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Staff Report

Special Exception Request

DATE: April 4, 2023

TO: Moncks Corner Board of Zoning Appeals

FROM: Wyatt Stitely, Interim Town Planner

SUBJECT: Special Exception Request

ACTION REQUESTED: Consider a request for a Special Exception in the C-1 Office and Institutional District

Report Summary	
Property Location	221 N Highway 52
Property TMS	142-08-03-045
Acreage	
Zoning	C-1 Office and Institutional
Applicant/Owner	Kaifu Lin
Use	Retail Sales of Go-Karts, Mopeds, Dirt Bikes, and ATVs
Request	Special Exception to allow the retail sales of Go-Karts, Mopeds, Dirt Bikes, and ATVs
Current Requirements	

Background

The applicant is seeking to convert an old dry cleaners into a retail establishment and intends to sell Go-Karts, Mopeds, Dirt Bikes, and ATVs. Per the Zoning Ordinance, this use would not fall under the permitted 'boutique retail and restaurants less than 2,000 sf in size' or any other use listed as a permitted, conditional, or special exception under the C-1 district. However, per Section 11-2.2, Special Exceptions, the Board of Zoning Appeals has the authority to permit uses by special exception.

Analysis

Upon approval, Town Staff and the Applicant have agreed upon the following conditions:

- Parking or storage of vehicles for sale on public display shall be on paved surfaces only.
- Outdoor parking or storage of vehicles for repair or maintenance is prohibited.
- Display platforms or elevated parking structures are prohibited.
- The parking requirements shall follow the same formula as auto sales.
- Outdoor repair and maintenance of motorized vehicles shall be prohibited.
- Current landscaping and buffer requirements must be met and will include a new screening wall or fence on property line adjoining residential district.
- Chain link fencing is not permitted.
- There shall be no parking or storage of motorized vehicles from the rear of the building to the property line adjacent to the residential district.

From Section 11-2.2 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. The Comprehensive Plan shows this area as a commercial area.

- 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;

The conditions agreed upon by Town Staff and the Applicant would help mitigate any potential adverse impacts to adjacent properties.

- 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 conditions agreed upon by Town Staff and the Applicant would help mitigate any potential adverse impacts to adjacent properties.

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

The proposed use is converting an existing building into a new business establishment and therefore requires little to no development that would adversely impact any on-site natural features.

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

The proposed use is converting an existing building into a new business establishment and therefore requires little to no development that would adversely impact any on-site natural, scenic, or historical features.

- f. Vehicular traffic and pedestrian movement on adjacent roads shall not be hindered or endangered;

The conditions agreed upon by Town Staff and the Applicant would help mitigate any potential adverse impacts to vehicular traffic and pedestrian movement.

- g. The proposed use complies with all applicable regulations and development standards of the Town.

Yes. The proposed use will comply with all applicable regulations and development standards.

Staff Findings and Recommendations:

Staff recommends **APPROVAL** of this special exception request so long as the Applicant adheres to the agreed upon conditions.