

ORDINANCE NO. 2022-__

AN ORDINANCE TO ANNEX REAL PROPERTY LOCATED AT THE END OF PERRY HILL ROAD, TMS 142-14-00-030, INTO THE CORPORATE LIMITS OF THE TOWN OF MONCKS CORNER, TO RE-CLASSIFY SAID PROPERTY FROM R2, MANUFACTURED RESIDENTIAL DISTRICT (BERKELEY COUNTY), TO R-3, SINGLE-FAMILY ATTACHED 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 # 142-14-00-030 to subsequently re-classify the property from R2, Manufactured Residential District (Berkeley County) to R-3, Single-Family Attached Residential (Moncks Corner) with Conditions; and

WHEREAS, it is necessary and desirable to reclassify said property from R2, Manufactured Residential District (Berkeley County) to R-3, Single-Family Attached 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-3, Single-Family Attached 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 105 units.
2. Full access will be provided at Perry Hill and Elloise Drive. Any upgrades to either road required by SCDOT or Berkeley County will be provided by the developer. At minimum, a direct route from the development to U.S. 52 shall be paved to Berkeley County standards.
3. The property is earning a density incentive, reducing minimum lot size from 12,000 square feet to 2,200 square feet through the following activities:
 - a. Neighborhood Revitalization donation of \$1,000 per unit
 - b. U.S. 52 median plantings from the median break at 1404 Hwy 52 to the median break at Wigfall Street.

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- c. HOA Maintained Amenities
 - d. Extra Trees & Shrubs
 - e. Decorative Crosswalks
 - f. Unique Street Name Signs
4. A Homeowner's Association will be established, which will maintain in perpetuity all private roadways, street trees, streetlights, sidewalks, and stormwater facilities, in addition to any other requirements listed in the Zoning Ordinance.
5. 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
6. 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

BE IT FURTHER ORDAINED that the property herein described shall be zoned R-3, Single-Family Attached 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.

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

First Reading: September 15, 2022

Second Reading/Public Hearing: October 18, 2022

Michael A. Locklear, Mayor

Attest:

Marilyn M. Baker, Clerk to Council

Approved As To Form:

John S. West, Town Attorney

