Voting Yea: Voting Yea: Chairman Pellum, Board Member Haynes-Smith, Board Member Morton, Board Member Pat Smith, and Board Member McLaughlin.

NEW BUSINESS

2. Consider a Special Exception (SE-26-02) request to establish a "Restaurants less than two-thousand (2,000) sq. ft" use in the Transitional District (TD) zoning district located at 417 Altman Street (142-12-03-020)

   Mr. France presented the agenda item.

   Chairman Pellum asked Staff what the noted conflict is of the Future Land Use Map as identified in Staff's presentation. Mr. France responded, stating the "Town Character Residential" designation only promotes residential use-types, while that overlaying "Mixed-Use Overlay" promotes low-intensity commercial use-types.

   Chairman Pellum asked Staff if landscape buffers would be required for the proposed use if approved. Mr. Westbrook stated the Zoning Ordinance would require a landscape buffer if triggered but would not be significant.

   The Applicant, Lisa Young, of 415 Altman Street, noted that the proposed use would not operate past 7:00 PM. In addition, the applicant stated their position that the proposed

use is consistent with other existing uses on Altman Street and that the existing conditions of the parcel include natural buffering.

Winthrop Meadows, 1009 Meadows Court, spoke in favor of the agenda item.

Chairman Pellum asked Mr. Meadows what the estimated percentage of on-site customers would be in comparison with the noted catering aspect. Mr. Meadows responded, stating approximately fifteen to twenty percent of consumers would be on-site.

Sandy Ray, of 978 S Live Oak, spoke in favor of the agenda item.

John Hamer, 218 Palmetto Street, noted his concern regarding on-site parking.

Chairman Pellum noted his concerns regarding the agenda item which includes buffering from adjacent residentially used parcels and on-site parking facilities. Mr. Westbrook responded, stating the majority on on-site parking is located at the rear of the parcel.

Board Member Smith asked if the proposed use intended to sell alcoholic beverages. Mr. Westbrook noted that the question is not applicable to the request.

Board Member Smith asked if Staff have received any complaints from adjacent parcels regarding this agenda item prior to the board meeting. Mr. Westbrook responded, no.

Chairman Pellum noted that he is willing to vote for approval of the agenda item with the condition that 6-foot opaque privacy screening is installed.

Motion made by Chairman Pellum to approve the Special Exception request with the condition a 6-foot opaque fence is installed along the rear property line of the subject-parcel. Seconded by Board Member Smith.

Voting Yea: Voting Yea: Chairman Pellum, Board Member Haynes-Smith, Board Member Morton, Board Member Smith, and Board Member McLaughlin.

3. Consider a Special Exception (SE-26-06) request to establish a "Church" use in the General Commercial (C-2) zoning district located at 388 Corner Square (143-01-02- 020)

Mr. France presented the agenda item.

Eric Francis, of 535 Rosings Drive, spoke in favor of the application.

Chairman Pellum asked if the proposed use ("Churches") would negatively effect the surrounding, existing use-types. Mr. Westbrook responded, stating it's Staff's position that the proposed use would not have any adverse effects on existing adjacent uses.

Board Member Haynes-Smith noted the area where the proposed use is intended to locate has existing traffic issues.

Chairman Pellum asked Mr. Francis what the hours of operation would be for the proposed use. Mr. Francis stated operation would typically be Wednesday evenings

and Sunday mornings.

Motion made by Board Member Haynes-Smith to approve the Special Exception request with no board-imposed conditions. Seconded by Board Member Morton.

Voting Yea: Voting Yea: Chairman Pellum, Board Member Haynes-Smith, Board Member Morton, Board Member Smith, and Board Member McLaughlin.

4. Consider a Special Exception (SE-26-03) request to establish a "Government" use in the General Commercial (C-2) zoning district located at 103 S Hwy 52 (142-12-02-013).

   Mr. France presented the agenda item.

   Danda Todd, of 808 S Beach Ave, and the representative of Berkeley County, spoke in favor of the agenda item. Ms. Todd noted that Berkeley County's existing parking facilities for their administrative building is over capacity & that the proposed parking facility is proposed to be only permitted for Berkeley County employees.

   Chairman Pellum asked if the applicant is actively working with the South Carolina Department of Transportation for the proposed crosswalk across Altman Street as shown in Staff's presentation. Ms. Todd responded, yes.

   Mr. Westbrook informed that Board that Staff received a noted concern from an adjacent property owner regarding stormwater. John Hamer, 218 Palmetto Street, stated is concerns to the Board.

   Ms. Todd stated that the proposed facility is to have approximately eighty parking spaces & access to the facility would only be from 7:00 AM to 5:00 PM on weekdays.

   Motion made by Board Member McLaughlin to approve the Special Exception request with no board-imposed conditions. Seconded by Board Member Haynes-Smith.

   Voting Yea: Voting Yea: Chairman Pellum, Board Member Haynes-Smith, Board Member Morton, Board Member Smith, and Board Member McLaughlin.

5. Consider a Special Exception (SE-26-05) request to establish a "Government" use in the General Commercial (C-2) zoning district located at 432 E Main Street (142-08-02-044 & -046).

   Mr. Westbrook presented the agenda item.

   Chairman Pellum asked Staff why the parcel addressed as 418 E Main Street is not included as part of this request. Mr. Westbrook noted that such parcel is already occupied by a "Government Facilities" use, thus not required to be included in the request.

   Grayland Harper, of 211 Ellis Street, asked if the proposed facility would adversely impact the adjacent church use. Mr. Westbrook stated that the Town hopes to be in strong communication with the adjacent church, but at this time the Town does not intend to vary from the proposed concept plan included within Staff's presentation.

DRAFT

Board Member McLauglin asked Staff when construction is proposed to begin if the agenda item is approved. Mr. Westbrook noted a construction date has not been finalized at this time.

Motion made by Board Member Morton to approve the Special Exception request with no board-imposed conditions. Seconded by Board Member Smith.

Voting Yea: Voting Yea: Chairman Pellum, Board Member Haynes-Smith, Board Member Morton, Board Member Smith, and Board Member McLaughlin.

6. Consider a Special Exception (SE-26-04) request to establish a "Government" use in the General Commercial (C-2) zoning district located at 315 E Main Street (142-07-02-020).

   Mr. Westbrook presented the agenda item.

   Chairman Pellum asked Staff where proposed parking would be located. Mr. Westbrook said that question is covered in the next agenda item, but the applicant intends on providing parking on the parcels directly adjacent to the subject parcel.

   Motion made by Board Member Morton to approve the Special Exception request with no board-imposed conditions. Seconded by Board Member Smith.

   Voting Yea: Voting Yea: Chairman Pellum, Board Member Haynes-Smith, Board Member Morton, Board Member Smith, and Board Member McLaughlin.

7. Consider a Variance (VR-26-02) request to reduce the required parking for an "Government" use in the General Commercial (C-2) zoning district located at 315 E Main Street (142-07-02-020).).

   Mr. Westbrook presented the agenda item.

   Chairman Pellum noted his support for approving the agenda item as the existing building would not be usable due to the strict Application of the Zoning Ordinance.

   Motion made by Board Member Haynes-Smith to approve the Variance request as the strict application of the provisions of the Ordinance would result in unnecessary hardship due to the existing size of the parcel and building. Seconded by Board Member Morton.

   Voting Yea: Voting Yea: Chairman Pellum, Board Member Haynes-Smith, Board Member Morton, Board Member Smith, and Board Member McLaughlin.

OLD BUSINESS

PLANNER'S COMMENTS

MOVE TO ADJOURN

Motion made by Board Member Haynes-Smith to adjourn, Seconded by Board Member Morton.

Voting Yea: Voting Yea: Chairman Pellum, Board Member Haynes-Smith, Board Member Morton, Board Member Smith, and Board Member McLaughlin.

DRAFT

Meeting was adjourned at 7:39 p.m.

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.

DRAFT

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STAFF REPORT

TO: Board of Zoning Appeals

FROM: Carter France, Planner

SUBJECT: Variance (VR-26-03) – Kingston – 228 E Main Street B

DATE: October 6, 2026

Background: The applicant, Catherine Kingston, the owner of the subject parcel (TMS # 142-07-05-026*)* has applied for a **Variance** (VR-26-03) to reduce the number of required parking spaces for a parcel located in Downtown, at 338 East Main Street - B. The Town's current Zoning Ordinance requires the proposed "Highschool, Trade or Business School" use to occupy the existing structure to have at least six (6) compliant off-street parking spaces, as determined by use type and associated square footage. The Zoning Ordinance does not have an exception or provision for required on-site parking within the downtown district along East Main Street, therefore Ordinance's parking standards significantly hinder business / other use types from operating in this area. The subject parcel (TMS # 142-07-05-026), owned by "Mout Judith Wall", is within the **General Commercial (C-2)** zoning district.

