



The Lowcountry's Hometown

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Staff Report

Special Exception Request

DATE: April 5, 2022
TO: Moncks Corner Board of Zoning Appeals
FROM: Douglas Polen, Community Development Director
SUBJECT: Special Exception Request
STAFF RECOMMENDATION: N/A

Report Summary	
<i>Property Location</i>	408 S. Live Oak Drive
<i>Property TMS</i>	142-10-01-054
<i>Acreage</i>	0.37 acres
<i>Zoning</i>	C-2, General Commercial
<i>Applicant/Owner</i>	Latorie Lloyd
<i>Use</i>	Daycare
<i>Request</i>	Special Exception to allow a chain link fence to be visible from the right of way
<i>Current Requirements</i>	Chain link fences are only permitted to be visible from the right of way with a special exception

Background

The applicant is opening a daycare center on the subject property. In the course of upgrading the building the applicant built a chain link fence to surround the outdoor play area. This chain link fence is plainly visible from the right of way, and so requires a special exception.

The applicant has since planted a number of shrubs in front of the fence in an effort to shield it's view from the right of way, as well as to better beautify the lot.

This parcel was last used as a used car lot, and it should be noted that the upgrades made by the applicant have made the lot much more attractive.

Analysis

From Sec. 11-2 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, this use is consistent with the character of the underlying zoning district of C-2, which allows for daycares. Moreover, the land use is commercial, which is consistent with the use.

- 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;**

Yes, the use is consistent with existing uses in the vicinity.

- 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 Town's only concern here is the chain link fence.

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

There are no natural features to the property.

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

No.

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

Staff sees no negative effect on adjacent roads.

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

The facility meets all town requirements except for the visible chain link fence.

Staff Recommendation

The question for the Board is whether the chain link fence is acceptable, if the plantings made by the applicant are sufficient, or if something else is required to better shield the fence from view.

Staff makes no recommendation on this application.

The Board may also wish to consider any specified conditions it wishes to place upon the property should it determine to grant a special exception