



# BOARD OF ZONING APPEALS

Town Council Chambers, Moncks Corner Municipal  
Complex, 118 Carolina Avenue  
TUESDAY, JULY 02, 2024 at 6:00 PM

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## AGENDA

### CALL TO ORDER

### ADOPTION OF MINUTES

1. Approval of Minutes for the June 4, 2024 meeting.

### NEW BUSINESS

### OLD BUSINESS

2. Consider a Special Exception (SE-24-02) request to establish a "mini-warehouse and vehicle storage" use in the General Commercial (C-2) zoning district located on Rembert C. Dennis (143-09-04-033 & 143-09-04-034).

### 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 4, 2024, at 6:00 PM

## MINUTES

### CALL TO ORDER

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

#### PRESENT

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

#### STAFF PRESENT

Justin Westbrook, Development Director

#### ABSENT

NONE

### APPROVAL OF MINUTES

1. Approval of Minutes for the April 2, 2024, meeting.

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

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

### NEW BUSINESS

1. Consider a Special Exception (SE-24-02) request to establish a "mini-warehouse and vehicle storage" use in the General Commercial (C-2) zoning district located on Rembert C. Dennis Boulevard (143-09-04-033 & 143-09-04-034).

Mr. Westbrook presented the item.

Chairman Pellum asked if the landscape plan for this application was compared to the landscape plan on the previously approved "mini-warehouse and vehicle storage" use to the north. Staff indicated it had not.

Chairman Pellum asked if a landscape plan had been submitted. Staff responded that no landscape plan beyond the renderings has been provided to date.

Michael Flannery, of Boats & Towes, the applicant, spoke in favor of the application.

Chairman Pellum asked if a fence would be installed along the other three sides of the property, beyond the road frontage. Mr. Flannery stated that he was hoping to use the adjacent property's proposed fence along their northern property line. Chairman

Pellum stated there may be a drainage easement along that property line, so tying in to an adjacent fence may not be possible.

Chairman Pellum asked what the applicant intended to use as fencing. Mr. Flannery explained they were looking to use a wood fence for cost saving benefit, and was unsure what they would install along the eastern property line, but would use wood along the southern property line adjacent to Oaks Mall and the bowling alley.

Chairman Pellum asked if they would leave the wooded area along to the east. Mr. Flannery stated they would like to.

Chairman Pellum asked if they would bolster the eastern property edge with additional landscaping. Mr. Flannery stated they were not planning on it.

Chairman Pellum stated he was not comfortable approving the request without knowing more about landscaping and proposed fencing. Board Member Smit agreed, stating she would like to see security around the entire project area.

Mr. Flannery stated his intention would be to add a 6-foot wood fence around the project. Chairman Pellum stated 7-foot, the maximum allowed per the Zoning Ordinance, would be preferred. Board Member Smith agreed, 7-foot would be preferred height for fencing.

Board Member Smith stated she would like the western boundary, or road frontage along Rembert C. Dennis Boulevard have a similar look and feel to the fence that was submitted and conditioned with the project to the north.

Chairman Pellum stated we needs more information, specifically a plant-specific landscape plan, fence or wall detail, photographs, and that he preferred a Traffic Impact Analysis be required. Board Member Smith agreed.

Chairman Pellum stated he was not opposed to the use, but needed more information and the applicant should go above and beyond the requirements of the Zoning Ordinance when considering a Special Exception.

Board Member Smith asked if any lighting was proposed. Mr. Flannery stated that was not considered at this time. Chairman Pellum asked Staff is a lighting plan would be required, to which Mr. Westbrook stated that was his understanding.

Chairman Pellum asked Staff when the applicant would need to submit the requested information to be on the agenda in July. Mr. Westbrook stated the applicant would need to have all materials to Staff by June 18<sup>th</sup>.

Motion made by Chairman Pellum to continue the request to the July 2 meeting. Seconded by Board Member Smith.

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

## **OLD BUSINESS**

## **PLANNER'S COMMENTS**

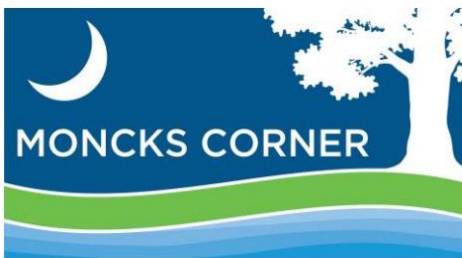
**MOVE TO ADJOURN**

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

Voting Yea: Chairman Pellum, Board Member McLaughlin, Board Member Haynes-Smith, Board Member Smith and Board Member Morton. Meeting was adjourned at 6:29 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



### STAFF REPORT

**TO:** Board of Zoning Appeals

**FROM:** Justin Westbrook, Community Development Director

**SUBJECT:** Special Exception (SE-24-02) – Michael Flannery

**DATE:** July 2, 2024

**Background:** The applicant, Michael Flannery, has applied for a **Special Exception** (SE-24-02) for two (2) adjoining parcels, owned by Robert & Shelby Colley (TMS # 143-09-04-033 & 143-09-04-034). The applicant is seeking to establish a “mini-warehouse and vehicle storage” use for the subject parcels within the **C-2 – General Commercial** zoning district, as prescribed in the Zoning Ordinance (Section 6-9).