Existing Zoning: The subject parcel is currently in the **General Commercial (C-2)** zoning district. Per the Town's Zoning Ordinance, the **General Commercial (C-2)** zoning district is intended to:

> *"...accommodate a variety of general commercial and nonresidential uses characterized primarily by retail, office, and service establishments and oriented primarily to major traffic arteries or extensive areas of predominately commercial usage and characteristics. Certain related structures and uses are permitted outright or are permissible as special exceptions subject to the restrictions and requirements intended to best fulfill the intent of this ordinance."*

	Adjacent Zoning	Adjacent Land Use
North	C-2	Parking Facility
South	C-2	Berkeley County School District
East	C-2	Personal Service Establishment
West	C-2	Single-Family Detached Dwelling

Existing Site Conditions: The subject parcel is comprised of approximately 9,800 square feet. There appears to be approximately 42 feet of road frontage along East Main Street and an additional 145 feet of road frontage

along Carolina Avenue. The parcel is currently occupied by a one (1) story building. Currently the existing structure on the subject-parcel is occupied by a Personal Service use-type. The applicant intends on utilizing a portion of the parcel as a "Highschool, Trade or Business School" use.

The existing building appears to conflict with required setbacks in the **General Commercial C-2** zoning. This effectively prohibits the applicant from constructing a complaint parking area within the boundaries of the parcel. The previous tenant enjoyed a nonconforming situation and once the use vacated the building had ninety (90) days to reestablish or nonconforming protections would be lost. This essentially made the building limited on use types that can occupy it, as the site does not have any existing parking spaces compliant with the Town's current standards.

Proposed Request: The applicant has applied for a **Variance** seeking relief of six (6) on-site parking spaces. The applicant is suggesting off-site parking near the subject parcel can meet the required six (6) spaces. Off-site parking space relief is intended to come from delineated on-street facilities adjacent to the subject-parcel. The applicant has demonstrated to Staff in the provided documentation that the subject parcel *will not* provide any on-site parking spaces that are fully compliant with the Parking standards presented in Sections 7-3 & 7-4 of the Zoning Ordinance. Granting this **Variance** request would allow the proposed use on the subject-lot to count off-site parking spaces near the subject-parcel to achieve the required six (6) total parking spaces.

Procedural Issues: As part of any Variance request, the Board of Zoning Appeals will hear and decide appeals for variance from the requirements of the Zoning Ordinance when strict application of the provisions of the Ordinance would result in unnecessary hardship. A **Variance** may be granted in an individual case of unnecessary hardship if the Board feels the applicant can prove their request and situation meets or exceeds the following:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property.
2. These conditions do not generally apply to other property in the vicinity.
3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.
4. The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

Staff Analysis:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property.

   Adequate number of on-site parking is not achievable, given the available acreage of the parcel, the existing built environment and building massing. Any nonconforming parking standards from the previous tenant has now been lost; all of which constitutes an extraordinary condition for this parcel.

2. These conditions do not generally apply to other property in the vicinity.

   The vast majority of operating businesses along East Main Street sit on small parcels, relative to the existing buildings. The Zoning Ordinance did not consider the difference between typical general

*commercial uses along a commercial corridor and a historic, existing urban downtown. This prohibits future businesses from establishing downtown, as the Town's parking standards apply to all **C-2** zoning, including a Walmart on N Highway 52 or a music school on E Main Street. Because these are two vastly different development types, but in the same Town and subject to the same parking standards, Staff believe that these restrictive conditions only apply to downtown parcels and do not apply to any other **General Commercial C-2** zoned districts throughout the Town.*

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

   The size of the existing structure relative to the size of the subject parcel effectively prohibits any commercial use from providing off-street parking in conjunction with Section 7-4 of the Zoning Ordinance. This is due to the inability to provide paved parking whilst staying within the maximum allotted impervious lot coverage as required per Section 6-16 of the Zoning Ordinance and to safely configure nine by eighteen parking stalls on the subject parcel per Section 7-4.4 of the Zoning Ordinance. Staff has determined this after a brief review of the subject parcel on Berkeley County GIS and the applicant-provided documentation. Without adequate parking facilities this would effectively prohibit the property from being used by any use, not just the proposed.

4. The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

   *Granting this request improves the public good and existing character of the district by allowing additional commercial uses to locate downtown. This in turn benefits Town residents, by rejuvenating a once flourishing commercial corridor. Furthermore, it is Staff's belief that adequate off-site parking, as shown by the applicant, sufficiently meets the spirit and intent of the parking standards, just absent on-site location. By granting the **Variance** request, Staff does not believe that any harm will be caused to the public good and the character of the district. Utilizing the on-street parking to allow future commercial tenants to establish in downtown would, in Staff's professional opinion, increase the character of the district by presenting a busy, active and successful downtown by the visualization of vehicular parking and increase places to eat, shop and do business.*

Staff Recommendation: Staff recommends the Board of Zoning Appeal **approves** this request due to the reoccurrence of this request along this corridor and the parcel's identified hardships with entering obligatory compliance with the Town's current Zoning Ordinance.

Attachments: *SIGNED – Application (20260728)*
Location Maps (20261006)
Floor Plan (20260908)
Justification Letter (20260908)
Variance Request (20260908)


Variance (VR-26-03) 228-B E Main Street
1420706026
1420705004
1420705002
1420706022
1420705001
1420705051
1420706009
1420706025
E MAIN ST
E MAIN ST
1420706019
1420705026
1420706010
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1420706016
1420706012
1420706015
W RAILROAD AV
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E MAIN ST
1420706008
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1420702049
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Item 2.
10


Variance (VR-26-03) 228-B E Main Street
E MAIN ST
E MAIN ST
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E MAIN ST
RAILROAD AV
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C-2
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1420702023
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Zoning (Moncks Corner)
C-1
C-2
D
M-1
M-2
MH-1
PD
PD-C
PD-R
R-1
R-2
R-3
R-4
TD


Variance (VR-26-03) 228-B E Main Street
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1420706002
1420706052
1420702023
1420702024
1420702015
1420702026
1420702003
1420702006
1420702049
FLUM
Future Land Use Designations
Parks and Open Space
Rural-Town Transitional Residential
Town Character Residential
Suburban Character Residential
Neighborhood Mixed-Use
Highway Commercial
Downtown Commercial
Employment
Institutional

VARIANCE APPLICATION

Moncks Corner Community Development

MONCKS CORNER
The Lowcountry's Hometown

Applicant Information

Name: Catherine Kingston Address: _____

Phone: 843-696-5018 E-Mail: _____

Property Owner Information (If Different)

Name: Same Address: _____

Phone: _____ E-Mail: _____

Property Location (Attach Plat if Available): 228 East Mainstreet STE B

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

Reduction of required parking spaces to 0
due to lot size + configuration of lot shape

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: Catherine Kingston Date: 7/28/26

Applicant's Signature: Catherine Kingston Date: 7/28/26

For Official Use Only

Received: _____ Property Posted: _____

Receipt #: _____ Hearing: _____

Advertised: _____ Approved: _____

To the Moncks Corner Board of Zoning Appeals

Date : August 29, 2026

RE : Request for Zoning Variance
Property Address : 228 E Main Street, Moncks Corner, 24961
TMS Number : 140705026
Applicant : Eric Read and Kathy Kingston

Dear Members of the Moncks Corner Board of Zoning Appeals:

I am writing to respectfully request a variance from the zoning requirements applicable to the property located at 228 E Main Street.

The requested variance is necessary because of the extraordinary and exceptional conditions of the property. Due to the existing lot shape and size, strict compliance with the applicable zoning requirements would create a practical difficulty and would significantly limit the reasonable use of the property.

I am requesting a variance to relief of the six (6) on-site parking spaces to 0 to allow a small private lessons studio to be located on the unused portion of the building on 228 E. Main Street. Granting this variance would allow the proposed use to count off-site parking spaces within the general vicinity to achieve the required six (6) total parking spaces.

The proposed request is reasonable and, in my opinion, will not negatively affect the surrounding properties or the character of the neighborhood. The proposed use and improvements will be consistent with the general character of the surrounding area and will not create an undue impact on neighboring property owners.

