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STAFF REPORT

TO: Board of Zoning Appeals

FROM: Justin Westbrook, Community Development Director

SUBJECT: Special Exception (SE-26-06) – Eric Francis – 388 Corner Square

DATE: August 4, 2026

Background: The applicant, Eric Francis, representing “The Door CFM LLC”, has applied for a **Special Exception** (SE-26-06) to establish a “Church” use for one (1) parcel (TMS #143-01-02-020) located in the **General Commercial (C-2)** zoning district, addressed as 388 Corner Square. The Town’s current Zoning Ordinance requires “Churches” use-types to only be permitted in the **General Commercial (C-2)** zoning district via **Special Exception**.

Existing Zoning: The subject parcel is currently in the **General Commercial (C-2)** zoning district. Per the Town’s Zoning Ordinance, the Transitional 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	<i>Flex1 (Berkeley County)</i>	Vehicle Storage
South	C-2	Restaurant
	C-2	Automobile Graveyard
East	<i>GC (Berkeley County)</i>	Residential
West	C-2	Restaurant
	C-2	Automotive Sales

Existing Site Conditions: The subject parcel is comprised of approximately 2.63-Acres. There appears to be approximately 159-feet of road frontage along US-52. The parcel is currently occupied by three (3) one-story buildings. Currently the existing structures on the subject-parcel are occupied by multiple tenets, but Staff understands the specific tenet space in question is vacant.

Proposed Request: The applicant has requested a **Special Exception** be issued for the property for a “Churches” use. Looking to occupy a former commercial unit, along a roadway that is seeing a high-density and high-intensity commercial use-types. The property is already set up as a commercial development, with existing parking, entrances and ADA capable facilities.

Transportation: The property is currently being used as an area for commercial activity, and is already developed, with entrances and exits to US-52 marked, of proper size and free of visual obstacles that make entering or exiting the site challenging. The property was previously noted to have enough parking for the proposed use, and a floor plan and any site changes will be analyzed by Staff at the appropriate time of permitting.

Environmental: Per the National Wetlands Inventory, the parcel does not appear to be subject to wetlands or any additional environmental concerns.

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 new 2024 Comprehensive Plan, the Future Land Use Map identifies the subject parcel as “Highway Commercial”, which is described as,

“Intended to protect and promote the historic and economic interests of the downtown. Similar to the Neighborhood Mixed Use, higher intensity commercial-residential mixed uses are encouraged. Unique, walkable and family-oriented businesses should be the focus of this designation.”

The parcel is also within the “Highway Commercial Overlay”, which is described as,

“A 1000 ft commercial buffer (2000 ft in total width) along the US 52 Corridor is approximately eleven miles in length and is intended to allow for low intensity (ideally service based) commercial businesses such as medical offices, banks, pharmacies, etc. along the highway corridor while permitting residential units behind. Higher density residential units such as multi-family apartments would be permitted, however, should be part of a larger planned development.”

Staff Analysis:

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 believes that the proposed use is **generally consistent** with the purpose and intent of the Highway Commercial land use designation and Highway Commercial Overlay as listed in the Town’s 2024 Comprehensive Plan. A church is generally compatible with both future land use designations but is not the primary use envisioned by either. In the Highway Commercial designation, the emphasis is on commercial-residential development and unique, walkable, family-oriented businesses that promote economic activity, so while a church can contribute to the community character and pedestrian environment, it does not directly advance the plan’s stated commercial objectives. In the US-52 Highway Commercial Overlay, a church is more consistent with the intent for low-intensity uses because it functions as a low-impact institutional use that is compatible with nearby commercial and to a lesser extent residential development, although it is not a commercial business like the examples provided (medical offices, banks, and pharmacies). Overall, a church would likely be considered a compatible institutional use in either designation, but it is not among the preferred or expressly encouraged land uses described in the future land use plan.*

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 feel that the proposed use **is compatible** with the existing uses in the vicinity and will not adversely affect the general welfare or character of the immediate community. The surrounding area is characterized by commercial uses permitted within the C-2 zoning district, many of which generate higher levels of traffic, noise, and operational activity than the proposed church. As an institutional use, the church is generally considered to be of equal or lower intensity than the commercial uses allowed by right in the C-2 district. The proposed church will operate in a manner that is compatible with the surrounding commercial development and is not expected to create adverse impacts on neighboring properties or alter the established character of the area.*

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 **believe adequate provisions are made** for setbacks, buffering, and site design considerations to protect adjacent properties from any potential adverse impacts associated with the proposed use. The*

proposed church use will utilize the existing developed conditions of the site and is not expected to introduce impacts typically associated with more intensive development activities, such as excessive noise, vibration, dust, glare, odor, or significant traffic congestion.

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

*Staff believe that with the proposed “churches” use **may generally preserve and incorporate important natural features**. Staff recognizes the property is currently developed, and there are limited important natural features on a developed site with limited land to develop.*

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

*Staff believes, the proposed use **will not destroy, create loss, or cause damage to natural, scenic, or historic features of significant importance** as the property is already developed and no plans have been submitted to Staff to indicate additional impacts to the natural, scenic or historical features of the property or area.*

6. Vehicular traffic and pedestrian movement on adjacent roads shall not be hindered or endangered.

*Staff believe the proposed use **may hinder** vehicular traffic or pedestrian movement on adjacent roads. The proposed church use will not hinder or endanger vehicular traffic or pedestrian movement on adjacent roads. The subject parcel is already developed with an established access and circulation pattern, and the proposed use will utilize the existing site configuration rather than introduce new roadway impacts associated with more intensive development. Church activities typically occur during scheduled services and events, resulting in predictable periods of activity that can be accommodated through the existing transportation network. The proposed use is not expected to generate traffic volumes or operational characteristics that would negatively impact adjacent roadways, pedestrian access, or overall public safety. The existing site improvements, along with appropriate parking and circulation areas, will provide safe and efficient movement for vehicles and pedestrians while maintaining compatibility with surrounding uses.*

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

*Staff will ensure **the required building permit complies** with all applicable regulations and development standards.*

Staff Recommendation: Staff generally supports this request and recommends the Board of Zoning Appeal’s consider the impacts of the proposal to grant a Special Exception for a “churches” use, specifically the existing commercial property to which they will only be a tenant.

Attachments: Application (Eric Francis)(20260625)
Location Map (SE-26-06)