**Existing Zoning:** The subject parcel is currently in the **C-2 – General Commercial** zoning district. Per the Town’s Zoning Ordinance, the Office & Institutional 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	VACANT
South	C-2	Retail (Oaks Mall)
		Amusement Center (Swamp Fox Lanes)
East	R-1	Single-family Detached Dwelling
West	C-2	Retail (Marvin’s)

**Existing Site Conditions:** The subject parcels comprise approximately 2.1 acres, which are currently vacant and undeveloped. The parcel is currently accessible by Rembert C. Dennis Boulevard, with approximately 180-feet of frontage, and is largely cleared with some wooded area towards the rear of the lots. The parcels to the east are single-family detached homes within the Sterling Oaks neighborhood and Stoney Landing neighborhood. The parcels directly to the south are developed and comprise the Oaks Mall and Swamp Fox Lanes, while the parcel to the west utilizes Marvin’s, a large retail use. The parcel to the north is currently vacant, however was approved recently for a similar “mini-warehouse and vehicle storage” use via Special Exception.

**Proposed Request:** The applicant has requested a **Special Exception** be issued for the property for a “mini-warehouse and vehicle storage use”. Contrasting the previous submittal, the applicant has provided a good faith effort to address those concerns heard at the June 4<sup>th</sup> meeting. Those protections include a masonry type wall along the western property boundary/ROW line with the addition of six (6) red maple trees, to mimic previously approved plans on nearby adjacent property.

On the remaining property boundaries, the applicant has shown the addition of a 6-foot wood privacy fence, enclosing the property. While no additional landscaping has been proposed around the eastern property line, except for a tree save buffer, the applicant appeared agreeable to bolster the tree save area to include a Type B yard. This will require additional plantings should the existing tree-save not be sufficient.

The applicant has also provided a lighting plan, showing minimal intrusive lights with motion sensing features on the four (4) lights to be installed. The two lights at the front, or western edge of the project will be 30% brightness until motion, in which case they will change to 100%. The lights at the rear, or eastern edge of the project, will be off until motion is sensed, and will be on 100%. At this time, Staff is unaware of how much brightness 100% or 30% translate to a measurable amount of light trespass. The Zoning Ordinance does have lighting standards, however this may be an opportunity for the Board of Zoning Appeals to require additional standards.

All other additional elements as required by the Zoning Ordinance must be met by the developer.

**Transportation:** Staff will work with the applicant on potential improvements for ingress/egress of the project on Rembert C. Dennis Boulevard, in accordance with SCDOT & Berkeley County requirements for driveway connectivity. At this time, the number of trips this proposed use would not automatically trigger a TIA, however with recent developments along Rembert C. Dennis Boulevard, Staff will require a TIA prior to Site Plan approval.

**Environmental:** Per the National Wetlands Inventory, the parcels do not appear to be subject to any wetlands.

**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.

**Consistency with Plans:** As part of the Town’s 2017 Comprehensive Plan, the Future Land Use Map identifies the subject parcels as “Commercial”. The current zoning designation is in line with the designated future land use. Per State law, the Town adopted the new 2024 Comprehensive Plan, which replaces the plan from 2017.

As part of the new 2024 Comprehensive Plan, the Future Land Use Map identifies the subject parcels as “Rural-Town Transitional Residential”. This 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 current zoning designation does not appear to be in line with the designated future land use.

**Staff Analysis:** The applicant has provided a good faith effort to meet with Staff and review the comments from the Board of Zoning Appeals meeting on June 4<sup>th</sup>. In discussion with the applicant, they have offered additional protections to mitigate their proposed use and its impact in the form of additional fencing and landscaping.

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 feels the proposed use **is compatible** with the purpose and intent of the Town’s 2017 Comprehensive Plan, as well as the character and intent of the underlying zoning district, however the use **is not compatible** with the newly adopted 2024 Comprehensive Plan. This is not a terrible cause for concern, as the property was recently rezoned to accommodate this use type.*
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 feels that the proposed use **may be compatible** with the existing uses in the vicinity, such as the Oaks Mall, Marvin’s, Swamp Fox Lanes and the recently approved Special Exception for a “mini-warehouse and vehicle storage” use. However, Staff is still concerned with the incompatibility of adjacent single-family detached residential uses to the east. The applicants have bolstered their request with a Zoning Ordinance prescribed tree buffer and 6-foot fence, which was notably missing from the last request. Rembert C. Dennis appears to be a commercial corridor, with big box, a gas station and strip centers to the south and similar uses to the north of the subject parcel.*
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 has reviewed the updated attached Site Plan and it does appear to meet the Zoning Ordinance as prescribed. With the additional landscaping, wood perimeter fence and front masonry wall, Staff **feels that some adequate provisions** have been added. Staff believes that a specific use requiring higher scrutiny in this particular zoning district should go above the Zoning Ordinance to mitigate impact, particularly adjacent to single-family detached residential, which the applicant appears to have attempted.*

