



*The Lowcountry's Hometown*

PO Box 700 | Moncks Corner, SC 29461 | 843.719.7900 | monckscornersc.gov

## Staff Report

### Variance Request

**DATE:** October 4, 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>	136 Pine Street / End of Williams Drive
<i>Property TMS</i>	142-05-01-027
<i>Acreage</i>	6.44 acres
<i>Zoning</i>	R-1, Single Family Residential
<i>Applicant/Owner</i>	Mary Beatty
<i>Use</i>	Residential
<i>Request</i>	<b>Variance to lot access</b>
<i>Current Requirements</i>	Per the Land Development Regulations, "Every lot shall front or abut on a street ..."

### **Background**

The applicant, Wayne Lee, in conjunction with the lot owner, Mary Beatty, is seeking to subdivide Ms. Beatty's property at 136 Pine Street. The subdivision would occur on the back of the property, near the southern terminus of S. Williams Drive.

Per the Town's Land Development Regulations, new lots may only be created abutting a street. Ms. Beatty desires for her property to continue abutting S. Williams, and instead wishes for an access easement to connect the new lot to S. Williams.

The lot to be created would be 0.698 acres in size and is over 150' wide at the building line, so it meets all requirements other than direct access to the road. The 25' wide ingress/egress easement would provide access from the lot to the road.

### **Analysis**

***1. Are there are extraordinary and exceptional conditions pertaining to the particular piece of property?***

Yes. The desired plat does not directly abut a street.

***2. Do these conditions generally apply to other property in the vicinity?***

No. Other lots abut a street, but the proposed new lot does not.

***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?***

Yes. The property could be subdivided in such a way to allow the proposed new lot to abut Williams Drive, but then the existing home on Pinewood would lose direct access. If a second house, to be placed on Williams, is desirable to the Town, a variance will be required.

***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. There are existing homes on Williams, and an additional home would not change the character of the neighborhood.

***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?***

No

### **Staff Recommendation**

While the Town has a stated preference for lots to directly abut roads, a permanent access easement will give the owner safety and peace of mind that the property can be accessed. In a new subdivision the Town would see no

need for such a variance, but with an existing lot being subdivided to allow for an additional lot, such a variance seems reasonable.

Staff recommends **APPROVAL** of the 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.**