I have made every reasonable effort to comply with the applicable zoning requirements while still being able to make practical use of the property. However, because of the property's particular physical circumstances, I believe the requested variance is necessary to allow a reasonable use of the property.

Specifically, I believe the variance should be granted for the following reasons:

1. **Unique property circumstances:** The existing parking lot on the property can fit up to 5 cars comfortably., However, due to the lot shape and size, it is :
   - impossible to increase the number of parking spaces to meet the required minimums.
   - the current parking lot leads directly onto the right of way on Carolina Ave, and any increase of parking spaces will still contain this function.
   -The close proximity of off-site parking both on the street on Main Street and on various publicly maintained parking lots located throughout Downtown Moncks Corner are available within a ~0.15 mile walk from the business.
2. **Conditions do not generally apply to other property in the vicinity:**.Similar applications to this have been proposed and approved in the general vicinity within the last six months.

3. **Reasonable use of the property:** The variance would allow the property to be used in a reasonable manner consistent with the surrounding neighborhood.
4. **Denial of Variance Request would unnecessarily restrict utilization of the property:** The existing building was constructed prior to the adoption of the zoning ordinance, and has been used as businesses prior to that. However, in order to utilize the second half of the existing building, the current zoning would effectively prohibit and unreasonably restrict the utilization of the property due to lot size and shape.
5. **No unnecessary hardship created by the applicant:** The circumstances requiring the variance are related to the physical characteristics of the property and are not simply the result of a desire to avoid the zoning regulations.

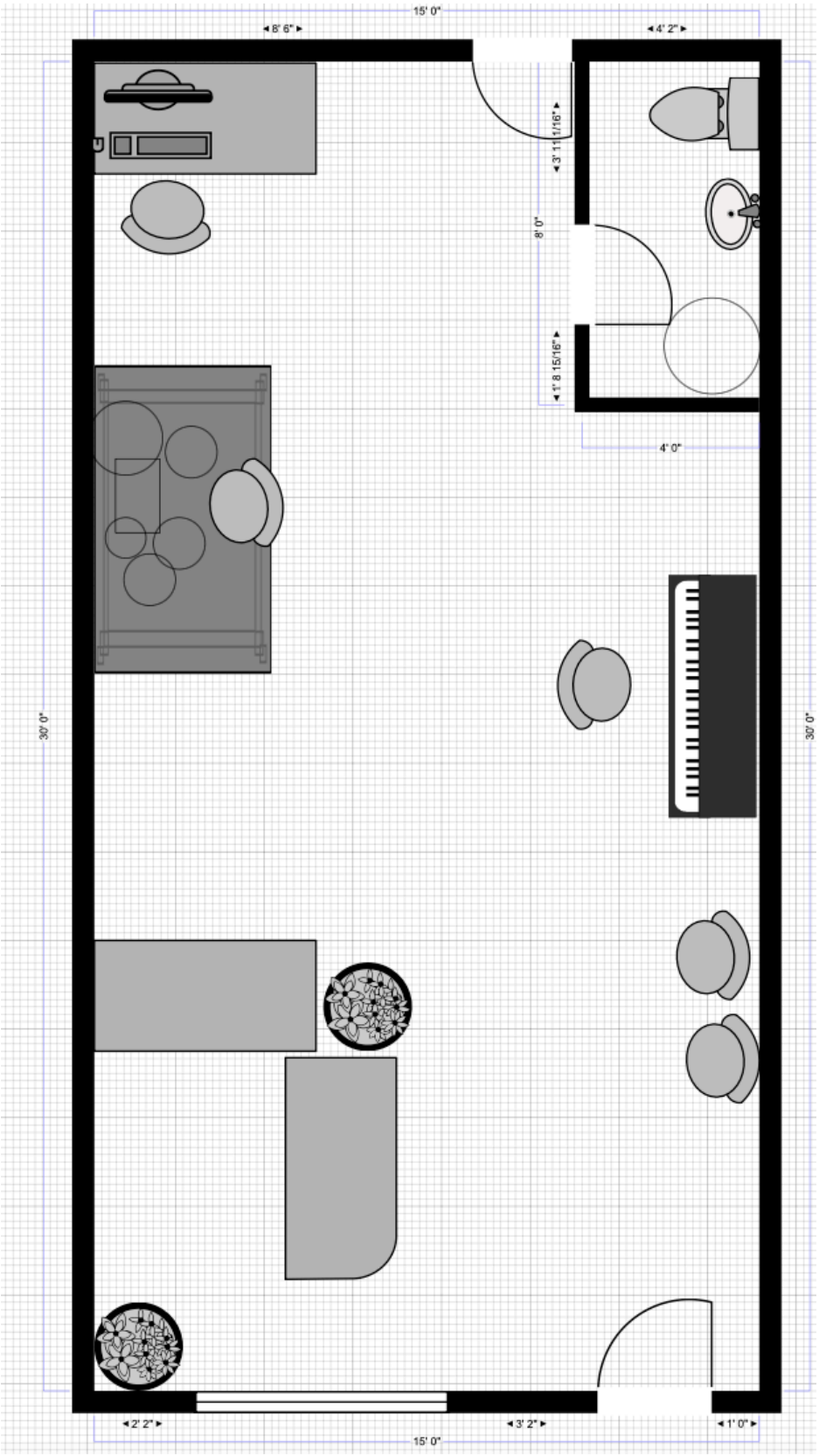
I respectfully ask the Board of Zoning Appeals to consider the unique circumstances of this property and approve the requested variance. I have provided a floor plan of the proposed shop, and an exhibit of the on-site and off-site parking available to the property.

I appreciate the Board's time and consideration of this request. I would be happy to provide any additional information, documentation, drawings, or other materials that may assist the Board in making its decision.

Sincerely,

Eric Read
898 Fairsprings Road,
Bonneau, SC 29431
973.900.4677
eric@playmusicdrinkcoffee.com

Proposed Floor Plan



On-site and Off-site Parking Exhibit



Street View of Off-site Street Parking





To the Moncks Corner Board of Zoning Appeals

Date : September 7, 2026

RE : Request for Zoning Variance
Property Address : 228 E Main Street, Moncks Corner, 24961
TMS Number : 140705026
Applicant : Eric Read and Kathy Kingston

Dear Members of the Moncks Corner Board of Zoning Appeals:

After correspondence with the Moncks Corner Planning Department, more information was needed. Below is the requested additional information:

1. At it's current iteration, there will be only one (1) employee, Eric Read. There is the potential to expand to one additional employee in the future

2. **Applicable Standard Seeking Reduction From:** Section 7-2, "High School, Trade or Business School".
   Required Off-Street Parking: Six (6)
   Existing Complaint Parking Spaces on Subject-Parcel: 0
   Variance Request: Reduction of parking minimums to 0 required spaces. Relief of six (6) required parking spaces.

3. Attached is a revised parking exhibit.

Thank you!