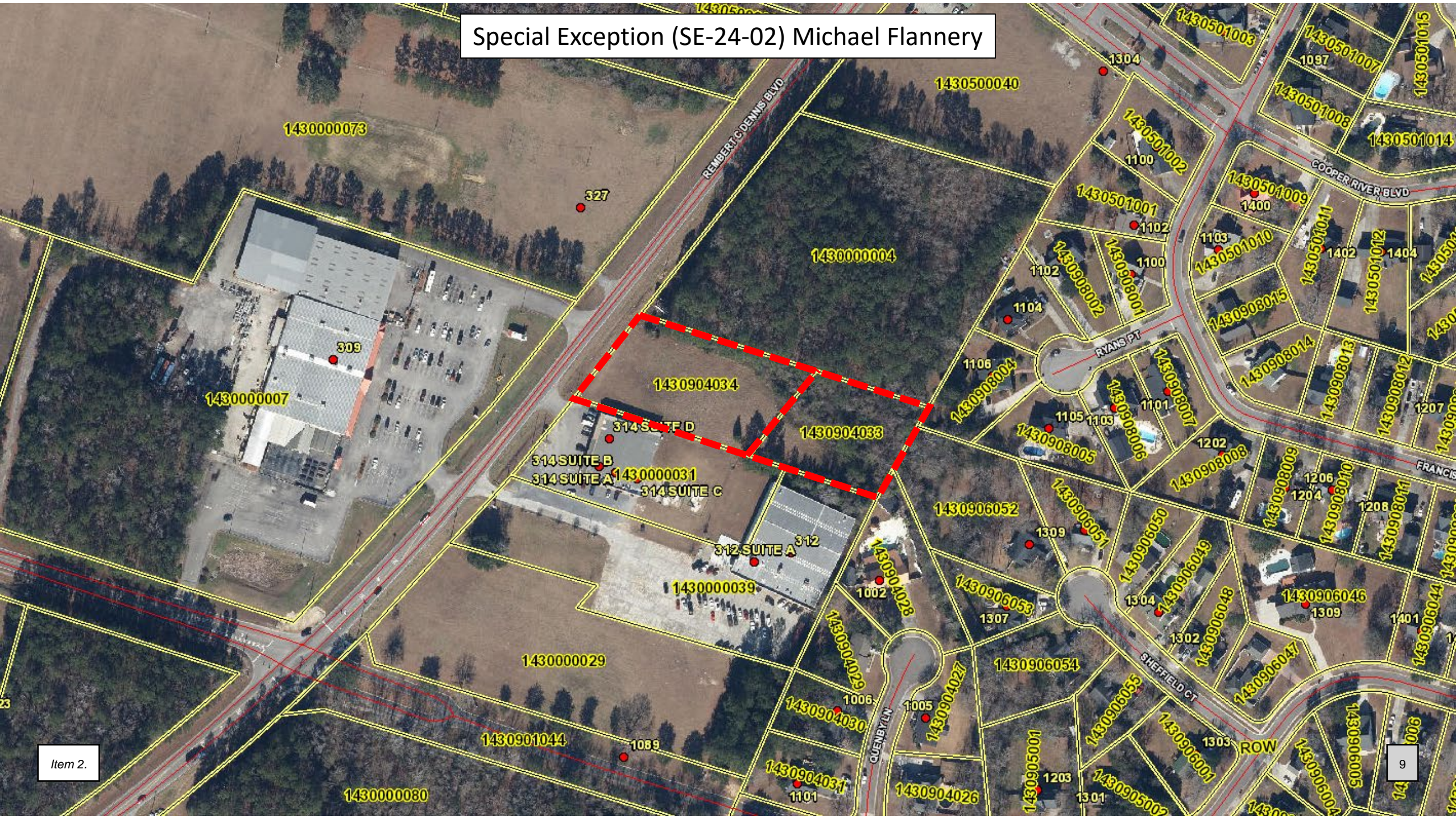
4. Where applicable, the proposed use will be developed in a way that will preserve and incorporate and important natural features;  
*Staff believes that the submitted Site Plan will **generally preserve and incorporate important natural features**. It appears thought has been paid to preserving existing trees.*
5. The proposed use shall not destroy, create a loss, or cause damage to natural, scenic, or historic features of significant importance;  
*The applicant has shown a protected landscape buffer to the rear (east) of the parcel and has added a prescribed buffer yard and 6-foot privacy fence to help mitigate their impact on adjacent residential uses. The applicant has agreed to add additional landscaping for the road frontage of the parcel, which will add to the impact of visual aesthetics of Rembert C. Dennis Boulevard. Staff believes this proposal **does not appear to** destroy, create a loss, or cause damage. No historical features of significant importance appear on the property to Staff's knowledge.*
6. Vehicular traffic and pedestrian movement on adjacent roads shall not be hindered or endangered.  
*Staff believes, with all recommendations of a Traffic Impact Analysis (TIA) to be installed by the developer, that vehicular traffic and pedestrian movement on adjacent roads most likely will **not be hindered**. The type of vehicles expected to be entering and exiting the subject parcel, along with the limited capacity and width of Rembert C. Dennis, may make traffic unsafe and more congested, however the TIA will address those concerns and the developer will act accordingly. It is important to note in the Applicant's Comments (20240425), "no sidewalks or other pedestrian access" are currently at this location; this will be required as part of the Site Plan to install sidewalks along Rembert C. Dennis Boulevard.*
7. The proposed use complies with all applicable regulations and development standards of the Town.  
*During a preliminary review of the provided Site Plan, it appears all applicable regulations and development standards **have been complied with**. During the official review and approval, Staff will ensure **the proposed use complies** with all applicable regulations and development standards.*

**Staff Recommendation:** Staff recommends the Board of Zoning Appeal consider the impacts of the proposed use on adjacent to residential parcels. Staff believes the applicant has not attempted to shield the existing residential neighborhoods from their impacts and has not fulfilled the considerations of a **Special Exception** for the subject parcels.

