



# BOARD OF ZONING APPEALS

Town Council Chambers, Moncks Corner Municipal  
Complex, 118 Carolina Avenue  
TUESDAY, JULY 06, 2021 at 6:00 PM

---

## AGENDA

### CALL TO ORDER

### ADOPTION OF MINUTES

1. Approval of June 1, 2021 regular meeting minutes

### NEW BUSINESS

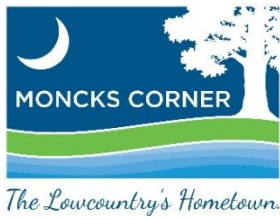
2. Consider a variance to the rear and side setbacks for property located at 202 Broughton Road, TMS # 142-02-02-007
3. Consider a variance to signage for property located at 106 Foxbank Plantation Boulevard, TMS 197-00-01-107
4. Consider a special exception to allow a government facility at property located at the northern end of Broughton Road, TMS 102-15-02-041

### 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, JUNE 01, 2021 at 6:00 PM

## MINUTES

### CALL TO ORDER

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

#### PRESENT

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

#### STAFF

Doug Polen, Comm. Dev. Director

### ADOPTION OF MINUTES

1. Approval of April 6, 2021 regular meeting minutes

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

### NEW BUSINESS

2. Consider a variance to reduce the required lot frontage for property located at 115 Pinewood Drive, TMS 142-01-03-016

Mr. Polen presented the item.

The applicant, Lisa Brown, spoke about what she wants to do with the lot. She feels the lot is too large for most people to want to maintain. Also, the lot is very large, so creating a secondary lot that is larger than most other lots in the neighborhood would not detract from the neighborhood.

Jeff Roper, a local citizen, exclaimed "Do you live here? You don't care about our privacy."

Ben Coker, another local citizen, asked if a field survey has been done on the property to examine the existing drainage ditch.

Mr. Polen stated that any work done in the area will meet all Town flood requirements.

Mr. Coker asked "what is the hardship?"

Ms. Brown stated that people were living behind the house in the old shed. People trespass on her property regularly because it is so large.

Mr. Coker stated that people go through everyone's yards but it is not a hardship. He further stated that no one on Pinewood Drive was favorable to the subdivision.

One resident, Sharon Landis, spoke up that she was in favor of the subdivision, but when she stated that she was a renter the crowd erupted and she sat back down.

Mr. Coker stated that the yard was in disrepair. Ms. Brown retorted by stating that she had years of biweekly yard maintenance bills at \$50 per from Lawn Life. She further stated that she feels that neighborhood does not like the fact that she rented her house out to an African-American family.

Board member Pllum asked that everyone settle down and get back on track.

Mr. Coker recounted the story of the Williams property at the end of Williams Street, as found in the packet.

Mr. Coker stated that he went to Ms. Brown's realtor on April 9 in consideration of purchasing the house, but was told that the owner wanted to subdivide. Ms. Brown counters that Mr. Coker wanted to subdivide the lot into three lots.

Mr. Coker stated that the street is non-conforming and that there is no proven hardship.

Mr. Roper asked if the petition was given to the Board. Mr. Polen did so.

Motion made by Board Member Smith, Seconded by Board Member Pllum to deny the application for variance..

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

## **OLD BUSINESS**

## **STAFF COMMENTS**

Mr. Polen thanked the Board for their work on this decision, and thanked the crowd for coming out.

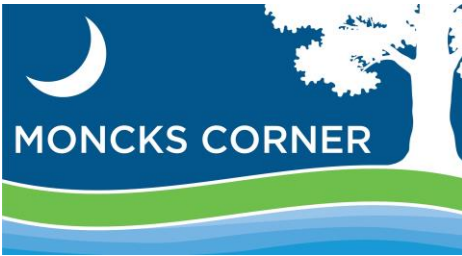
## **MOVE TO ADJOURN**

The Board moved to adjourn at 6:44 p.m.

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

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

*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.*



## Staff Report

### Variance Request

**DATE:** July 6, 2021  
**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>	202 Broughton Road
<i>Property TMS</i>	142-02-02-007
<i>Acreage</i>	33,000 sq. ft.
<i>Zoning</i>	R-1, Single Family Residential
<i>Applicant/Owner</i>	Andrew Merritt
<i>Use</i>	Residence
<i>Request</i>	<b>Variance to rear setback to allow existing garage to be converted to a residence</b>
<i>Current Requirements</i>	10 feet

### Background

The applicant is seeking to subdivide the lot and convert the existing garage into a separate residence. The lot is large enough to be subdivided and has sufficient lot frontage, but the existing garage was constructed too close to the rear property line



to meet the modern requirements of a house. The garage sits just over 4' from the property line, and the requirement is 10'.

During the conversion process the garage would need to be outfitted with fire-rated walls to allow it to be so close to the property line. Any other requirements of the building code will be met.

### 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. A house is currently located on the property, but a person should be able to reasonably subdivide the property.

- 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?*

Staff does not believe so. The garage is too close to the rear property line per modern standards but has been at that location since approximately 1970 without issue. Reconstructing the garage will benefit the neighborhood by looking much better than what is there currently with no apparent detriment to the neighborhood.

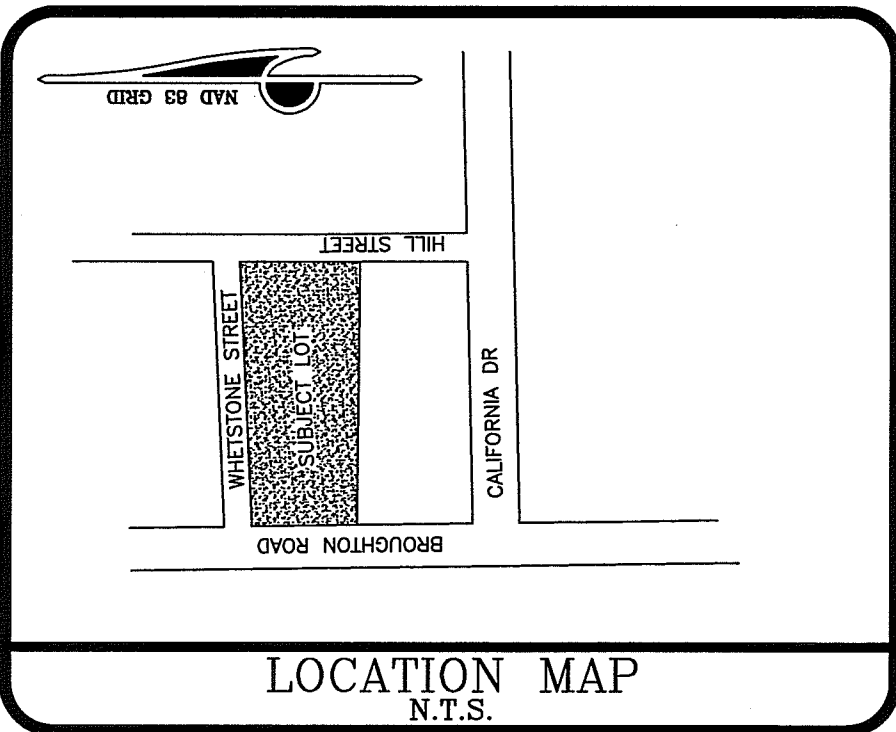
- 5. The board may not grant a variance the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a nonconforming use of land, or to change the zoning district boundaries shown on the official zoning map. The fact that property 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?*

This variance would allow the property to be more profitably used.

**Staff Recommendation**

Staff recommends APPROVAL of the 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.**



NOTES:

- 1) AREA WAS DETERMINED BY THE COORDINATE METHOD.
- 2) ANYTHING SHOWN OUTSIDE THE DEFINED BOUNDARY IS FOR DESCRIPTIVE PURPOSES ONLY.
- 3) THE PUBLIC RECORDS REFERENCED ON THIS PLAT ARE ONLY USED AND/OR NECESSARY TO THE ESTABLISHMENT OF THE BOUNDARY OF THIS PROPERTY. THEY ARE NOT AND DO NOT CONSTITUTE A TITLE SEARCH.
- 4) THIS PLAT HAS BEEN PREPARED FOR THE EXCLUSIVE USE AND PURPOSE OF THE CLIENT ASCRIBED AND CONTRACTED WITH TO PERFORM THE REQUESTED SERVICES. ALL OTHER PARTIES ARE SUBSEQUENTLY PUT ON NOTICE AS TO THE LIMITED DEGREE OF RELIANCE UPON THIS PLAT BY THIRD PARTIES.
- 5) DISTANCES SHOWN ON THIS PLAT ARE HORIZONTAL GROUND DISTANCES.
- 6) NO SUBSURFACE OR ENVIRONMENTAL INVESTIGATION OR SURVEYS WERE PERFORMED BY ASHLEY LAND SURVEYING, INC. FOR THIS PLAT. THEREFORE THIS PLAT DOES NOT REFLECT THE EXISTENCE OR NONEXISTENCE OF WETLANDS, CONTAMINATION, OR OTHER CONDITIONS WHICH MAY AFFECT THIS PROPERTY.
- 7) THIS PROPERTY IS LOCATED IN FLOOD ZONE X A OF MINIMAL FLOODING HAZARD  
SEE FIRM PANEL 45015C 0385E, EFF 12-07-2018
- 8) THIS PROPERTY IS ZONED R-1