-Eric Read
Read Music

Read Music Parking Exhibit

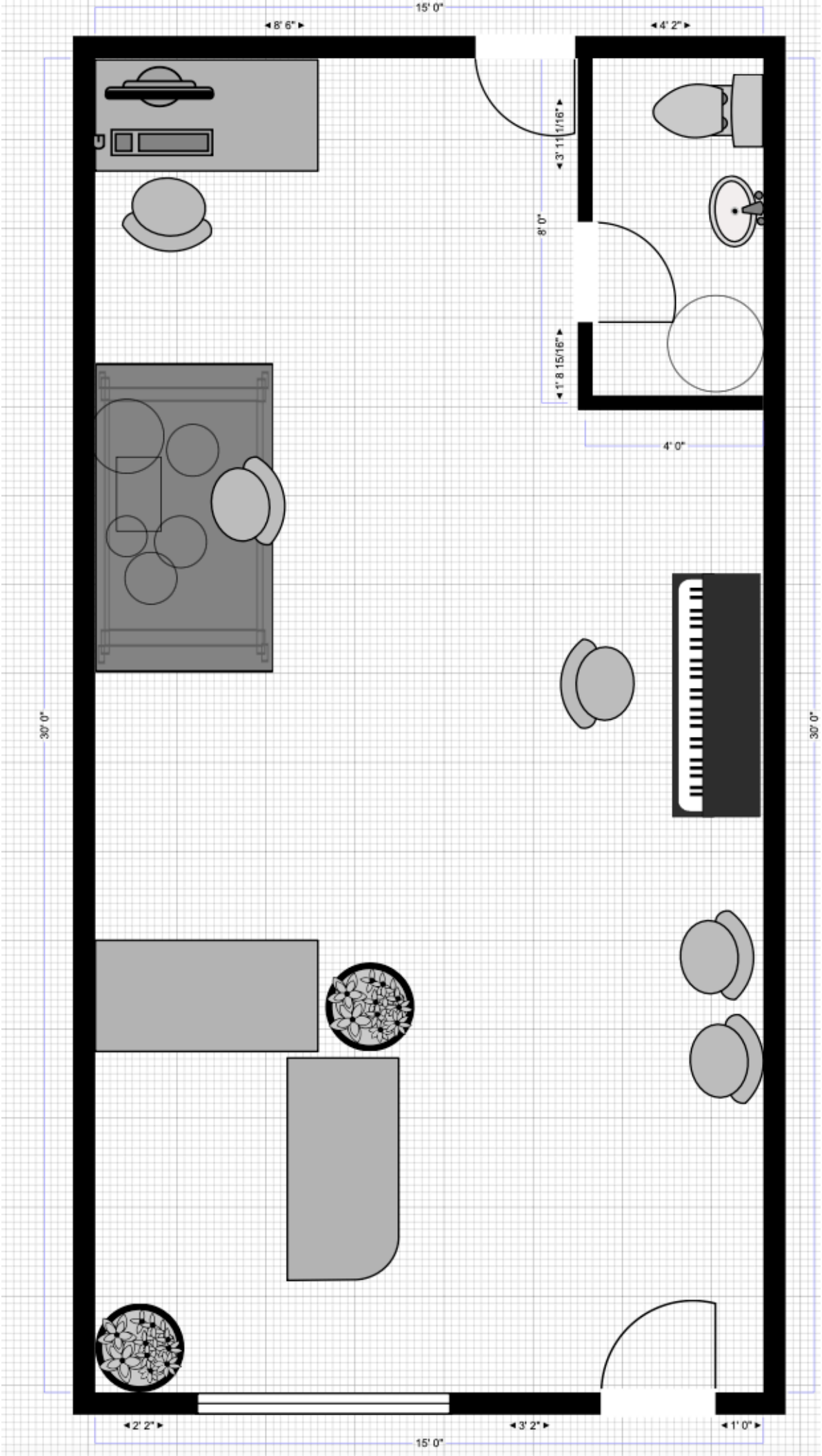
THIS MAP WAS CREATED USING BERKELEY COUNTY GOVERNMENT GEOGRAPHIC INFORMATION SYSTEM'S PRINT SERVICE



Berkeley County GIS Department
P.O. Box 6122
Moncks Corner, SC 29461
(843) 719-4049
http://gis.berkeleycountysc.gov
Date: 9/7/2026

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15' 0"
8' 6"
4' 2"
3' 11 1/16"
8' 0"
1' 8 15/16"
4' 0"
30' 0"
30' 0"
2' 2"
3' 2"
1' 0"
15' 0"

Read Music Parking Exhibit

THIS MAP WAS CREATED USING BERKELEY COUNTY GOVERNMENT GEOGRAPHIC INFORMATION SYSTEM'S PRINT SERVICE



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STAFF REPORT

TO: Board of Zoning Appeals

FROM: Justin Westbrook, Community Development Director

SUBJECT: Special Exception (SE-26-07) – Berkeley County – N Live Oak

DATE: October 6, 2026

Background: The applicant, Alison Simmons on behalf of the Berkeley County Government, has applied for a **Special Exception** (SE-26-07) to establish a "government facilities" use for formerly seven (7) parcels located in the **Transitional District (TD)** and **Single-family Residential (R-1)** district. Since the application, the County has combined all seven (7) of the parcels into one tract (TMS# 142-03-01-009). The parcel is currently going through the Zoning Map Amendment process (ZA-26-08), seeking **General Commercial (C-2)** with the Planning Commission recently recommending approval, and the agenda item is to be heard by Town Council on October 20 for the first reading. The Town's current Zoning Ordinance requires "government facilities" uses to only be permitted via the Board of Zoning Appeals granting a **Special Exception**.

Existing Zoning: The subject parcel is proposed to be in the **General Commercial (C-2)** zoning district. Per the Town's Zoning Ordinance, the zoning district is intended to:

> *"...accommodate a variety of general commercial and nonresidential uses characterized primarily by retail, office, and service establishments and oriented primarily to major traffic arteries or extensive areas of predominately commercial usage and characteristics. Certain related structures and uses are permitted outright or are permissible as special exceptions subject to the restrictions and requirements intended to best fulfill the intent of this ordinance."*

	Adjacent Zoning	Adjacent Land Use
North	C-2	Government Facilities
	R-2	Single Family Detached Dwelling (Open Space)
South	TD	Single-family Detached Dwellings
		Various Light Commercial
East	R-2	Single Family Detached Dwelling (Open Space)
West	C-2	Government Facilities

Existing Site Conditions: The subject parcel comprises approximately 17.21 acres which is currently occupied by

several vacant single-family structures. The parcel is currently accessible by US-17A, with approximately 626-feet of frontage.

Proposed Request: The applicant has applied for a **Special Exception** seeking approval from the Board of Zoning Appeals to establish a "government facilities" use on the subject-parcel. The Berkeley County Government, the applicant, intends to demolish all existing buildings and construct a new courthouse with accessory facilities such as parking and building support functions.

Transportation: Any proposed site changes will be analyzed by Staff at the appropriate time of permitting.

Environmental: Per the National Wetlands Inventory, the parcel appears to be subject to wetlands and potential additional environmental concerns, however Staff have worked closely with the County to ensure those sensitive areas are protected and within all regulations of the Town, County and State.

Consistency with Plans: As part of the new 2024 Comprehensive Plan, the Future Land Use Map identifies the subject parcel as "Rural -Town Transitional Residential", which is described as,

> "*Intended to protect the rural character of the neighborhoods while also recognizing the close proximity to commercial and transportation services. Generally, streets do not follow the common grid-like pattern although some sections do follow common suburban street patterns."*

The parcel is also within the "Mixed Use Overlay", which is described as,

> "*A 250 ft mixed-use buffer (500 ft in total width) along select roadways is intended to allow for a mixture of higher density residential and low intensity service-based commercial land uses. This overlay provides flexibility for the Town to expand economic opportunities beyond the traditional downtown or strip mall type commercial corridors. Common commercial uses could include professional or medical offices, salons, corner stores, and other uses that provide daily services to local residents. Prime examples of a Neighborhood Mixed Use Corridor are along Broughton Rd and Carolina Ave. Corridors, like these, have formed naturally by the pressures and demands of a growing economy. This Overlay also encourages higher density residential units such as du-tri- or quadruplexes, townhomes, condos and multi-family apartments to be located on or adjacent to these commercial businesses."*

Procedural Issues: As part of any **Special Exception**, the Board of Zoning Appeals shall hold a Public Hearing and may impose additional terms and conditions. Prior to granting the **Special Exception**, the Board of Zoning Appeals must determine the following standards were clearly demonstrated.

1. 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;
2. 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;

3. 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;
4. Where applicable, the proposed use will be developed in a way that will preserve and incorporate and important natural features;
5. The proposed use shall not destroy, create a loss, or cause damage to natural, scenic, or historic features of significant importance;
6. Vehicular traffic and pedestrian movement on adjacent roads shall not be hindered or endangered;
7. The proposed use complies with all applicable regulations and development standards of the Town.

Staff Analysis:

1. 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.

   *Staff believes that the proposed use **is consistent** with the purpose and intent of the Mixed-Use Overlay of the 2024 Comprehensive Plan. Per the Future Land Use Map that appears within the Town's 2024 Comprehensive Plan, the subject- parcel is occupied by both the Rural-Town Transitional Residential future land use designation and the Mixed-Use Overlay. While **not consistent** with the Rural-Town Transitional Residential land use, the overlay should be considered the more pressing of the future land uses to address. The applicant argues the Mixed-Use Overlay allows for professional offices and other uses that provide daily services to local residents, which fits within the realm of a county courthouse.*

2. 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.

