



The Lowcountry's Hometown

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STAFF REPORT

TO: Board of Zoning Appeals

FROM: Carter France, Town Planner

SUBJECT: Variance (VR-25-01) – McComb – Benny Ernesto's

DATE: August 5, 2025

Background: The applicant, Anna McComb, has applied for a **Variance** (VR-25-01) to reduce the number of required parking spaces for a parcel with multiple uses located in Downtown, at 337 East Main Street. The Town's current Zoning Ordinance requires the multi-tenant building to have at least eighteen (18) parking spaces, as determined by use type and associated square footage. The Zoning Ordinance does not have an exception or provision for required on-site parking within the historic downtown along East Main Street, therefore Ordinance's parking standards significantly hinder business from operating in this area. The subject parcel (TMS # 142-07-02-028), owned by "MAIN ST MC LLC", is within the **General Commercial (C-2)** zoning district.

Existing Zoning: The subject parcel is currently in the **C-2 – General Commercial** zoning district. Per the Town's Zoning Ordinance, the General Commercial zoning 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	C-2	Law Office
		Restaurant
South	C-2	Historic Train Depot
East	C-2	
West	C-2	Department Store

Existing Site Conditions: The subject parcel is comprised of approximately 9,583 square feet. There appears to be approximately 66 feet of road frontage along East Main Street, and an additional 206 feet of road frontage

along Behrman Street adjacent to the rear and East side of the subject parcel. The parcel is currently occupied by a two (2) story building, which was initially constructed as a bank, decades earlier. An existing beauty salon currently occupies the second story, while the first story remains unoccupied. The applicant, Anna McComb, noted in her request the goal is to divide the first story into a restaurant and a “future public assembly” space.

The building appears to maximize the parcel’s size, as it appears to conflict with required setbacks in the **C-2** zoning. This effectively prohibits the applicant from expanding the parking area as there is no room left to develop. The previous tenant, a bank, enjoyed a nonconforming situation and once the use vacated the building had sixty (60) days to reestablish or loose the nonconforming protection forever. This essentially made the building limited on use types that can occupy it, as the site only benefits from eight (8) parking spaces. There are very few use types allowed in the **C-2** district that only would require this minimal amount of on-site parking.

Proposed Request: The applicant has applied for a **Variance** seeking relief of ten (10) on-site parking spaces. The applicant is suggesting off-site and partially on-site parking spaces near the subject parcel can meet the required eighteen (18) spaces. The applicant has already demonstrated to Staff in “REVIEWED – Site Plan v1” that the subject parcel *may* adequately provide eight (8) on-site parking spaces that are fully compliant with the Parking standards presented in Sections 7-3 & 7-4 of the Town’s adopted Zoning Ordinance. Granting of this **Variance** request would allow the mixed-use building to count off-site parking spaces surrounding the building to achieve the required eighteen (18) total parking spaces.

Procedural Issues: As part of any Variance request, the Board of Zoning Appeals will hear and decide appeals for variance from the requirements of the Zoning Ordinance when strict application of the provisions of the Ordinance would result in unnecessary hardship. A **Variance** may be granted in an individual case of unnecessary hardship if the Board feels the applicant can prove their request and situation meets or exceeds the following:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property.
2. These conditions do not generally apply to other property in the vicinity.
3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.
4. The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

Staff Analysis:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property.
Adequate number of on-site parking is not achievable, given the available acreage of the parcel, the existing built environment and building massing, and the number of businesses utilizing the building. The building cannot be reduce, the parcel can not obtain more land due to it being surrounded by right-of-way, and any nonconforming parking standards from the previous bank tenant has now been lost; all of which constitutes an extraordinary condition for this parcel.
2. These conditions do not generally apply to other property in the vicinity.

The vast majority of operating businesses along East Main Street sit on small parcels, relative to the existing buildings. The Zoning Ordinance did not take into account the difference between typical general commercial uses along a commercial corridor and a historic, existing urban downtown. This prohibits future businesses from establishing downtown, as the Town's parking standards apply to all C-2 zoning, including a Walmart on N Highway 52 or a pizza restaurant on N Main Street. Because these are two vastly different development types, but in the same Town and subject to the same parking standards, Staff believe that these restrictive conditions only apply to downtown parcels and do not apply to any other C-2 zoned districts throughout the Town.

3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.

The subject parcel's existing building square footage could efficiently allow a wide array of commercial use types, relative to other buildings along East Main Street. Absent a relief from the parking standards, the existing building will never reach full occupancy, causing the building's utilization and full potential to be undermined in a significant way.

4. The authorization of the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

*Granting this request improves the public good and existing character of the district by allowing additional service-based businesses to locate downtown. This in turn benefits Town residents, by rejuvenating a once flourishing commercial corridor. Furthermore, it is Staff's believe that adequate off-site parking, as shown by the applicant, sufficiently meets the spirit and intent of the parking standards, just absent on-site location. By granting the **Variance** request, Staff does not believe that any harm will be caused to the public good and the character of the district. Utilizing the on-street parking to allow future commercial tenants to establish in downtown would, in Staff's professional opinion, increase the character of the district by presenting a busy, active and successful downtown by the visualization of vehicular parking and increase places to eat, shop and do business.*

Staff Recommendation: Staff recommends the Board of Zoning Appeal approves this request due to the reoccurrence of this request along this particular corridor and the parcel's identified hardships with entering obligatory compliance with the Town's current Zoning Ordinance.

*Attachments: SIGNED – Application (20250623)
 Exhibits v2 (20250630)
 Justification (20250701)
 Bldg Plans v2 (20250731)*