REFERENCES:

- 1) PLAT BY CHARLES O'QUINN DATED APRIL 8, 1966  
RECORDED IN PLAT BOOK Q PAGE 190

SURVEY NOTE:

THIS SURVEY REPRESENTS A METES AND BOUNDS OF THE SUBJECT LOT BASED ON THE CORNERS FOUND AS WELL SCDOT CONSTRUCTION DRAWING FOR ROADS SHOWN HEREON

LEGEND:

IRS REBAR SET  
IRF REBAR FOUND  
CMF CONCRETE MONUMENT FOUND

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

*Paul C. Lawson, Jr.*  
PAUL C. LAWSON, JR. S.C. REG. No. 14191

SCALE : 1" = 50'

MARCH 29, 2021

BOUNDARY SURVEY OF  
TMS 142-02-02-007, OWNED BY  
GEORGIA K. SPENCER  
BEING CONVEYED TO  
ANDREW MERRITT  
LOCATED IN THE TOWN OF MONCK'S CORNER  
BERKLEY COUNTY, SOUTH CAROLINA

ASHLEY LAND SURVEYING, INC.  
No. C02179  
CERTIFICATE OF AUTHORIZATION

SOUTH CAROLINA  
PROFESSIONAL LAND SURVEYOR  
No. 14191  
PAUL C. LAWSON, JR.

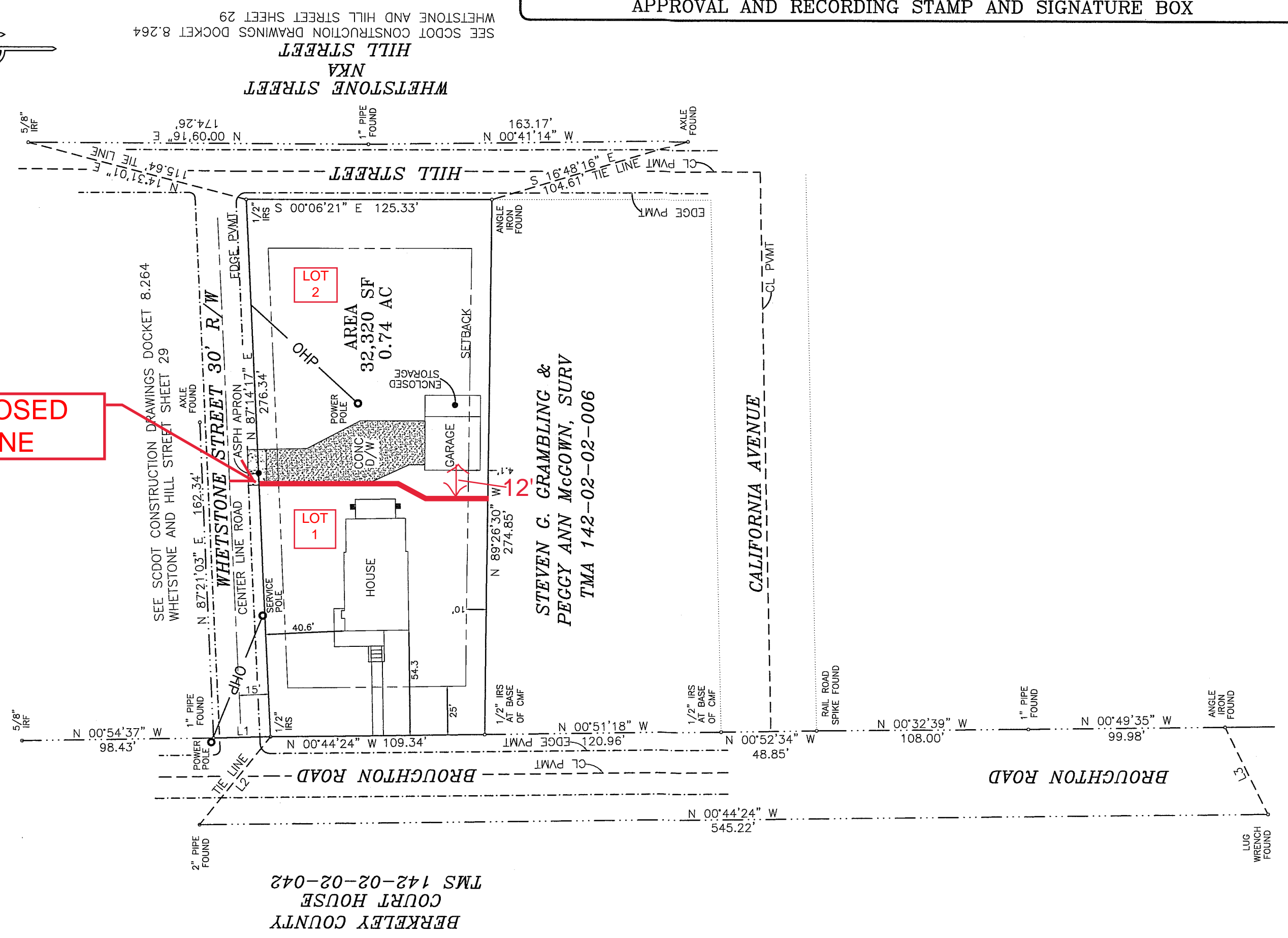
ASHLEY  
LAND SURVEYING, INC.  
P.O. BOX 1302 SUMMERVILLE SC 29484  
TELEPHONE: (843) 871-4416 FAX: (843) 871-9538  
EMAIL: PLAWSON@ASHLEYEYES.COM WEB: WWW.ASHLEYEYES.COM

JOB NUMBER 2021-4667-001 BCJR

LINE	BEARING	W
L1	29.12	01°27'36"
L2	57.89	N N S
L3	49.83	51°29'41"
		63°44'55"



PROPOSED LOT LINE



PLAT APPROVED  
FOR RECORDING

DATE 5/13/21  
PLANNING DIRECTOR  
TOWN OF MONCK'S CORNER

2021022504  
PRESENTED & RECORDED:  
05-13-2021 12:09:48 PM  
CYNTHIA B FORTE  
REGISTER OF DEEDS  
BERKELEY COUNTY, SC

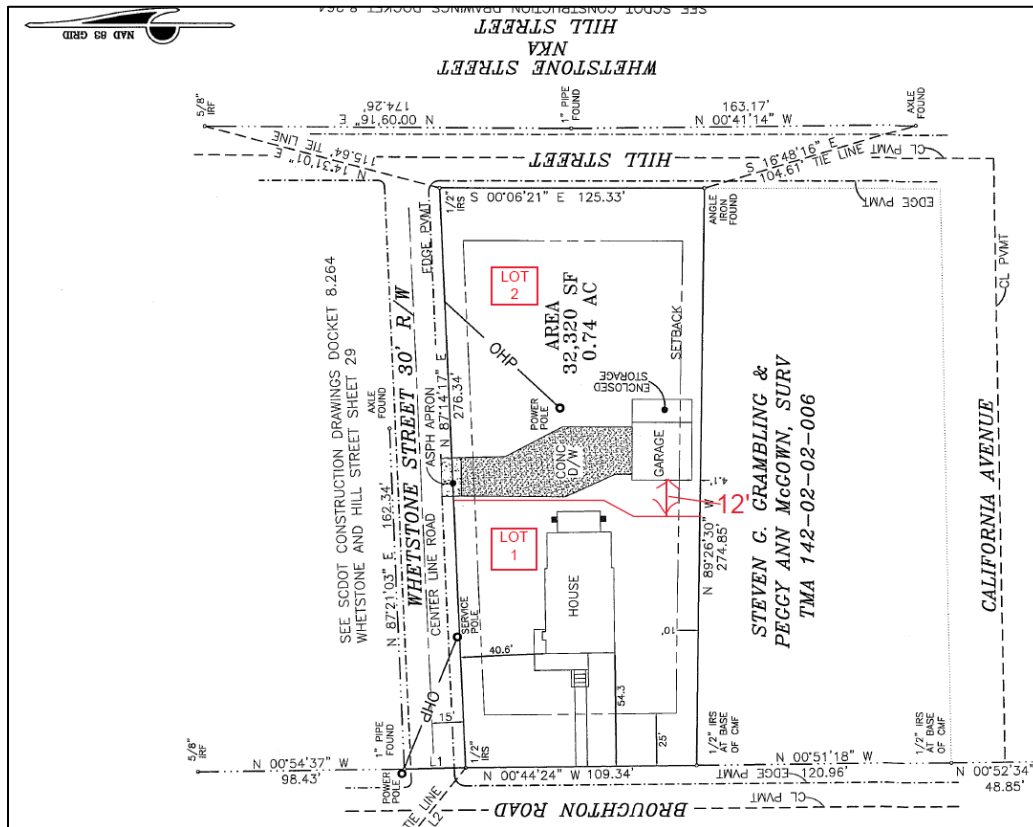
APPROVAL AND RECORDING STAMP AND SIGNATURE BOX

**Preferred Option:** I would like to turn the detached garage into a residence. This will also involve subdividing the lot per Figure 1. Lot 2 will have an easement put upon it to allow the owner of lot 1 use of the driveway so that no additional ingress/egress will be needed to serve lot 2.