   *Staff believes the proposed use **may not be compatible** with all existing uses in the vicinity of the subject-parcel. While a courthouse is not consistent with the predominantly residential land used located to the west of the subject parcel, it is compatible with the existing development pattern along the US-17A corridor, specifically the existing Sheriff's Office and support facilities for County business. In this case, the courthouse is intended to simply relocate a widely used county facility that is compatible with the commercial character of the US-17A corridor and supports the continued provision of services to Town and County residents, even though it does not reflect the residential character of the properties located to the west.*

3. 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;

   *Staff believes the proposed use-type **may have adequate provisions** for adverse influence. Staff are concerned about buffering along the west of the subject-parcel, directly adjacent to parcels with*

existing residential use types. The applicant may provide additional information that may limit their impact on an existing neighborhood.

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

   *Staff believes that the submitted Concept Plan will **preserve and incorporate important natural features.** Staff recognizes the property has some important and natural features that the Concept Plan and Staff believes the associated designs show the intent to preserve and protect.*

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

   *Staff believes that the proposed use **will not destroy**, create a loss or cause damage to natural, scenic, or historic features of significant importance, namely the streetscape of the US-17A corridor.*

6. Vehicular traffic and pedestrian movement on adjacent roads shall not be hindered or endangered.

   *Staff believe the proposed use **may hinder** vehicular traffic or pedestrian movement on adjacent roads. The Town and County are working together to determine what, if any, improvements are suggested by Traffic Engineers and required by SCDOT. The Town and County are diligently working towards safety and accessibly along US-17A, and Staff has no doubt that should any improvements be required in a Traffic Impact Analysis, the County will ensure they are installed to mitigate any hinderance the courthouse may see.*

7. The proposed use complies with all applicable regulations and development standards of the Town.

   *Staff will ensure the **required Site Plan** permit complies with all applicable regulations and development standards*.

Staff Recommendation: Staff generally supports this request based on compatibility with the Mixed-Use overlay promoting uses that offer daily services to local residents, compatibility with adjacent land uses to the east and south, as well adding to the streetscape and facilities on US-17A. Staff does have concerns about directly adjacent residents and the impact they will face with a new impact on the area, however the site layout and Concept Plan provided shows adequate protection.

Attachments: *Location Map*
Application (20260625)
Applicant's Justification (20260901)
Concept Plan and Renderings (20260901)
Flood Map (20260901)
Survey (20260901)

Zoning Special Exception Application

PROPERTY OWNER

Berkeley County Goverment

ADDRESS

103 S. Hwy 52 Moncks Corner 29461

OWNER PHONE #

8437194248

Applicant Information

APPLICANT NAME

Dana Todd

ADDRESS

1003 Highway 52 Moncks Corner 29461

APPLICANT PHONE #

8437194248

PROPERTY INTEREST

Burger King into County Employee Parking Lot

PROPERTY LOCATION	UPLOAD PLAT
103 S. Highway 52	sOU776WSBykc-BK_Layout-Concept.pdf

Property Information

TAX MAP #	ZONING CLASSIFICATION
1421202013	C-2

CURRENT USE OF PROPERTY

Commercial

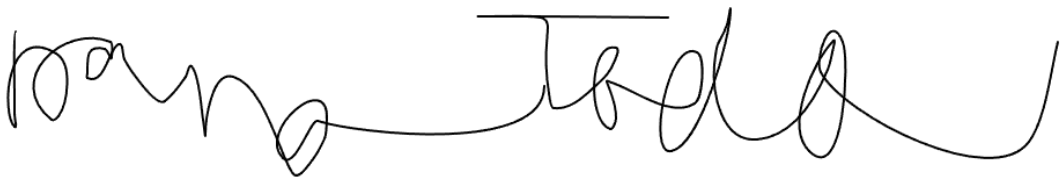
HAS ANY APPLICATION INVOLVING THIS PROPERTY BEEN CONSIDERED PREVIOUSLY BY THE MONCKS CORNER BOARD OF APPEALS?

No, not that we are aware of.

I REQUEST A SPECIAL EXCEPTION FROM THE FOLLOWING PROVISIONS OF THE ZONING ORDINANCE SO THAT THE PROPERTY LISTED IN THIS APPLICATION CAN BE USED IN A MANNER INDICATED BELOW (CITE SECTION NUMBER): PLEASE EXPLAIN REASONS FOR REQUEST AND ANY SUPPORTING INFORMATION.

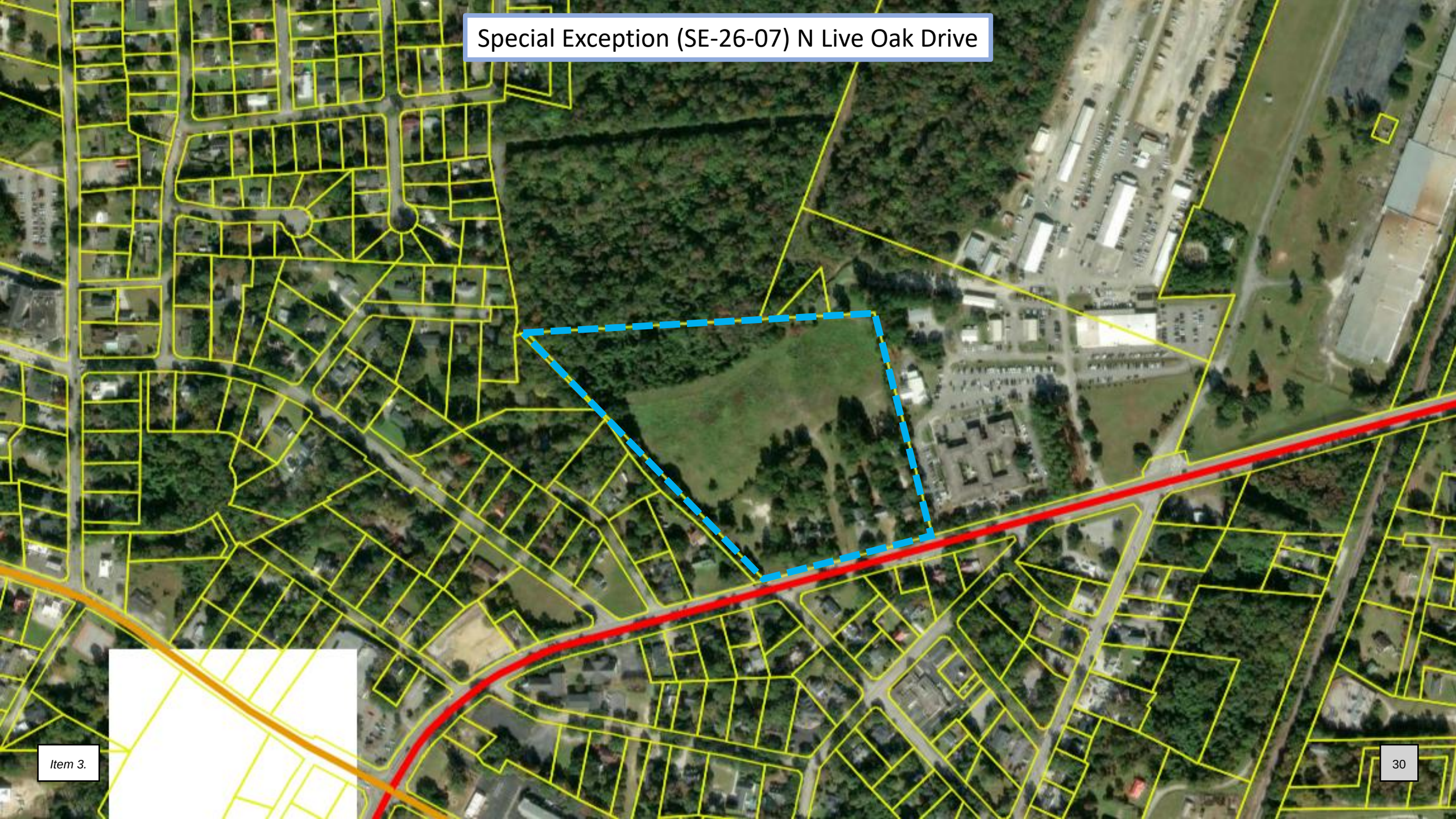
We are requesting a special exception for the current property to be used for the county employee only parking lot