*Attachments:                    Location Maps (Aerial, Zoning, Future Land Use Map)  
     SIGNED - Application (Michael Flannery, Business Owner)(20240418)  
     Applicant's Comments (20240425)  
     Existing Conditions (20240521)  
     Site Plan (20240624)  
     Lighting Plan (20240624)  
     Renderings (20240624)*



Special Exception (SE-24-02) Michael Flannery





# Special Exception (SE-24-02) Michael Flannery



Item 2.

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Special Exception (SE-24-02) Michael Flannery

Santee Cooper

REMBERT C

Stoney Landing

Stone Ridge

REMBERT C DENNIS BLVD

Sterling Oaks

Subject Parcels

- Proposed Future Land Use (FLU) Areas**
- HD Residential Nodes
  - Recreation Node
  - Commercial Nodes
  - ◆ Mixed Use Node
  - Low Density Residential
  - Medium Density Residential
  - High Density Residential
  - Corner Renaissance
  - Commercial
  - Employment
  - Public/Institutional
  - Recreation/Open Space
  - Proposed Employment
  - Proposed High Density Residential
  - Proposed Recreation/Open Space
- Berkeley County Future Land Use**
- Conservation/Recreation
  - Constrained Residential Growth
  - Employment
  - Low Density Suburban
  - Moderate Density Suburban

Item 2.



Special Exception (SE-24-02) Michael Flannery

Santee Cooper

Stoney Landing

Stone Ridge

Sterling Oaks

Subject Parcels

**LEGEND**

***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

***EXPANSION AREA FUTURE LAND USE DESIGNATIONS***

- Rural-Town Transitional Residential
- Town Character Residential
- Suburban Character Residential
- Town Character Mixed-Use
- Institutional
- Highway Commercial Overlay (1000ft Buffer)
- Mixed Use Overlay (250 ft)
- Town Boundary
- Town Proposed Expansion Area



## Zoning Special Exception Application

### PROPERTY OWNER

COLLEY ROBERT G & SHELBY J

### ADDRESS

318 Rembert C Dennis Blvd Moncks Corner 29461

### OWNER PHONE #

843.640.0061

## Applicant Information

### APPLICANT NAME

Michael Flannery

### ADDRESS

206 W Pine St Summerville 29485

### APPLICANT PHONE #

843.640.0061

### PROPERTY LOCATION

318 Rembert C Dennis Blvd

### UPLOAD PLAT

[1iNoU5njNo1m-Capture.png](#)

## Property Information

### TAX MAP #

143-09-04-034 & 143-09-04-033

### ZONING CLASSIFICATION

C-2

CURRENT USE OF PROPERTY	LOT DIMENSIONS	LOT AREA
Vacant	~180' x ~ 512'	2.1 Acres

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

No it has not

**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 special exception for mini storage / outdoor storage. We are a group of local families looking to start an outdoor boat, RV, and Trailer storage facility. We have seen significant growth in the area mostly in HOA's where parking for boats and RV/campers can be limited. We want to allow all of our local residents to have an opportunity to explore all the low country has to offer. We will not be allowing commercial tenants and would like to provide an upscale service with fencing, landscaping, gated access, and amenities for local users.