The existing garage structure is out of compliance with this plan because it is too close to the existing property line and the proposed property line. The existing house on lot 1 will also be out of compliance with the new property line due to it being within the setback distance of the new property line. Once this variance is approved, I will convert the garage into a residence as a part of lot 2.

It should be noted that the existing garage/carport has been in this same location since approximately 1970 and according to the seller of the property, has never had any complaints from anyone as to its location near the property line.

With the approval of the garage/carport into a residence, the property taxes will be increased to be paid to the town of Moncks Corner.

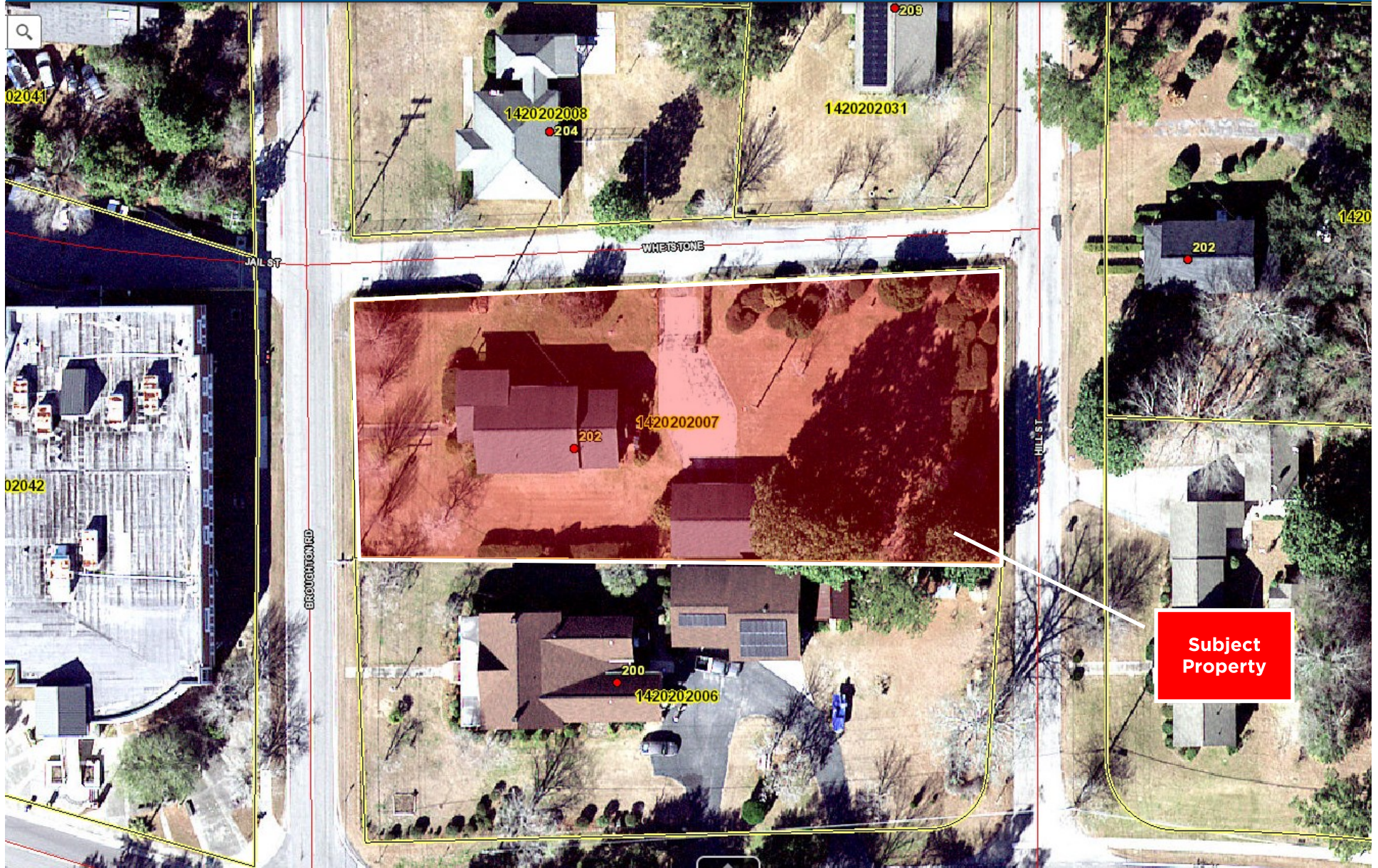


**Backup Option:** If the preferred option is not allowed, I would like to request a variance to change the current garage into a two bed, two bath auxiliary dwelling unit. It is currently out of compliance due to its proximity to the property line (setback line).



# 202 Broughton Road Variance

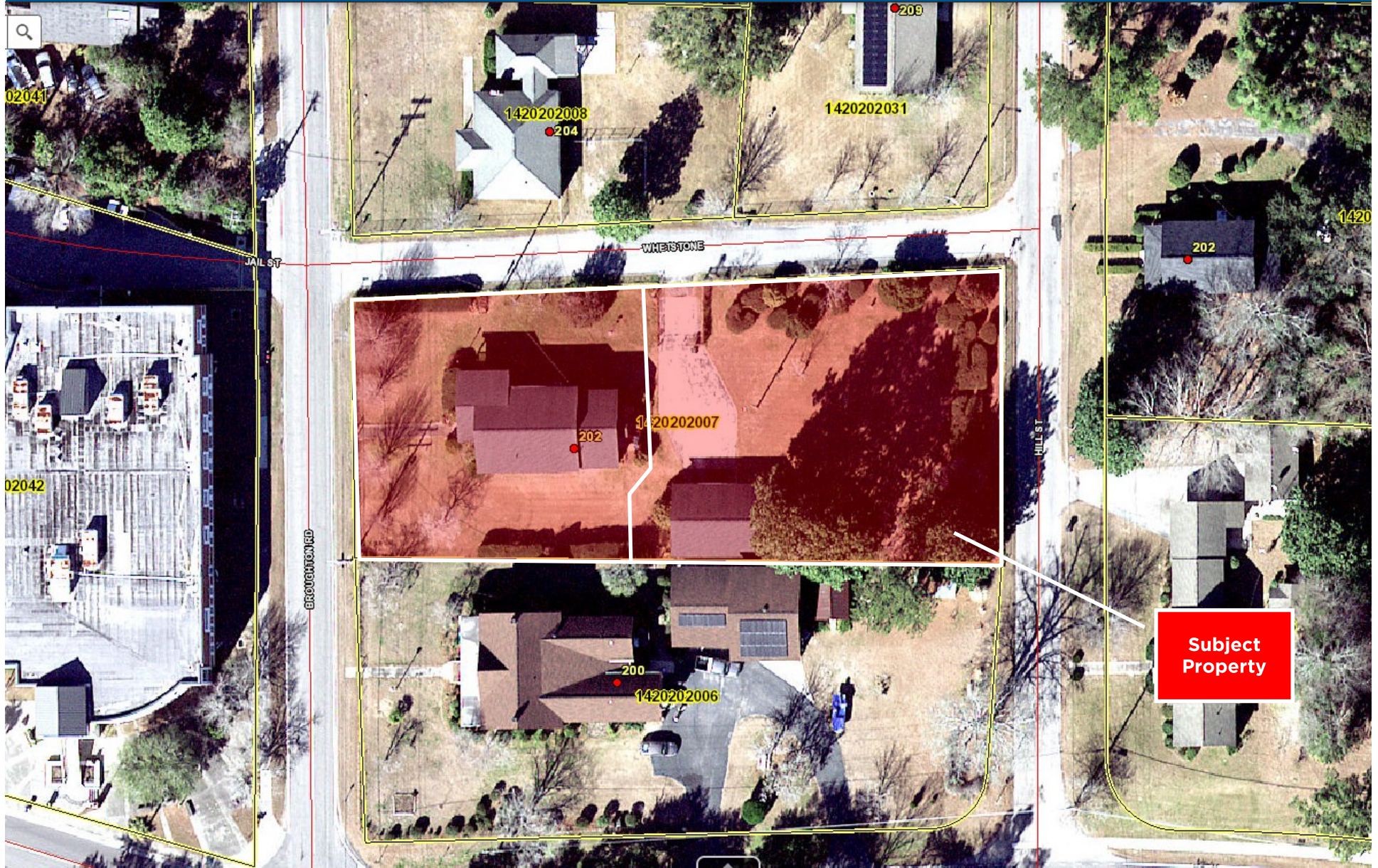
Board of Zoning Appeals | July 6, 2021





# 202 Broughton Road Variance

Board of Zoning Appeals | July 6, 2021





# 202 Broughton Road Variance

Board of Zoning Appeals | July 6, 2021





**VARIANCE APPLICATION**  
Moncks Corner Community Development

**MONCK'S  
CORNER**  
*The Lowcountry's Hometown*

**Applicant Information**

Name: Andrew Merritt Address: 20 Plantation Circle, Summerville SC 29485

Phone: 803-804-7847 E-Mail: merritt.andrewt@gmail.com

**Property Owner Information (If Different)**

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

Phone: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Property Location (Attach Plat if Available): 202 Broughton Road, Monck's Corner SC 29461

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

Please see the attached writeup.