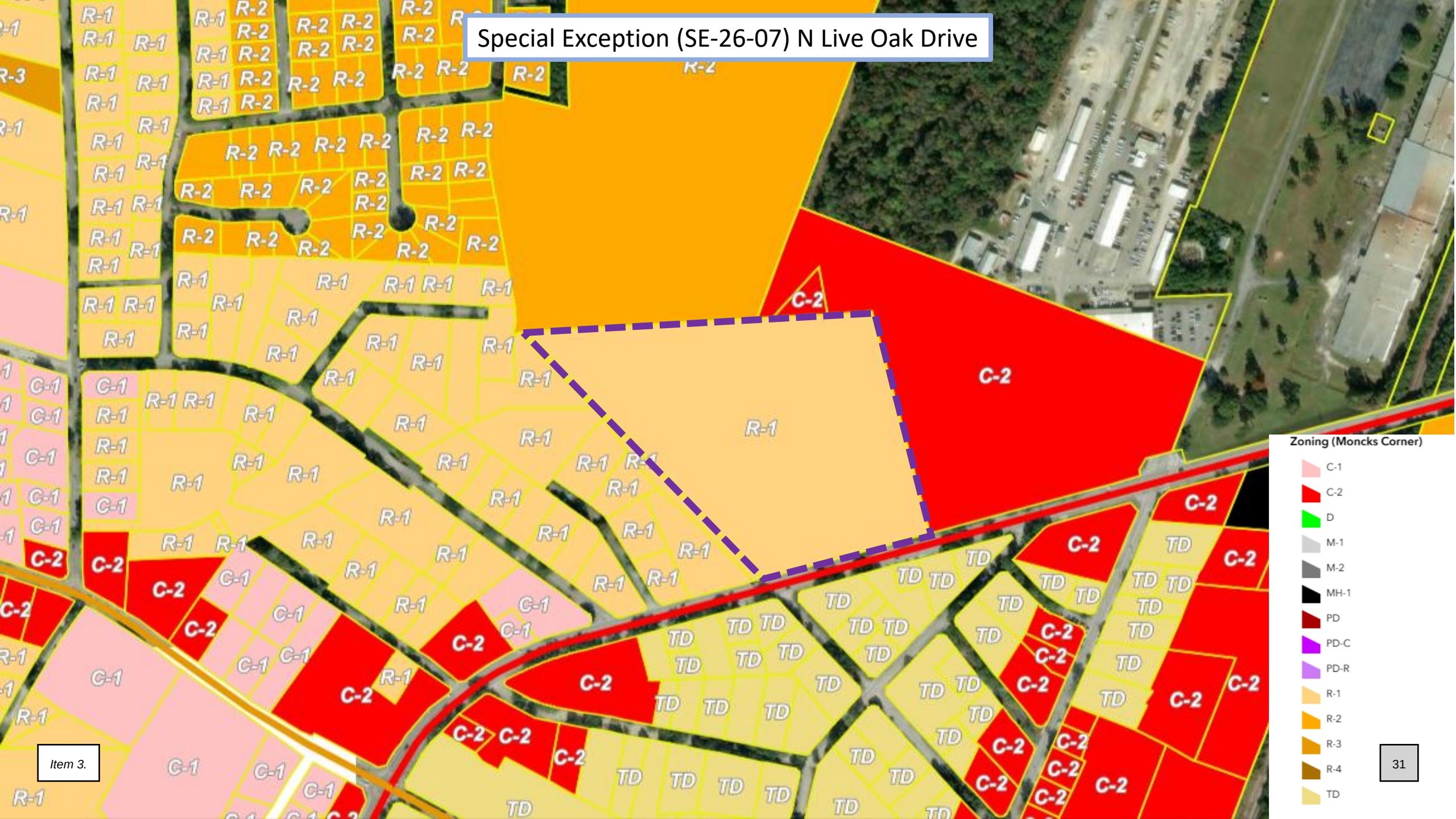
SIGNATURE OF APPLICANT



DATE

06/25/2026


Special Exception (SE-26-07) N Live Oak Drive


Special Exception (SE-26-07) N Live Oak Drive
Zoning (Moncks Corner)
C-1
C-2
D
M-1
M-2
MH-1
PD
PD-C
PD-R
R-1
R-2
R-3
R-4
TD

Special Exception (SE-26-07) N Live Oak Drive



BERKELEY COUNTY
PLANNING AND ZONING DEPARTMENT
Alison Simmons, AICP, Director
P.O. Box 6122
1003 Highway 52
Moncks Corner, SC 29461

September 1, 2026

Mr. Justin Westbrook
Community Development Director
Town of Moncks Corner

Mr. Thurman Pellum
Chairman, Board of Zoning Appeals
Town of Moncks Corner

Dear Messrs. Westbrook and Pellum:

Please accept this narrative as a supplement to the application for Special Exception submitted on behalf of Berkeley County Government for an intended Administrative + Judicial Center, located along N. Live Oak Drive (Highway 17A) and adjacent to land held under common ownership and used as *Governmental Facilities.*

Summary of Request:

To address existing and emergent demands, boost operational efficiency and accessibility, and enhance the delivery of essential public services, we are excited to share that the Berkeley County Administrative + Judicial Center is underway!

Designed to meet needs through the next century, the intended Administrative + Judicial Center will house judicial and administrative functions typical of a county seat. The facility is intended to be multi-story with a building footprint of +/- 60,500 square feet and a combined building square footage of +/- 207,500.

Neoclassical in architectural design, the intended building features a striking entrance portico supported by a row of prominent columns and a perfectly balanced facade. This stately building will greet motorists/pedestrians as they enter Moncks Corner's prized central business district.

At +/- 17.21 acres in size, the subject assemblage is comprised of the following parcels at the time that this narrative was prepared:

TMS:	Acreage (Est.)	Existing Zoning	Requested Rezoning (Underway)
1420301009	+/- 12.45	R-1	C-2
1420301008	+/- 1.32	R-1	
1420301007	+/- 0.91	R-1	
1420301006	+/- 0.32	R-1	
1420301004	+/- 0.78	TD	
1420301003	+/- 0.82	R-1	
1420301002	+/- 0.61	R-1	
TOTAL:	+/- 17.21		

To eliminate split zoning and develop a cohesive site, we have applied to rezone the assemblage from its current zoning to the General Commercial (C-2) District and prepared a property line abandonment survey to combine the assemblage into one tract. The latter has been routed concurrently with this submittal.

Conditions Analysis: *Berkeley* County carefully considered the conditions established within §11-2(2)(a)(1) when preparing this request. Please see below a description noting how this application addresses these prescribed conditions.

1. ***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 subject assemblage is positioned along N. Live Oak Drive (Highway 17A) at a gateway to Downtown, adjacent/proximate to properties that contain transitional, residential, governmental, and commercial services, and contained in the Mixed-Use Overlay designation of the Comprehensive Plan, which supports "professional or medical offices, salons, corner stores, and other uses that provide daily services to local residents" (page 23).

   Furthermore, this capital project will not only enhance the delivery and accessibility of essential public services, but it will also address both current and future public needs in alignment with *Guiding Principle 2, enhance and expand the quality and range of public services and infrastructure to accommodate the needs of current and future residents*.

   As such, the proposed use is consistent with the purpose and intent of the Town's Comprehensive Plan. In addition, this project complements the *Town Square Redevelopment Plan* as it will likely catalyze continued private investment within the designated *Town Square Redevelopment Area* and beyond.

   Governmental Facilities are supported as a Special Exception use in both the existing and requested Zoning Districts. Through thoughtful design intended to maintain contextual compatibility, the request aligns with the intent of both the existing and requested Zoning Districts.

2. ***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.***

   Positioned along N. Live Oak Drive (Highway 17A) and adjacent/proximate to properties that contain transitional, residential, governmental, and commercial services, the proposed use is compatible within the surrounding land use context. With its striking neoclassical architectural design and thoughtful site layout, the

BERKELEY COUNTY
PLANNING AND ZONING DEPARTMENT
Alison Simmons, AICP, Director
P.O. Box 6122
1003 Highway 52
Moncks Corner, SC 29461

Administrative + Judicial Center will complement the character of the immediate vicinity, transforming a Downtown gateway into a vibrant governmental services activity hub!

3. ***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.***

   Thoughtfully designed, the site is intended to be integrated with the County's Live Oak Campus located next door and comply with applicable setbacks and bufferyards. Landscaping will be installed in accordance with applicable requirements, and existing trees will be preserved to a practical extent. The rear and a portion of the western side bufferyards are augmented by hydrological features that extend along the northern quadrant of the site that will remain undisturbed, exceeding minimum bufferyard standards. No buffer is intended where the site adjoins parcels that contain similar *Governmental Facilities* uses. Buffers along remaining sides will conform to the applicable requirements.