**SIGNATURE OF APPLICANT**



**DATE**

04/18/2024



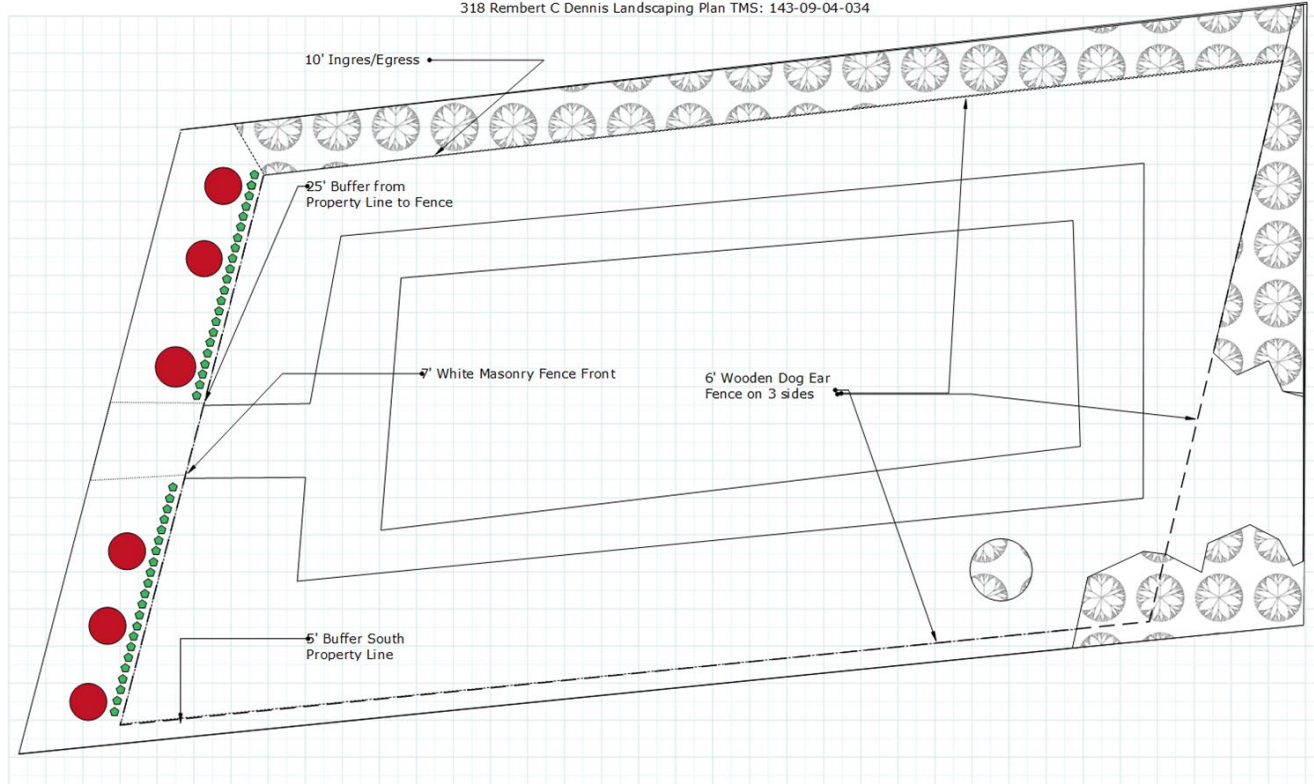


**GENERAL PLANTING NOTES:**

1. STREET TREES SHALL BE INSTALLED SUCH THAT ONE TREE IS REQUIRED ALONG THE STREET AS SHOWN, SPACED EVERY 20 FEET.
2. ALL CANOPY TREES SHALL BE A MIN 8' TALL AND 2.5" CALIPER AT THE TIME OF PLANTING.
4. ALL SHRUBS WILL BE A MINIMUM OF 3 GALLONS AT THE TIME OF PLANTING AND 8' MATURE HEIGHT.
5. ADDITIONAL LANDSCAPING ON SITE MAY BE PROVIDED BY DEVELOPER.

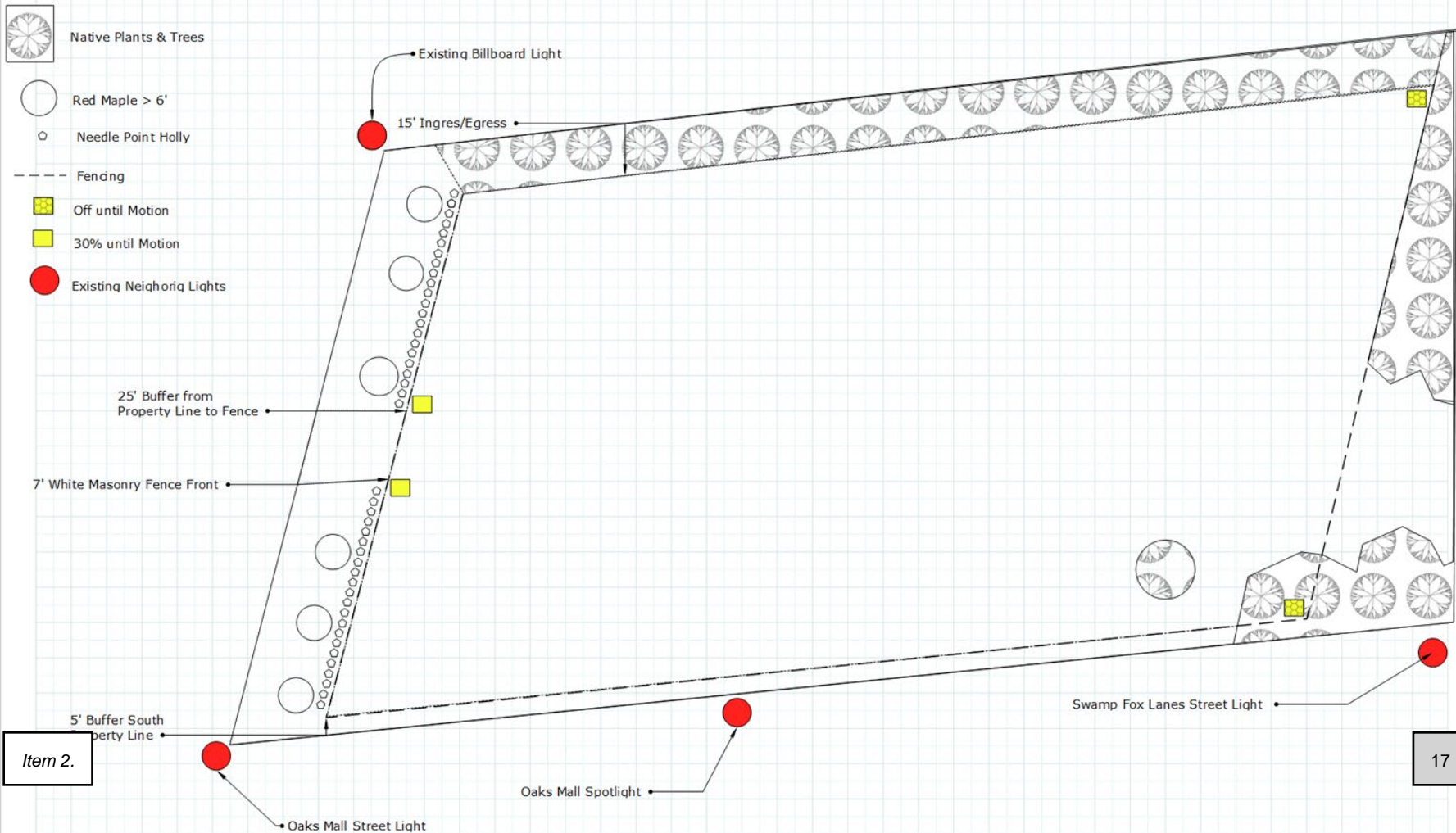
	TAX MAP INFORMATION:	143-09-04-034
	SUBJECT PARCEL ZONING:	GENERAL COMMERCIAL
	SITE BUFFER REQUIREMENTS	FRONT: 10' TYPE A (STREET) REAR: NATURAL BUFFER SIDE: NATURAL BUFFER/NONE
	ADDRESS	318 REMBERT C DENNIS BLVD MONCK'S CORNER, SC
	BOAT/RV PARK	50
	TOTAL LOT AREA	1.29 Acres
	UNUSED LOT AREA	XX
	PERCENTAGE LOT COVERAGE	XX
	CURRENT ZONING	C-2
	MINIMUM FRONT YARD DEPTH	25'
	SIDE SETBACK	10'
	REAR SETBACK	XX