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: Andrew Merritt Date: 5/18/21

Applicant's Signature: Andrew Merritt Date: 5/18/21

*For Official Use Only*

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

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

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





## Staff Report

### Variance Request

**DATE:** July 6, 2021  
**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>	106 Foxbank Plantation Blvd
<i>Property TMS</i>	197-00-01-107
<i>Acreage</i>	1.5 acres
<i>Zoning</i>	PD-C, Planned Development Commercial
<i>Applicant/Owner</i>	Parker's Kitchen
<i>Use</i>	Commercial
<i>Request</i>	<b>Variance to signage to allow a 13' tall, 60 sq. ft. sign along Hwy 52 and an 8' tall, 50 sq. ft. sign along Foxbank Plantation Boulevard</b>
<i>Current Requirements</i>	A 6' tall, 30 sq. ft sign is allowed along Highway 52 and no sign is permitted along Foxbank Plantation Blvd.

### Background

The applicant, Parker's Kitchen, is seeking to place two freestanding monument signs at their new location at 106 Foxbank Plantation. The sign along Highway 52 is proposed to be 13' tall and 60 sq. ft. in area, while another

sign, in the rear facing traffic oncoming along Foxbank Plantation Boulevard, is proposed to be 8' tall and 50 sq. ft. in area.

Per the original Foxbank Commercial Signage Plan,

#### Outparcel Monument

Buildings located in an Outparcel, either single tenant or multi-tenant, may have one (1) Monument Sign provided:

- a) such business must be located in an Outparcel building that fronts on a major highway (either US Highway 52 or Cypress Gardens Road),
- b) said Monument Sign shall not exceed six (6) feet in overall height,
- c) the Monument Sign facing shall not exceed six (6) feet in width,
- d) the Monument Sign shall have a maximum allowable Sign Face Area of thirty (30) square feet and,
- e) the Monument Sign shall have only one (1) individual panel within the prescribed area, in the case of a single tenant building, or, in the event of a multi-tenant building, the Monument Sign shall be permitted to have multiple individual panels within the prescribed area, which shall be no less than ten (10) square feet per facing.

The Town has mistakenly permitted slightly larger monument signs in Foxbank over the past couple of years. At present there are three monument signs in Foxbank:

1. Waffle House: This sign is 7½' tall with a sign face of 40 sq. ft.
2. The Shops at Foxbank: This sign is 7½" tall with a sign face of 44 sq. ft.
3. Signage at Cinco de Mayo: This sign is 7' tall with a sign face of 45 sq. ft.

#### **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 gas station/convenience store will be able to operate with less than desired signage.

**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?**

Possibly. The original signage plan was designed to not have an excess of signage. Allowing extra signs for interior buildings as well as larger Highway 52 signs goes against that original concept, which presumably was put in place for the benefit of residents.

**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?**

No

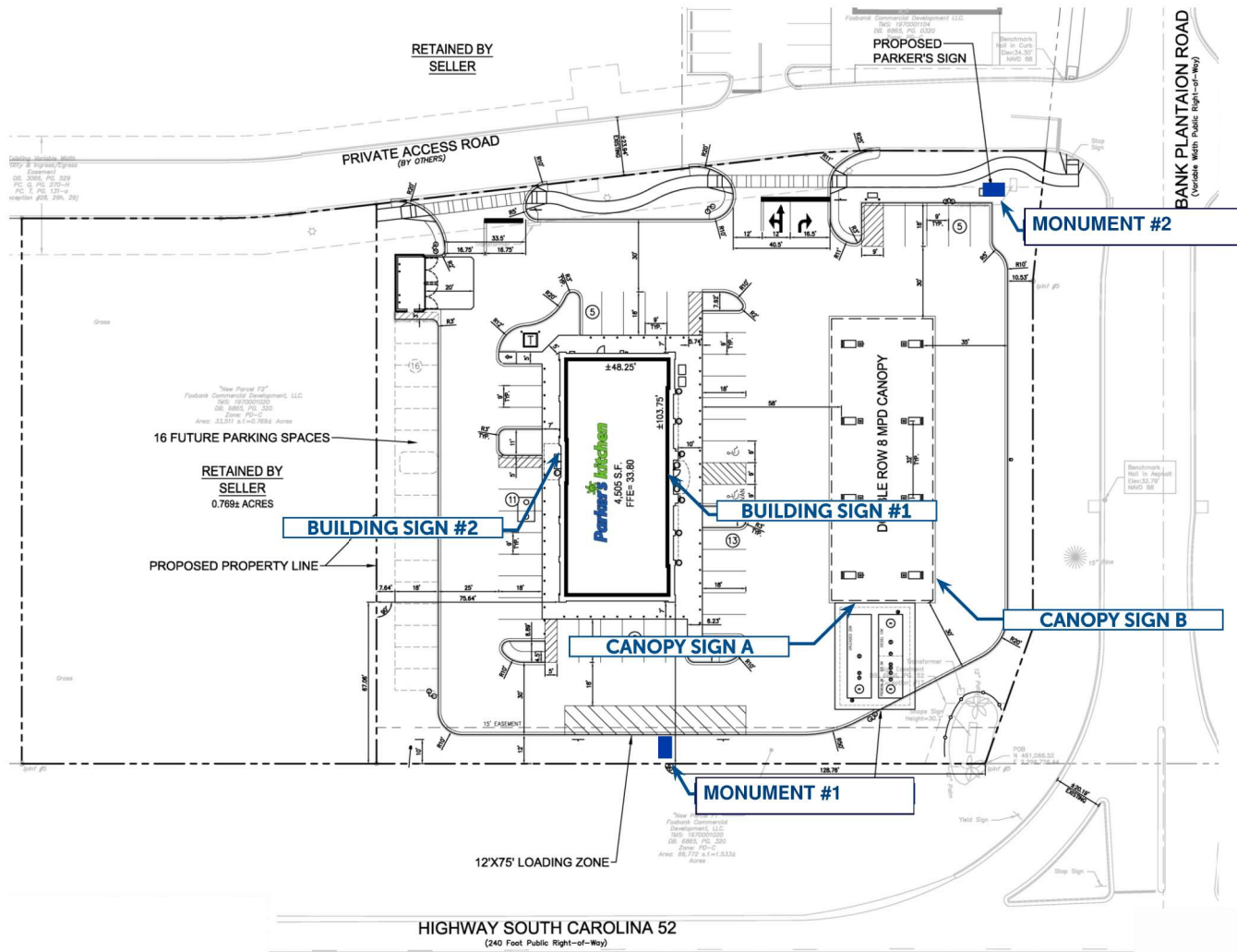
**Staff Recommendation**

The signage requested by Parker's Kitchen is in keeping with current zoning laws but is in contradiction to the signage plan as agreed to by the developer and the Town in 2008. And, while a BZA ruling does not set a precedent, it does make it difficult to hold other future tenants to the plan that has already been agreed to.

This having been said, the Town has permitted three monument signs in the past that are outside of the limits contemplated by the Foxbank agreement. These signs tend to be 7½' tall with a face no larger than 45 sq. ft. For this reason, the Town is willing to support a variance to allow a sign matching those dimensions to be placed along Highway 52, assuming that the developer is supportive of such a size. Going forward, the Town would like to make that the maximum allowable size for the sake of consistency, once again with the agreement of Twin Rivers, the commercial developer.

The Town recommends denial of the variance for a second sign along Foxbank Plantation Boulevard. This having been said, would be supportive of a small, incidental sign featuring the Parker's logo and fuel price, perhaps 3' tall with a sign face of 2 sq. ft.

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



**SITE MAP**

These drawings are not for construction purposes. The information contained herein is intended to express design intent only. This original design is the sole property of Blair Image Elements. It cannot be reproduced, copied or exhibited, in whole or in part, without first obtaining written consent from Blair Image Elements.



