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Staff Report

Variance Request

DATE: September 6, 2022
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>	411 Wall Street
<i>Property TMS</i>	142-04-01-032
<i>Acreage</i>	13,630 s.f.
<i>Zoning</i>	R-2, Single Family Residential
<i>Applicant/Owner</i>	Habitat for Humanity of Berkeley County
<i>Use</i>	Vacant
<i>Request</i>	Variance to minimum lot size
<i>Current Requirements</i>	The minimum lot size in the R-2 District is 8,500 s.f.

Background

The applicant, Habitat for Humanity, is seeking to reduce the required lot size for the lot at the northwest corner of Wall Street and Hutchinson Lane. Habitat purchased this lot in April, 2021, and the remaining lots on the west side of Hutchinson in March, 2022. Habitat intends to build approximately five or six homes on the lots in the future, with the house at the corner beginning immediately.

In the past, Habitat has applied for and received similar variances, including George Street in March of 2017 and Jenkins Street in November of 2018.

In this case, the minimum lot size in the R-2 zone is 8,500 s.f. The applicant is seeking to reduce the minimum lot size to 6,815 s.f. The applicant is not seeking to reduce the minimum lot width of 70', with the new lots being at least 71.5' wide.

The Wall Street neighborhood has a wide variety of lot sizes, but the six lots on the east side of Hutchinson Lane average 6,530 s.f. As such, the lots Habitat seeks to create are slightly larger than average for the street. This variance will allow for the construction of at least one additional house on Hutchinson, providing more genuinely affordable housing for the area while spreading the cost of infrastructure improvements to the road and utilities across at least one more home. In 2021, Berkeley County awarded a Community Development Block Grant to the applicant to help pay for these infrastructure improvements.

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 applicant can build on this property following the current design standards.

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?

No. The area is zoned for 8,500 square foot minimum lots, but many lots in the area are at or below the size requested by the applicant. The average size of the lots on Hutchinson Lane are 6,530 s.f. The applicant's proposed lot size is larger than this.

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?

The applicant is a non-profit, so profit is not the motive. While it is true that the applicant could build more houses with a smaller lot size, this better fulfills the organization's vision of a world where everyone has a decent place to live. Moreover, this smaller lot size is in keeping with the neighboring properties.

Staff Recommendation

Staff must note that Mr. Polen is the board chairman of Habitat for Humanity of Berkeley County. However, Mr. Polen has no financial interest in Habitat for Humanity.

That having been said, the Board has supported smaller lot sizes in keeping with the neighborhood on prior occasions for Habitat, both in the Wall Street and the George Street neighborhoods. Likewise, staff recommends **APPROVAL** for this 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.