

ORDINANCE NO. 2022-__

AN ORDINANCE TO ANNEX REAL PROPERTY LOCATED ALONG VANIHAYN DRIVE, TMS# 122-00-02-009, INTO THE CORPORATE LIMITS OF THE TOWN OF MONCKS CORNER, TO RE-CLASSIFY SAID PROPERTY FROM FLEX1, AGRICULTURAL DISTRICT (BERKELEY COUNTY) TO R-2, SINGLE-FAMILY RESIDENTIAL (MONCKS CORNER) WITH CONDITIONS, AND TO AMEND THE OFFICIAL ZONING MAP OF THE TOWN OF MONCKS CORNER TO SO REFLECT

WHEREAS, a proper petition has been filed with the Town Council by 100 percent of the freeholders owning 100 percent of the assessed value of the contiguous property hereinafter described petitioning for annexation to the Town under the provisions of S.C. Code Section 5-3-150(3); and

WHEREAS, the area to be annexed also includes any rights-of-way, roads, or railroad tracks located adjacent to the described property; and

WHEREAS, a request has been presented to the Moncks Corner Town Council by the owner of the property designated on the Tax Map Records of Berkeley County, South Carolina as TMS # 122-00-02-009 to subsequently re-classify the property from Flex1, Agricultural District (Berkeley County) to R-2, Single-Family Residential (Moncks Corner) with Conditions; and

WHEREAS, it is necessary and desirable to reclassify said property from Flex1, Agricultural District (Berkeley County) to R-2, Single-Family Residential (Moncks Corner) with Conditions; and

WHEREAS, the Moncks Corner Planning Commission, during a meeting held on August 23, 2022, recommended to the Moncks Corner Town Council to annex said property and classify that property to the appropriate zoning classification of R-2, Single-Family Residential (Moncks Corner) with Conditions;

WHEREAS, the conditions to be placed upon these three parcels are described as follows:

1. Density shall be capped at 33 units.
2. Lot requirements shall be as follows:
 - a. Minimum lot width: 55 feet
 - b. Front Setback: 25 feet
 - c. Rear Setback: 20 feet
 - d. Side Setback: 7.5 feet
3. The property is earning a density incentive, reducing minimum lot size from 12,000 square feet to 8,500 square feet through the following activities:
 - a. Neighborhood Revitalization
 - b. Minimal Repetition of Floor Plans
 - c. HOA Maintained Amenities
 - d. Extra Trees & Shrubs

ORDINANCE NO. 2022-__ CONTINUED:

- e. Decorative Crosswalks
 - f. Unique Street Name Signs
4. A gated emergency access point will be placed at Morrow Street
 5. No emergency access point will be required on Vanihayn Drive, as per the agreement of the developer and the neighborhood. However, should the neighborhood come to believe that traffic has increased in a detrimental fashion, the developer agrees to place an emergency access point at the northwest corner of the subject property and Vanihayn Drive.
 6. A Homeowner's Association will be established, which will maintain in perpetuity all private roadways, streetlights, sidewalks, and stormwater facilities.
 7. \$500 per lot in the newly annexed area to be donated to the Vanihayn Community for use in the construction of a neighborhood pavilion or other community space. This money will be paid to the Town at the time of permitting for each home, held in trust for the community. The Town will release the funds to the community at such time as a permit has been obtained through Berkeley County for the construction of the community space. These funds will be held by the Town for no more than three (3) years. Should the funds not be requested by the neighborhood for the construction of their space within three years of the issuance of the final Certificate of Occupancy within the subject property, the funds will assumed by the Town's Corner Renaissance redevelopment fund.
 8. Progress shall be evaluated on an annual basis by the Zoning Administrator. If reasonable steps towards completion of the project have not been made after two years, the Zoning Administrator reserves the right to begin proceedings to rezone the property to a zone compatible with the area.

Timeline benchmarks include the following:

- a. Two Years: Engineering complete
 - b. Three Years: Land clearing and infrastructure underway
 - c. Four years: Residential construction begins
9. These conditions may be modified in the future by the Zoning Administrator if such amendments are considered by the Zoning Administrator to be minor in nature, in the manner of minor amendments to planned developments.

NOW, THEREFORE, BE IT ORDAINED and ordered by the Mayor and Town Council of the Town of Moncks Corner, South Carolina, in Council duly assembled on this 18th day of October, 2022, that the property herein described is hereby annexed to and becomes a part of the Town of Moncks Corner effective immediately; and

ORDINANCE NO. 2022-__ CONTINUED:

BE IT FURTHER ORDAINED that the property herein described shall be zoned R-2, Single-Family Residential (Moncks Corner) with Conditions; and

BE IT FURTHER ORDAINED that the official zoning map of the Town of Moncks Corner be, and the same hereby is, amended to so reflect.

DONE IN COUNCIL ASSEMBLED this 18th day of October, 2022.

First Reading: September 15, 2022

Second Reading/Public Hearing: October 18, 2022

Attest:

Marilyn M. Baker, Clerk to Council

Approved As To Form:

John S. West, Town Attorney

Michael A. Locklear, Mayor