**Parker's Kitchen**  
Store #81  
106 Foxbank Plantation Blvd  
Moncks Corner, SC 29461

Issue Date: 1/5/20		
Drawn By: CDL		
REV	DATE	DESCRIPTION
9	4/21/21	REVISED EMC & MONUMENT SIDE

## SITE MAP

Page 4

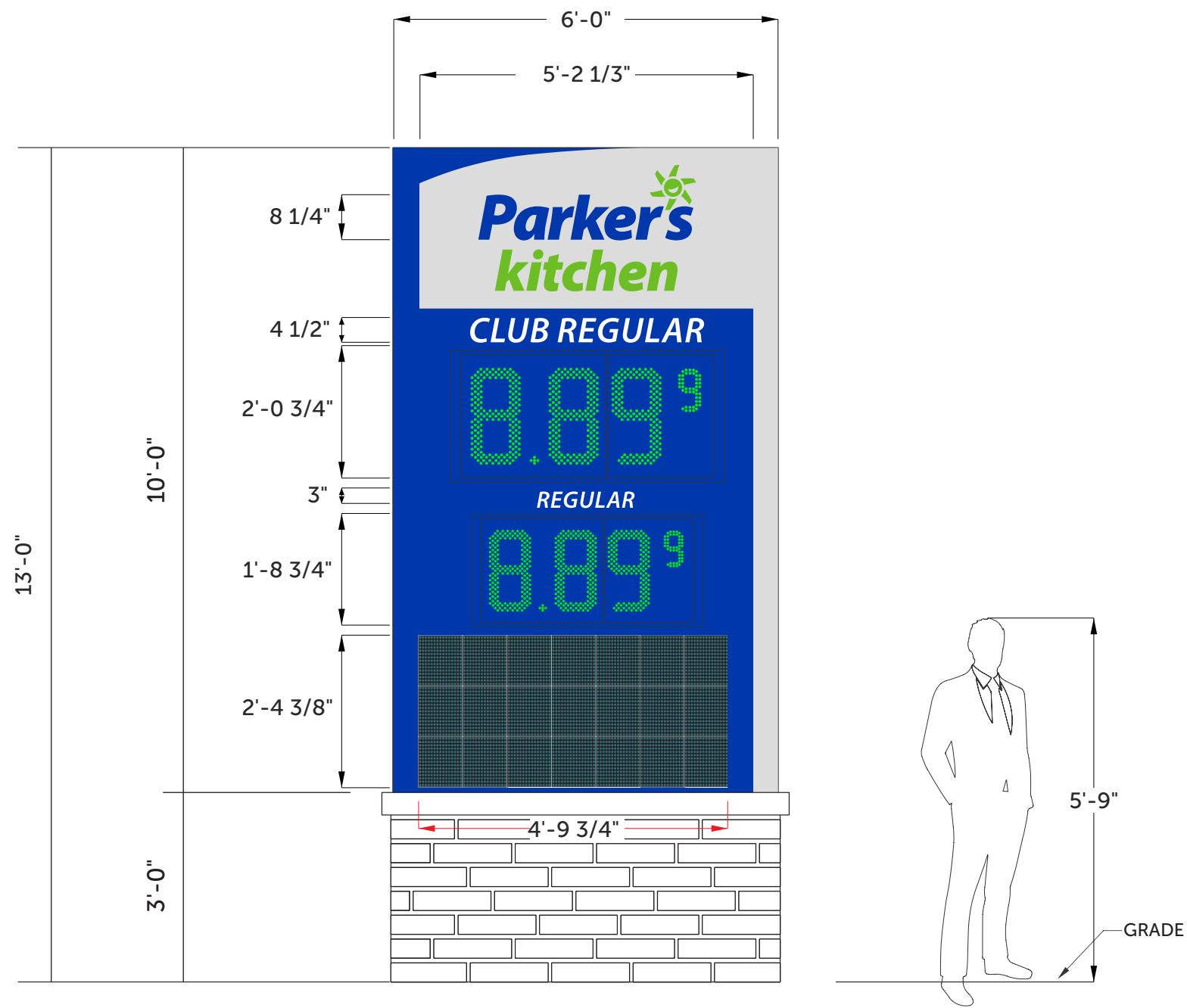
Date: 1/15/21  
Doc #: PRK-81  
Blair Project #: 92859  
Blair Sales Order #: 56365

Blair Image Elements  
5107 Kissell Avenue  
Altoona, PA 16601  
P: (814) 949.8287  
blairimage.com



BUILD SPECIFICATIONS

- Fabricated aluminum angle frame with sheet aluminum filler
  - Faces routed aluminum with clear acrylic
  - "Parker's" Push-Thru copy and ICON decorated with 1st surface translucent vinyl conforming to program color specifications
  - Subcopy routed aluminum with white acrylic backer
  - Lighting to be white LEDS
  - Two (2) Skyline LED displays per face
  - Cabinet painted brushed aluminum silver and PMS 286C Blue with satin finish
  - Brick base by others to match building
- 
- SQ FT: 60 (WITHOUT BASE)
  - SQ FT ALLOWED: 60

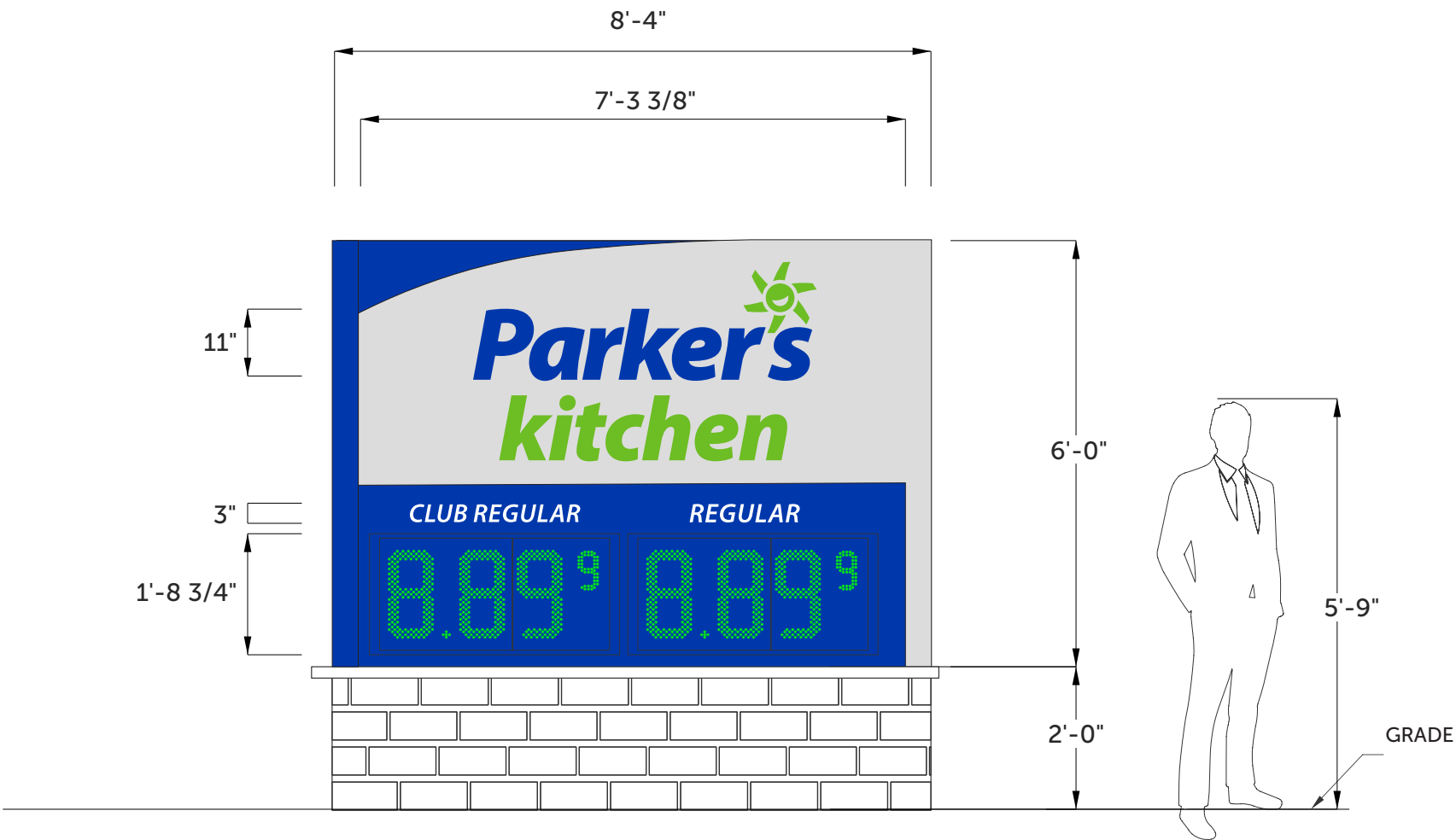


MONUMENT 1 ELEVATION

These drawings are not for construction purposes. The information contained herein is intended to express design intent only. This original design is the sole property of Blair Image Elements. It cannot be reproduced, copied or exhibited, in whole or in part, without first obtaining written consent from Blair Image Elements.

BUILD SPECIFICATIONS

- Fabricated aluminum angle frame with sheet aluminum filler
  - Faces routed aluminum with clear acrylic
  - "Parker's" Push-Thru copy and ICON decorated with 1st surface translucent vinyl conforming to program color specifications
  - Subcopy routed aluminum with white acrylic backer
  - Lighting to be white LEDS
  - Two (2) Skyline LED displays per face
  - Cabinet painted brushed aluminum silver and PMS 286C Blue with satin finish
  - Brick base by others to match building
- SQ FT: 50 (WITHOUT BASE)



MONUMENT 2 ELEVATION

These drawings are not for construction purposes. The information contained herein is intended to express design intent only. This original design is the sole property of Blair Image Elements. It cannot be reproduced, copied or exhibited, in whole or in part, without first obtaining written consent from Blair Image Elements.



# Parker's Signage Variance

Board of Zoning Appeals | July 6, 2021



Sign Face Area: 44 sq. ft.



# Parker's Signage Variance

Board of Zoning Appeals | July 6, 2021



Sign Face Area: 45 sq. ft.