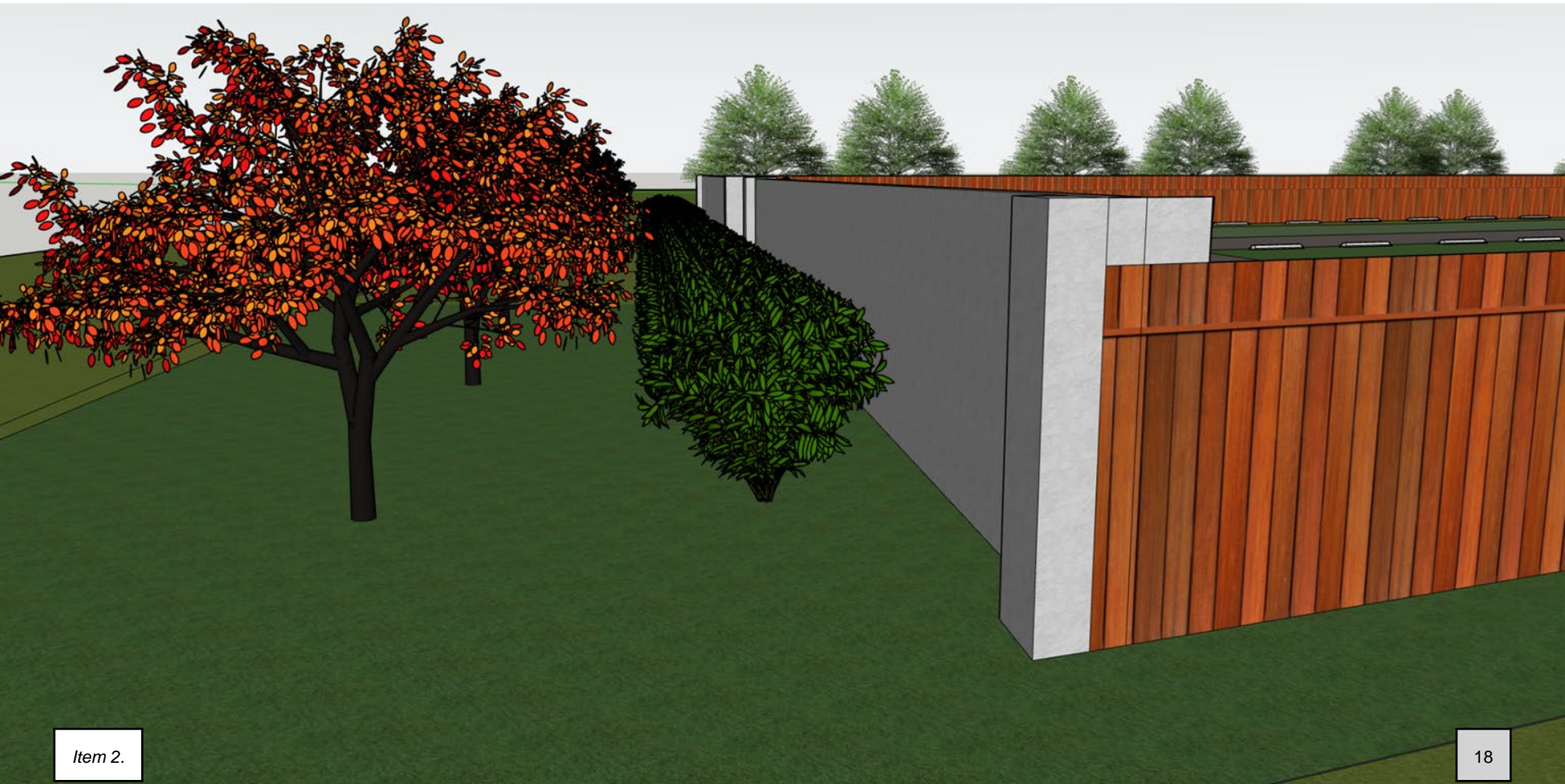
PLANT	BOTANICAL/COMMON NAME	SIZE	SPACING	QTY
<b>NATIVE TREES</b>				
	NATIVE PLANTS & TREES	-	AS EXISTS	-
<b>CANOPY TREES</b>				
	ACER RUBRUM / RED MAPLE	2.5" CAL 8'HT	AS SHOWN	6
<b>SHRUBS</b>				
	UTA / INT HOLLY	3 GAL	AS SHOWN	44