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

   The Administrative + Judicial Center has been designed intentionally to complement important natural features. Building and site improvements are intended within the upland portion of the site. Applicable construction buffers will be maintained along jurisdictional wetlands as administered by the USACE, and no occupiable structures are intended to be placed within FEMA flood designations. Furthermore, site plans will be designed to meet applicable FEMA floodplain, Stormwater, and other applicable requirements. Of the +/- 17.21-acre site, less than +/- 12.0 acres are intended to be disturbed.

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

   The intended Administrative + Judicial Center will not destroy, create a loss of, or cause damage to any natural, scenic, or historic features.

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

   The Administrative + Judicial Center will not hinder or endanger pedestrian or vehicular movement; rather, it will enhance it. As shown on the enclosed concept plan, pedestrian facilities are intended to be provided throughout the public

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PLANNING AND ZONING DEPARTMENT
Alison Simmons, AICP, Director
P.O. Box 6122
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parking area, extending from the intended building and tying into sidewalks located along N. Live Oak Drive (subject to SCDOT authorizations).

Traffic will circulate the site efficiently and safely via two new connections to N. Live Oak Drive (subject to SCDOT authorizations) as well as parking lot cross access to Berkeley County's adjacent Live Oak Campus. For security purposes, the access drive encircling the rear of the intended building and other designated locations will be restricted to authorized personnel.

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

   The intended Administrative + Judicial Center will conform with applicable prevailing regulations. The County will obtain appropriate applicable authorizations prior to the commencement of intended vertical construction and site improvements. The County will pursue and obtain any applicable SCDOT encroachment permits for new curb-cuts and other improvements within the N. Live Oak Drive right of way prior to commencement of construction.

We find that this request adequately addresses applicable Special Exception conditions, will enhance the delivery of essential public services, meet current and future needs, and allow us, together as "*One Berkeley*", to place a lasting imprint on the future of our community.

We appreciate your consideration of this request.

Sincerely,

Alison R. Simmons, AICP, Planning and Zoning Director
Alison.Simmons@BerkeleyCountySC.Gov
843.719.4164

Encl: Conceptual Exhibits

501 WANDO PARK BOULEVARD, SUITE 200, MOUNT PLEASANT, SC 29464 | JUDSON MILLS BUILDING 6900, 701 EASLEY BRIDGE RD, SUITE 6060, GREENVILLE, SC 29611 | 230 PETERSON DR., CHARLOTTE, NC 28217 | 172 N. CEDAR STREET, SUMMERVILLE, SC 29483 | 104 N. DANIEL MORGAN AVENUE, SUITE 300, SPARTANBURG, SC 29306 | 223 S. WEST ST. #900, RALEIGH, NC 27603
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N
W E
S

0 20 40 80
SCALE: 1" = 40'

SEAMONWHITESIDE
MOUNT PLEASANT, SC
843.884.1667
GREENVILLE, SC
864.298.0534
SUMMERVILLE, SC
843.972.0710
SPARTANBURG, SC
864.272.1272
CHARLOTTE, NC
980.312.5450
RALEIGH, NC
980.312.5450
WWW.SEAMONWHITESIDE.COM

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SOUTH CAROLINA
SEAMON, WHITESIDE & ASSOCIATES, INC.
CERTIFICATE OF AUTHORIZATION
No. C00472

STATE OF SOUTH CAROLINA
REGISTERED LANDSCAPE ARCHITECT
No. 1362
ELIZABETH A. ELLINGSON
NOT FOR CONSTRUCTION
06/12/2025

BERKELEY COUNTY ADMINISTRATION AND JUDICIAL CENTER

BERKELEY COUNTY
NORTH LIVE OAK DRIVE, MONCKS CORNER, SC

SW+ PROJECT:	11648
DATE:	06/12/2025
DRAWN BY:	BAE
CHECKED BY:	JRP

REVISION HISTORY

CONCEPTUAL SITE PLAN

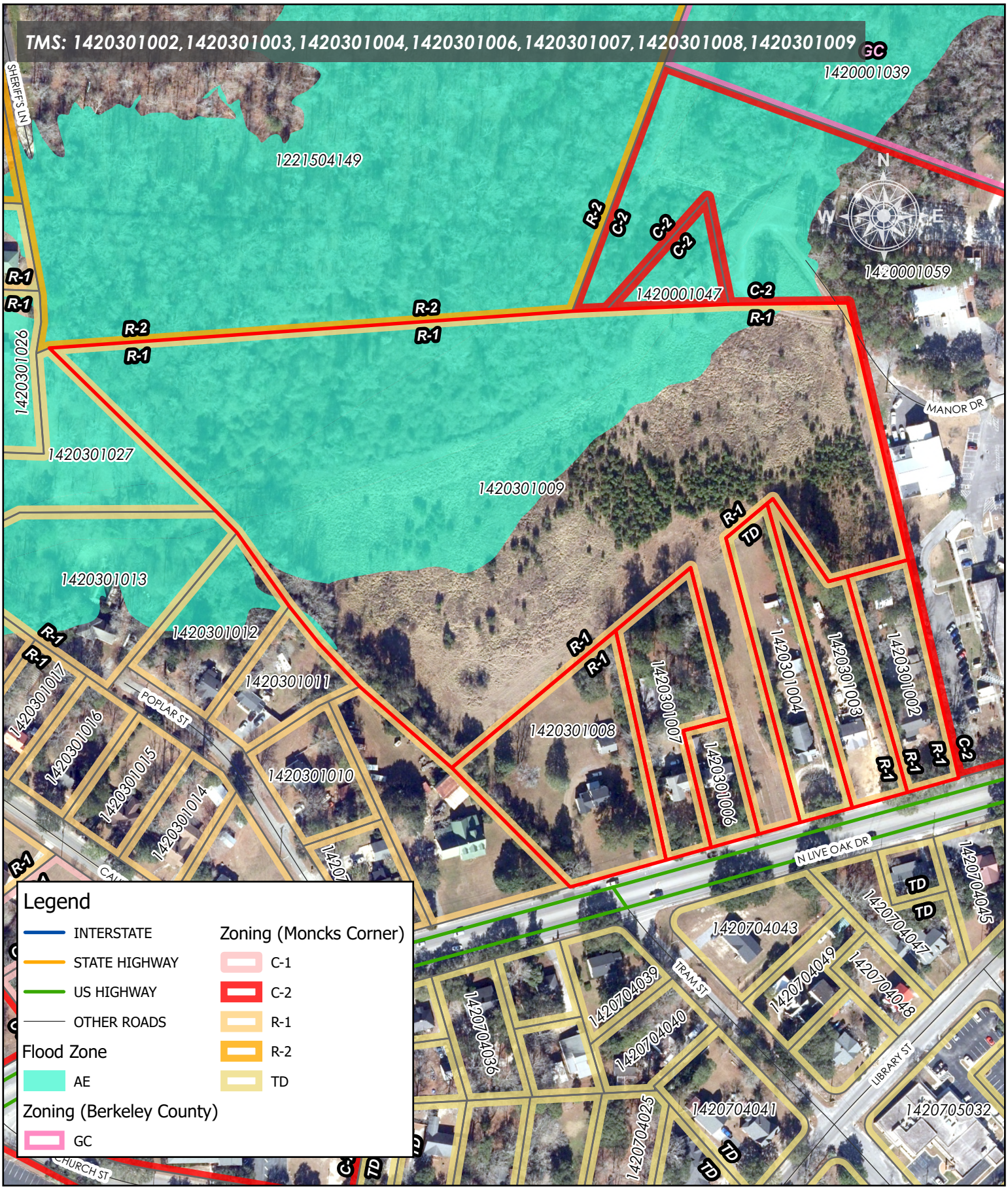
Item 3.