# Parker's Signage Variance

Board of Zoning Appeals | July 6, 2021

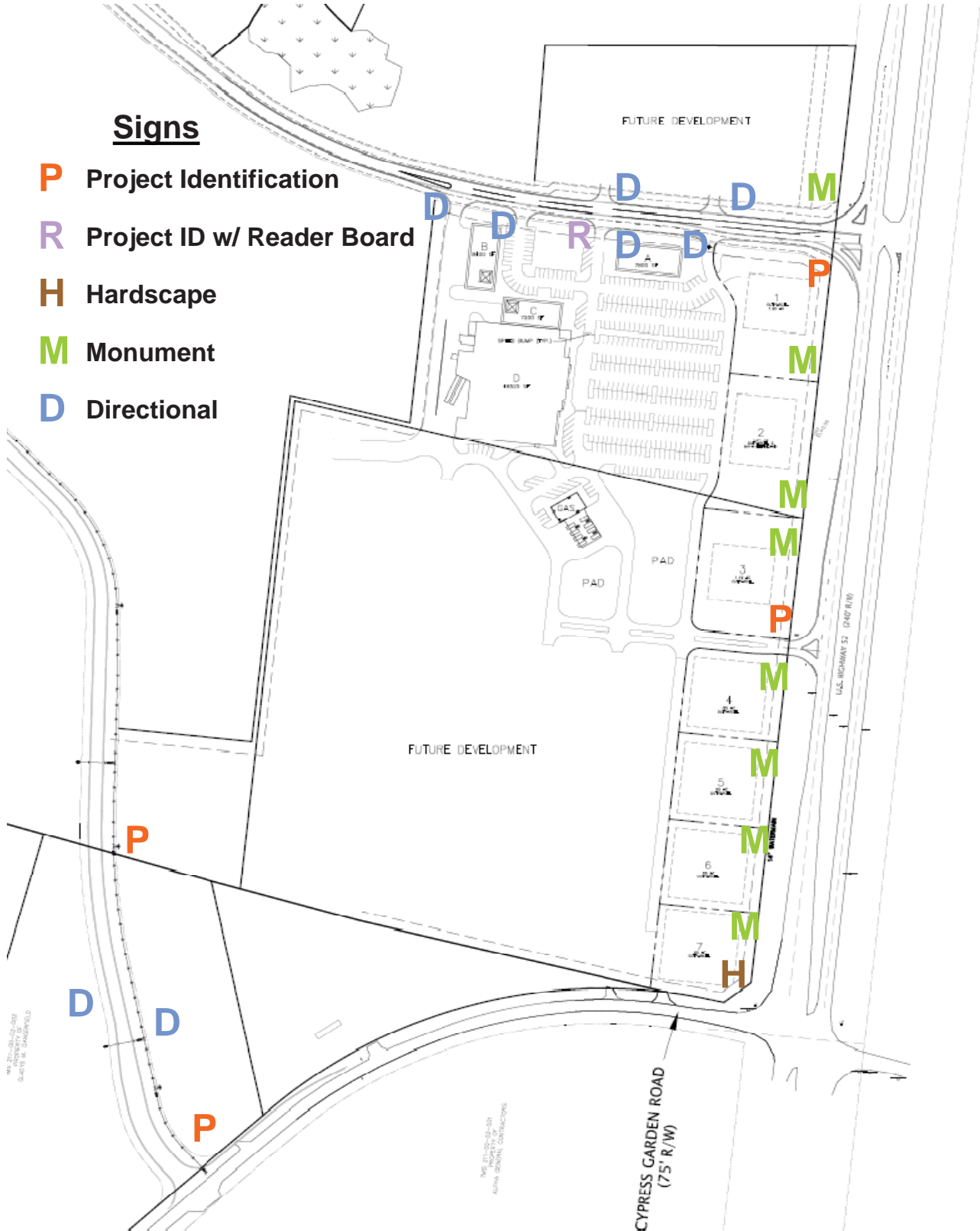


Sign Face Area: 40 sq. ft.

# Master Sign Plan for Commercial Sign Locations

## Signs

- P** Project Identification
- R** Project ID w/ Reader Board
- H** Hardscape
- M** Monument
- D** Directional



### Outparcel Monument

Buildings located in an Outparcel, either single tenant or multi-tenant, may have one (1) Monument Sign provided:

- (a) such business must be located in an Outparcel building that fronts on a major highway (either US Highway 52 or Cypress Gardens Road),
- (b) said Monument Sign shall not exceed six (6) feet in overall height,
- (c) the Monument Sign facing shall not exceed six (6) feet in width,
- (d) the Monument Sign shall have a maximum allowable Sign Face Area of thirty (30) square feet and,
- (e) the Monument Sign shall have only one (1) individual panel within the prescribed area, in the case of a single tenant building, or, in the event of a multi-tenant building, the Monument Sign shall be permitted to have multiple individual panels within the prescribed area, which shall be no less than ten (10) square feet per facing.

Any Monument Sign on an Outparcel must not interfere with the view of the Project Identification Signs from public roadways.

Outparcel Monument sign will be constructed with brick (Brick Color: Hanson Buckingham; Mortar: Rainbow Buckskin), architectural block, stucco, architectural metal, and like material.

Single Tenant  
Building Examples

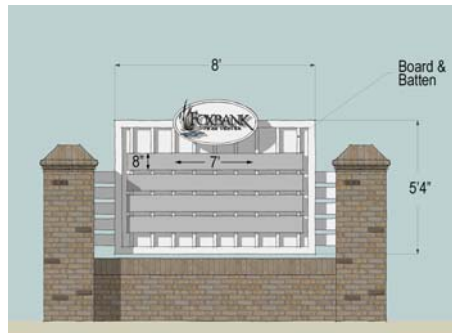


Horizontal Example



Vertical Example

Multi-Tenant  
Building Example







**VARIANCE APPLICATION**  
Moncks Corner Community Development

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

**Applicant Information**

Name: Drayton-Parker Companies LLC Address: 17 W. McDonough Street, Savannah GA 31401

Phone: 912-677-0593 E-Mail: dbenyisrael@parkersav.com

**Property Owner Information (If Different)**

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

Phone: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Property Location (Attach Plat if Available): 106 Foxbank Plantation Blvd.

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

The request is to allow the construction of a free standing monument sign on Foxbank Plantation Blvd.  
for the purposes of advertising fuel prices and convenience services to the residents of Foxbank and  
patrons of the commercial shopping area within Foxbank Plantation.

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: 6/9/21

Applicant's Signature: [Signature] Date: 6/9/21

*For Official Use Only*

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

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

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



## Staff Report

### Special Exception Request

**DATE:** July 6, 2021  
**TO:** Moncks Corner Board of Zoning Appeals  
**FROM:** Douglas Polen, Community Development Director  
**SUBJECT:** Special Exception Request  
**STAFF RECOMMENDATION:** **DENIAL**

Report Summary	
<i>Property Location</i>	Broughton Road
<i>Property TMS</i>	102-15-02-041 & 102-15-01-054
<i>Acreage</i>	9.2 acres
<i>Zoning</i>	C-2, General Commercial
<i>Applicant/Owner</i>	Berkeley County
<i>Use</i>	Vacant
<i>Request</i>	<b>Special Exception to allow a government facility – boat landing and associated parking – on the property</b>
<i>Current Requirements</i>	Per the Zoning Ordinance, all government facilities require a special exception to allow the use

### Background

The applicant is seeking to place a boat landing and associated parking on the property. Per the Zoning ordinance, all government facilities require a special exception in order to be considered an allowable use.

## 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, this use is consistent with the character of the underlying zoning district

- 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;**

Yes, the use is consistent with existing uses in the vicinity

- 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;**

The plan as submitted does not incorporate buffers or internal landscaping in a way that meets the Zoning Ordinance. The lack of buffering could adversely affect the adjacent properties.

A Type C buffer is shown alongside the adjacent residential area, but none is shown on the area alongside the water plant.

Also, the Zoning Ordinance calls for landscaped islands every ten parking spaces. These are present in the automobile parking area but none are shown in the trailer/boat parking area. Staff understands that due to the nature of this use islands every ten spaces may not be practicable, but some interior landscaping should still be incorporated – perhaps double sized islands every 20 spaces?

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

Yes, the use will be developed in a way that better allows the use of the natural features; i.e. the lake.

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

No, the proposed use will not destroy any features of significant importance

- 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.**

The Town's only concern is with landscaping and buffering. The facility itself appears to meet all other development standards and, if they do not, they will have to be revised during the permitting process.

#### **Staff Recommendation**

Staff recommends DENIAL of the special exception.