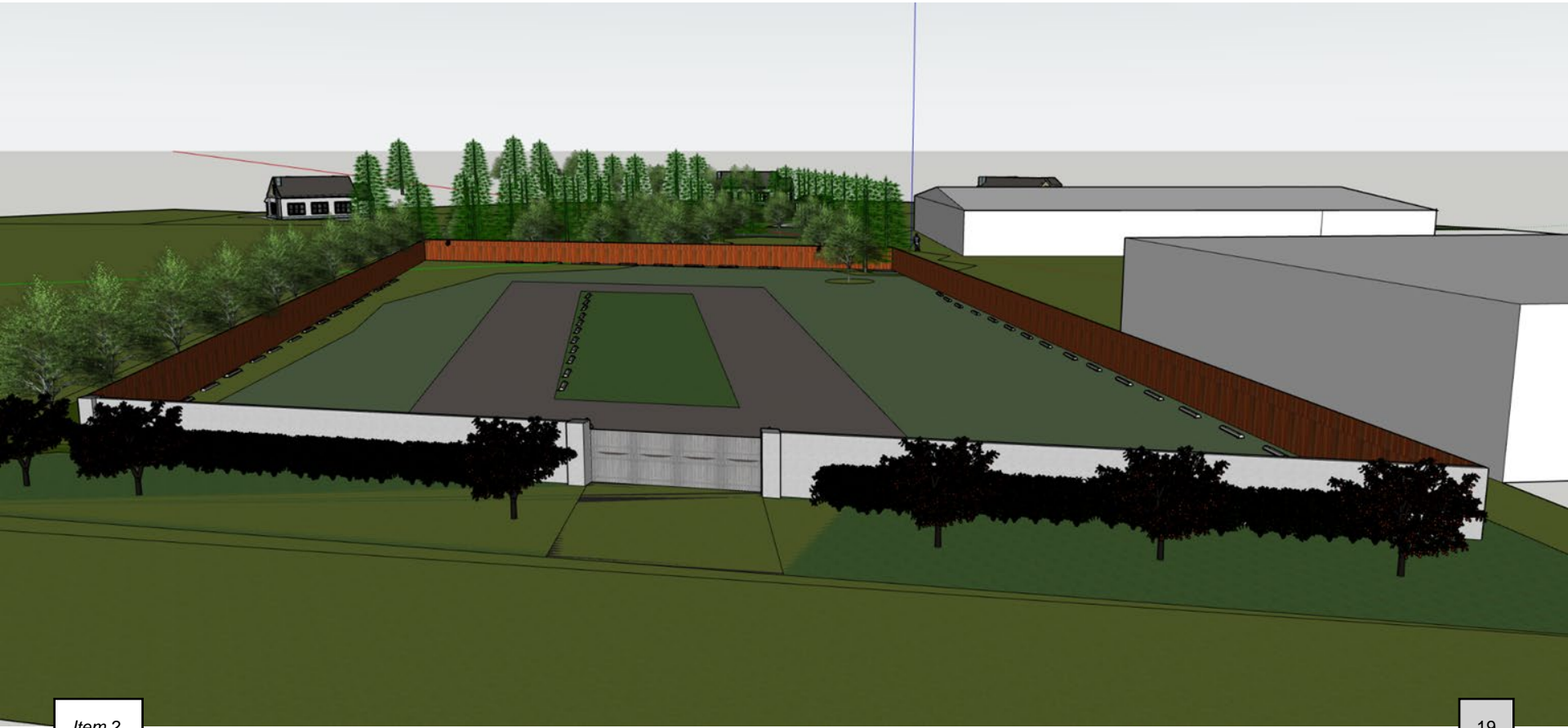
--- Fencing





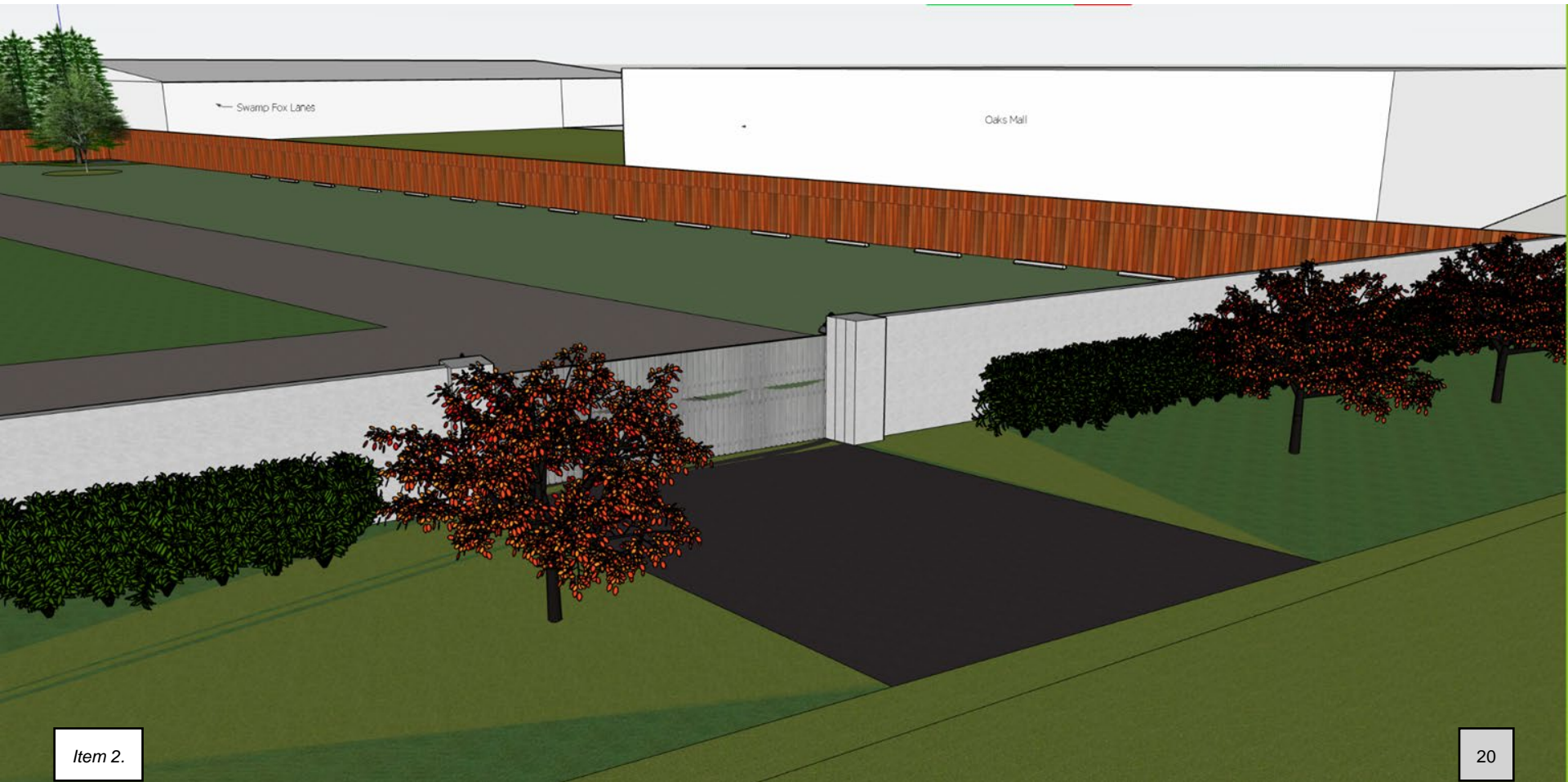


Item 2.



Item 2.