*6/11/2025 7:53:20 PM AM, BY Bailey Ellingson Y:\ACAD\11-SYS\Exhibits\Exhibit2026-01-30 Hillsboro Exhibit\CAD\ - Hillsboro Exhibit.dwg

Entrance Rendering



CONCEPTUAL
Subject to Change



Berkeley County GIS Department
P.O. Box 6122
Moncks Corner, SC 29461
(843) 719-4049
http://gis.berkeleycountysc.gov
Date: 8/12/2026

0 30 60 120 180 240 300
Feet

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VICINITY MAP: NOT TO SCALE

NOTES:

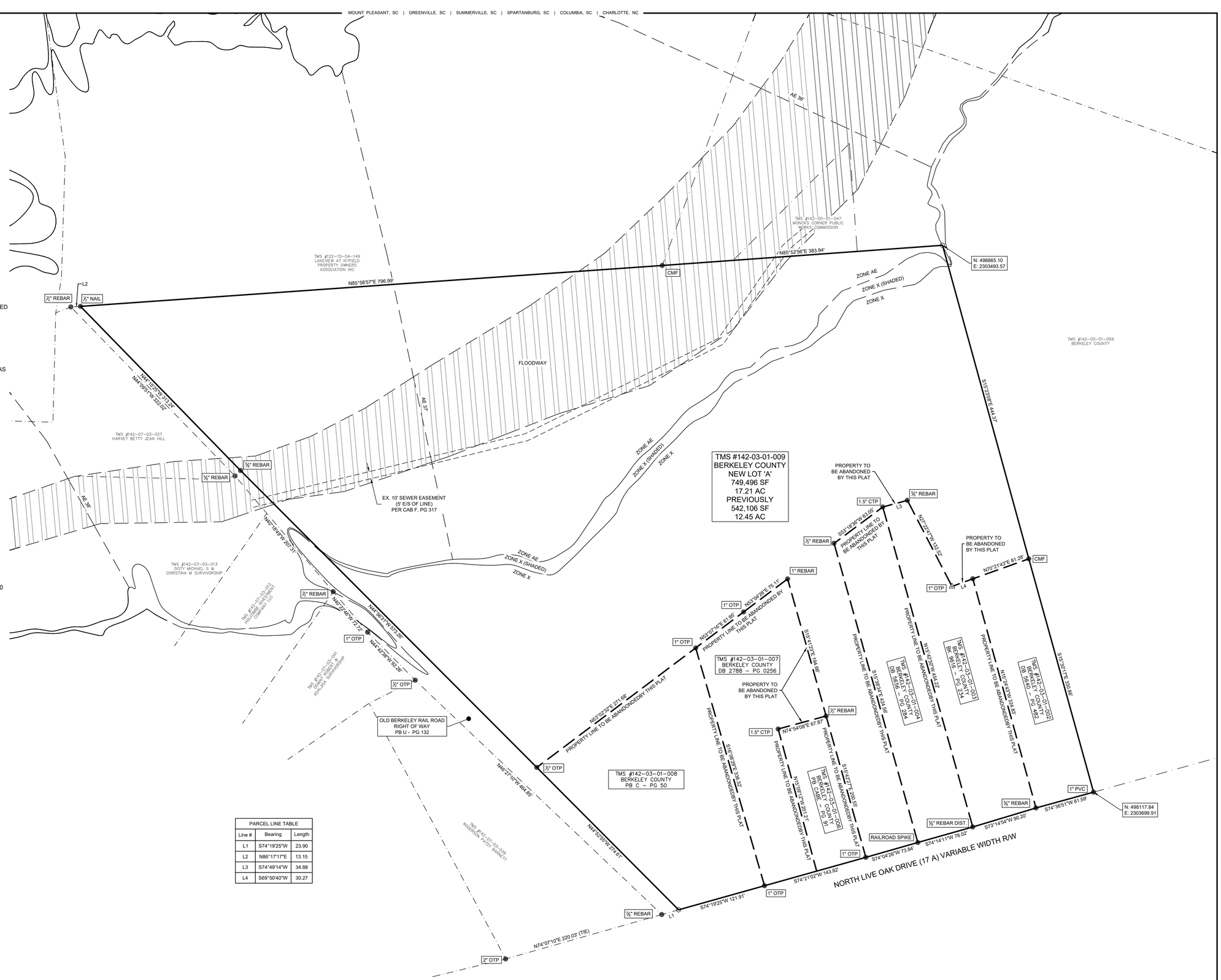
1. ANYTHING SHOWN OUTSIDE THE DEFINED BOUNDARY OF THIS PLAT IS FOR DESCRIPTIVE PURPOSES ONLY.
2. AREA DETERMINED BY COORDINATE (DMD) METHOD.
3. THE PUBLIC RECORDS REFERENCED ON THIS PLAT ARE ONLY THOSE USED AND NECESSARY FOR THE ESTABLISHMENT OF THE BOUNDARY OF THIS PROPERTY. THEY ARE NOT AND DO NOT CONSTITUTE A TITLE SEARCH.
4. BEARINGS: SOUTH CAROLINA STATE PLANE NAD83. ELEVATIONS: NAVD 88.
5. DISTANCES ARE GROUND DISTANCES.
   NGS PID: DE1906
   SCALE FACTOR: 0.99983163
   DESIGNATION: MONCKS RM 3
   SCALE POINT: N: 498556.73 E: 2304323.15
6. PROPERTY IS LOCATED IN FLOOD ZONES X, X-SHADED, AE (EL. 37') AS SCALED FROM F.I.R.M. PANEL 45015C 0385E. EFFECTIVE DECEMBER 7, 2018.
7. PROPERTY FLOOD ZONES AND SETBACKS SHOULD BE APPROVED BY THE APPROPRIATE AUTHORITY BEFORE ANY DESIGN OR CONSTRUCTION.
8. THIS PROPERTY MAY BE SUBJECT TO VARIOUS UTILITY EASEMENTS THAT WERE NOT NOTED IN THE REFERENCED PLATS. THE UTILITIES SHOWN HEREON WERE BASED ON SURFACE LOCATIONS AND WERE NOT VERIFIED AS TO DEPTH, SIZE, OR MATERIAL. THIS SURVEY DOES NOT SHOW SUBTERRANEAN CONDITIONS.
9. THE PURPOSE OF THIS PLAT IS TO COMBINE TMS # 142-03-01-009, -002, -003, -004, -006, -007 AND -008 TO CREATE LOT "A".

REFERENCES:

PLAT BOOK	PAGE	DATE
M	116-H	10/03/2005
O	394	06/22/2005
CAB F	270	03/18/1986
CAB O	94-D	08/05/1999
DEED BOOK	PAGE	DATE
4663	762-766	09/18/2023
5145	192	03/27/2025
5543	032	04/16/2026
5543	325	04/16/2025
5560	580	04/30/2026
5599	593	06/03/2026
5640	482	07/08/2026

N
W E
S
SC GRID
NAD 83 (2011)

0 30 60 120
SCALE: 1" = 60'



PARCEL LINE TABLE

Line #	Bearing	Length
L1	S74°19'25"W	23.90
L2	N86°17'17"E	13.15
L3	S74°49'14"W	34.88
L4	S69°50'40"W	30.27

DRAWING LEGEND

- PROPERTY CORNER FOUND, AS DESCRIBED
- PROPERTY CORNER SET, 5/8" REBAR
- CALCULATED POINT, NO CORNER SET
- PROPERTY LINE
- ADJACENT PROPERTY LINE
- FLOOD LINE
- EXISTING EASEMENT LINE, AS DESCRIBED
- PROPERTY LINE TO BE ABANDONED
- CTP — CLOSED TOP PIPE
- OTP — OPEN TOP PIPE
- CMF — CONCRETE MONUMENT FOUND

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

DRAFT

ANDREW J. HUTZLER S.C.P.L.S. No. 42060

SW+ SURVEYING
MOUNT PLEASANT, SC
(843) 884-1667
501 WANDO PARK BLVD
SUITE 200
MOUNT PLEASANT, SC 29464
WWW.SEAMONWHITESIDE.COM

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SOUTH CAROLINA — SW+ SURVEYING, INC. No. 7672 — CERTIFICATE OF AUTHORIZATION

SOUTH CAROLINA — PROFESSIONAL LAND SURVEYOR — No.42060 — ANDREW J. HUTZLER

A PROPERTY LINE ABANDONMENT PLAT OF
TMS # 142-03-01-009 (12.45 AC), -002 (0.61 AC), -003 (0.82 AC), -004 (0.78 AC), -006 (0.32 AC), -007 (0.91 AC), -008 (1.32 AC)
TO CREATE NEW LOT A (17.21 AC)
OWNED BY BERKELEY COUNTY
LOCATED IN THE TOWN OF MONCKS CORNER
BERKELEY COUNTY, SOUTH CAROLINA

SW+ PROJECT:	11648
DATE:	08/05/26
DRAWN BY:	LMM
CHECKED BY:	AJH
CC:	JB
SHEET:	1 OF 1

REVISION HISTORY

1	09/01/26	BFW

PROPERTY LINE ABANDONMENT

C2.0

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Item 3.