**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**





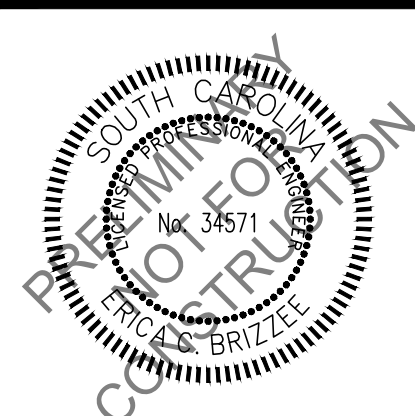
BOAT TRAILER PARKING SPACES = 190  
ACCESSIBLE BOAT TRAILER PARKING SPACES = 6  
BOAT TRAILER MAKE-READY SPACES = 6  
BOAT TRAILER TIE-DOWN SPACES = 6  
  
PASSENGER VEHICLE PARKING SPACES = 195  
ACCESSIBLE PASSENGER VEHICLE PARKING SPACES = TBD

**SITE SUMMARY**

PROJECT NAME: BERKELEY COUNTY BOAT LANDING - PHASE 1  
PROPOSED SITE USE: SURFACE PARKING LOT  
  
TMS: 102-15-02-014 & 102-15-01-054 & 102-15-01-002  
CURRENT ZONING: C-2 - TOWN OF MONCK'S CORNER

BERKELEY  
COUNTY SC

212 OAKLEY PLANTATION DRIVE  
P.O. Box 1529  
MONCK'S CORNER, SC 29461  
(843) 567-4400  
(843) 761-8817



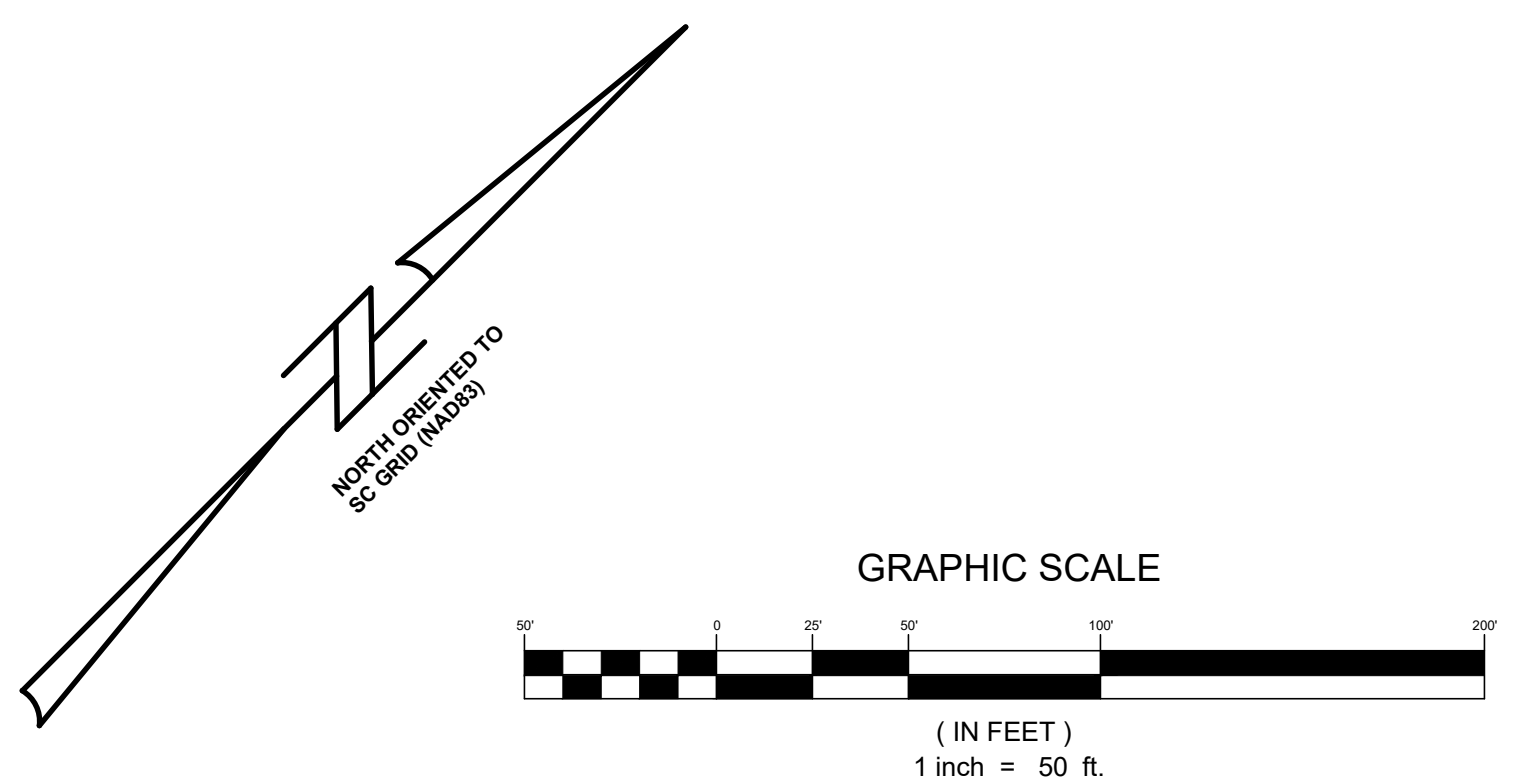
DESIGNED BY: ECB  
REVIEWED BY: KAK  
  
DATE: 05/26/2021

PRELIMINARY SITE PLAN

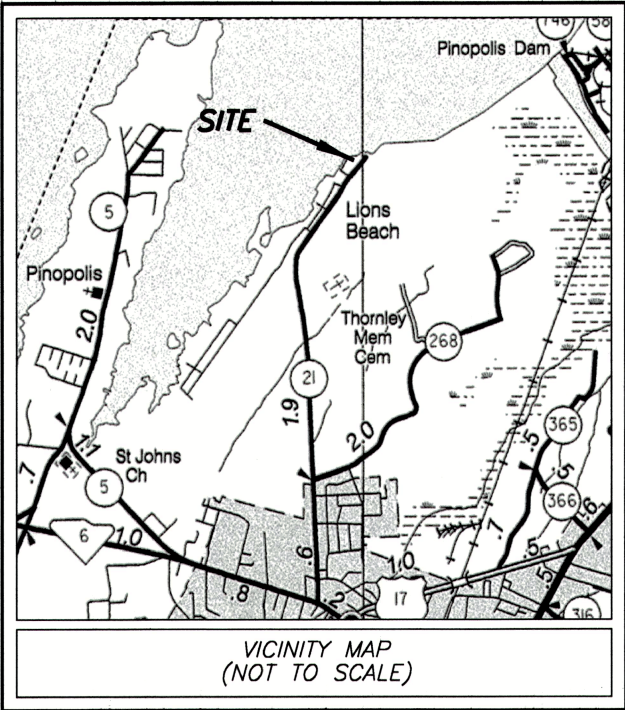
BERKELEY COUNTY BOAT LANDING

BROUGHTON ROAD  
MONCK'S CORNER, SC

NO.	DATE	REVISION NOTES







REFERENCES:  
1. SEE SKETCH TITLED: THORNLEY SUBDIVISION  
DATED 07/21/1954. DRAWING NUMBER E 731.

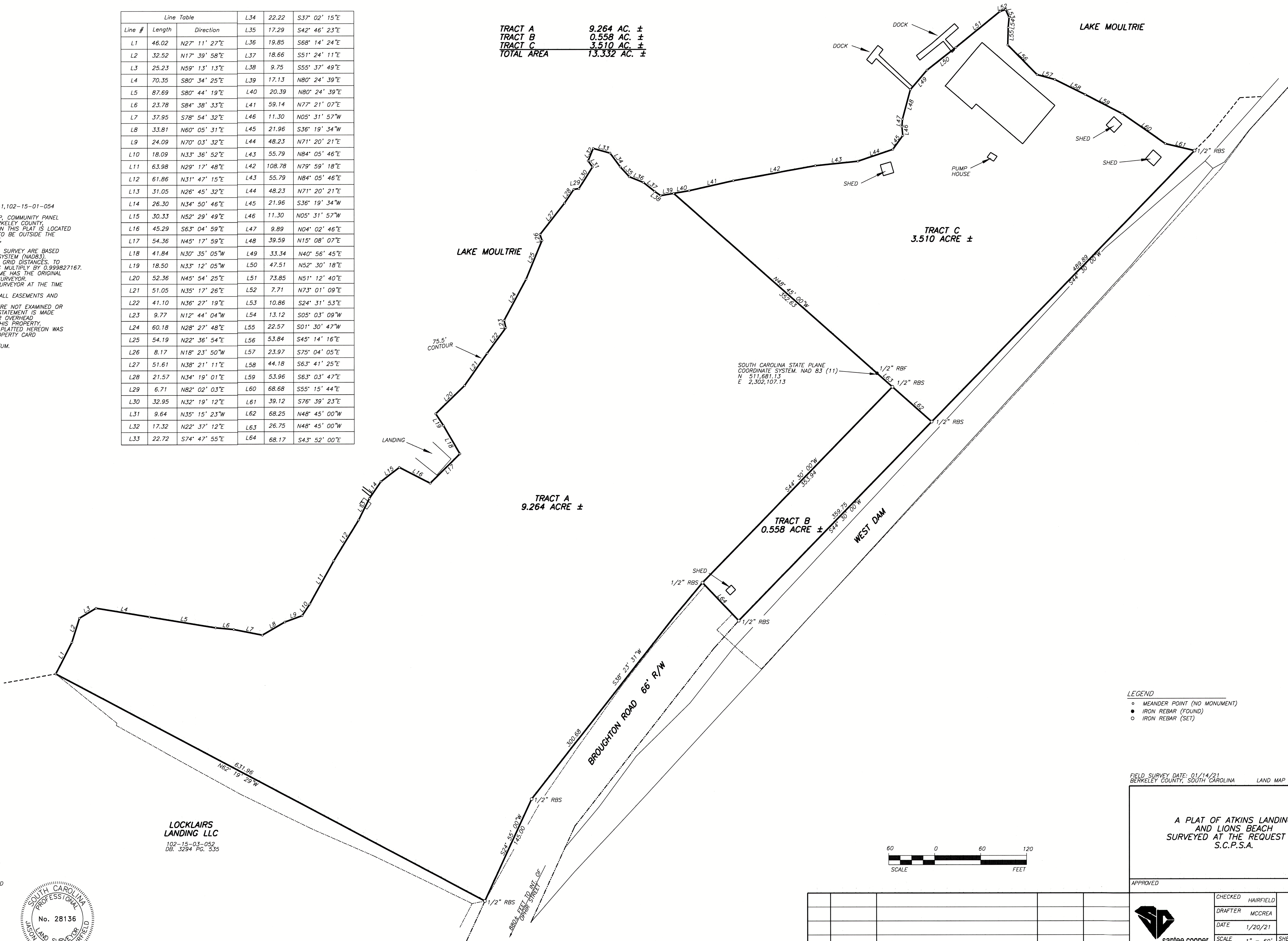
NOTES:

1. TAX MAP NO. (PARENT TRACT): 102-15-02-041, 102-15-01-054 AND 102-15-01-002.
2. ACCORDING TO S.C. FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 45015C03B5E, EFFECTIVE DATE 12/7/18, BERKELEY COUNTY, IT IS MY OPINION THAT THE PROPERTY SHOWN ON THIS PLAT IS LOCATED IN FLOOD HAZARD ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN AND ZONE AE, BASE FLOOD ELEVATIONS DETERMINED.
3. ALL BEARINGS AND COORDINATES SHOWN ON THIS SURVEY ARE BASED ON SOUTH CAROLINA STATE PLANE COORDINATE SYSTEM (NAD83). DISTANCES SHOWN ARE GROUND DISTANCES, NOT GRID DISTANCES. TO CONVERT GROUND DISTANCES TO GRID DISTANCES MULTIPLY BY 0.999827167.
4. THIS SURVEY IS VALID ONLY IF THE PRINT OF SAME HAS THE ORIGINAL SIGNATURE AND EMBOSSED SEAL OF THE LAND SURVEYOR.
5. A TITLE SEARCH WAS NOT PERFORMED BY THIS SURVEYOR AT THE TIME OF THIS SURVEY.
6. THE PROPERTY PLATTED HEREON IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
7. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AN ELEMENT OF THIS SURVEY. NO STATEMENT IS MADE REGARDING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONTINGENCIES THAT MAY AFFECT THE USE OF THIS PROPERTY.
8. AS OF THE DATE OF THIS PLAT, THE PROPERTY PLATTED HEREON WAS ZONED AS BERKELEY COUNTY-R2 PER THE PROPERTY CARD OBTAINED FROM BERKELEY COUNTY GIS.
9. CONTOUR ELEVATION IS BASED ON NGVD 29 DATUM.
10. DEED REFERENCE: D.B. 4941, PG. 085.

Line Table			L34	22.22	S37° 02' 15"E
Line #	Length	Direction	L35	17.29	S42° 46' 23"E
L1	46.02	N27° 11' 27"E	L36	19.85	S68° 14' 24"E
L2	32.52	N17° 39' 58"E	L37	18.66	S51° 24' 11"E
L3	25.23	N59° 13' 13"E	L38	9.75	S55° 37' 49"E
L4	70.35	S80° 34' 25"E	L39	17.13	N80° 24' 39"E
L5	87.69	S80° 44' 19"E	L40	20.39	N80° 24' 39"E
L6	23.78	S84° 38' 33"E	L41	59.14	N77° 21' 07"E
L7	37.95	S78° 54' 32"E	L46	11.30	N05° 31' 57"W
L8	33.81	N60° 05' 31"E	L45	21.96	S36° 19' 34"W
L9	24.09	N70° 03' 32"E	L44	48.23	N71° 20' 21"E
L10	18.09	N33° 36' 52"E	L43	55.79	N84° 05' 46"E
L11	63.98	N29° 17' 48"E	L42	108.78	N79° 59' 18"E
L12	61.86	N31° 47' 15"E	L43	55.79	N84° 05' 46"E
L13	31.05	N26° 45' 32"E	L44	48.23	N71° 20' 21"E
L14	26.30	N34° 50' 46"E	L45	21.96	S36° 19' 34"W
L15	30.33	N52° 29' 49"E	L46	11.30	N05° 31' 57"W
L16	45.29	S63° 04' 59"E	L47	9.89	N04° 02' 46"E
L17	54.36	N45° 17' 59"E	L48	39.59	N15° 08' 07"E
L18	41.84	N30° 35' 05"W	L49	33.34	N40° 56' 45"E
L19	18.50	N33° 12' 05"W	L50	47.51	N52° 30' 18"E
L20	52.36	N45° 54' 25"E	L51	73.85	N51° 12' 40"E
L21	51.05	N35° 17' 26"E	L52	7.71	N73° 01' 09"E
L22	41.10	N36° 27' 19"E	L53	10.86	S24° 31' 53"E
L23	9.77	N12° 44' 04"W	L54	13.12	S05° 03' 09"W
L24	60.18	N28° 27' 48"E	L55	22.57	S01° 30' 47"W
L25	54.19	N22° 36' 54"E	L56	53.84	S45° 14' 16"E
L26	8.17	N18° 23' 50"W	L57	23.97	S75° 04' 05"E
L27	51.61	N38° 21' 11"E	L58	44.18	S63° 41' 25"E
L28	21.57	N34° 19' 01"E	L59	53.96	S63° 03' 47"E
L29	6.71	N82° 02' 03"E	L60	68.68	S55° 15' 44"E
L30	32.95	N32° 19' 12"E	L61	39.12	S76° 39' 23"E
L31	9.64	N35° 15' 23"W	L62	68.25	N48° 45' 00"W
L32	17.32	N22° 37' 12"E	L63	26.75	N48° 45' 00"W
L33	22.72	S74° 47' 55"E	L64	68.17	S43° 52' 00"E

TRACT A  
TRACT B  
TRACT C  
TOTAL AREA

9.264 AC. ±  
0.558 AC. ±  
3.510 AC. ±  
13.332 AC. ±



LEGEND

- MEANDER POINT (NO MONUMENT)
- IRON REBAR (FOUND)
- IRON REBAR (SET)

FIELD SURVEY DATE: 01/14/21  
BERKELEY COUNTY, SOUTH CAROLINA LAND MAP NO. 13

A PLAT OF ATKINS LANDING  
AND LIONS BEACH  
SURVEYED AT THE REQUEST OF  
S.C.P.S.A.

APPROVED

	CHECKED	HAIRFIELD	SURVEY
	DRAFTER	MCCREA	
	DATE	1/20/21	
	SCALE	1" = 60'	
PROJ. NO.	DRAWING NO.	5015-D03-5932	SHEET 1 OF 1

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, MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN.

JASON B. HAIRFIELD  
P.L.S. NO. 28136  
ONE RIVERWOOD DRIVE  
MONCK'S CORNER, S.C. 29461





## Zoning Special Exception Application

**Town of Moncks Corner  
Department**

**Planning**

Special Exception #: \_\_\_\_\_

Date: \_\_\_\_\_

Property Owner: SCPSA  
Owner Address: PO Box 2946101  
Moncks Corner, SC 29461-6101  
Owner Phone Number: (843) 761-8000 Ext 4070  
Applicant: Berkeley County  
Applicant Address: 1003 US Hwy 52 N  
Moncks Corner, SC 29461  
Applicant Phone Number: (843) 719-4131  
Property Interest: \_\_\_\_\_  
Property Location: (a plat must accompany this application)

Do Not Write In This Space

Advertised: \_\_\_\_\_  
Public Hearing: \_\_\_\_\_  
Receipt #: \_\_\_\_\_  
Property Posted: \_\_\_\_\_  
Fee Paid: \_\_\_\_\_  
Application Taken By: \_\_\_\_\_

End of Broughton Road; former Atkins Landing/Lions Beach

102-15-02-041, 102-15-01-054,  
Tax Map Number: 102-15-01-002 Lot Dimensions: 1330' x 540'  
Zoning Classification: C-2 Lot Area: 14.1 ac  
Current Use of Property: Vacant

Has any application involving this property been considered previously by the Moncks Corner Board of Appeals?  
If yes, please state details.

No

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.

Section 7-5.1.e.1 - Requesting special exception to remove requirement of a landscape island every ten spaces within the boat trailer parking area only. Propose to provide an equivalent area and quantity of required plantings around the perimeter of the boat trailer parking area. This will enhance safety and better preserve planted areas over time.

Signature of Applicant: 

Date: 06-02-21

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 special exception.

Approved ☐ Date: \_\_\_\_\_  
Disapproved ☐

lease agreement with SCPSA enclosed  
Owner \_\_\_\_\_ Date \_\_\_\_\_

Chairman, Board of Appeals \_\_\_\_\_