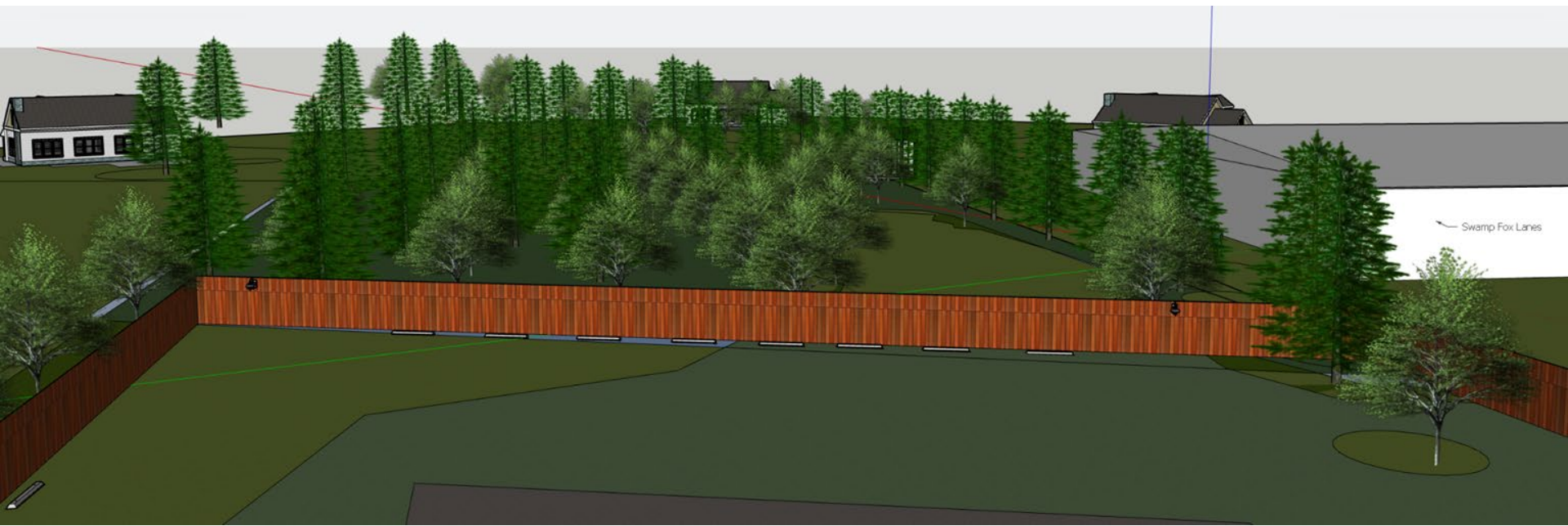


← Swamp Fox Lanes

Oaks Mall

Item 2.

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Item 2.