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Staff Report

Variance Request

DATE: February 1, 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>	North of 316 Merrimack Boulevard
<i>Property TMS</i>	142-11-02-061
<i>Acreage</i>	7.11 ac.
<i>Zoning</i>	R-3, Multi-Family Residential
<i>Applicant/Owner</i>	D.R. Horton
<i>Use</i>	Townhouses
<i>Request</i>	Variance to impervious lot coverage
<i>Current Requirements</i>	Impervious lot coverage is limited to 50% in the R-3 District

Background

The applicant is seeking to increase the amount of impervious coverage allowed on residential lots in this development. The Zoning ordinance allows for 50% coverage of lots with impervious materials (i.e. the structure itself, patios, driveways, etc.). This leaves the other 50% of each yard to allow rainwater to soak into the ground.

With a 22' wide building, 50' deep including the house and rear patio, plus a 25' x 10' driveway, 1,350 s.f. of each lot is covered with impervious material. As such, the applicant would like to increase the allowable impervious coverage to 70%.

Stormwater systems will be designed to convey and retain additional runoff due to excess lot coverage via the on-site stormwater detention ponds as well as covenants for the development that shall prohibit the construction of sheds, outdoor structures, and extended patios.

Analysis

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

No.

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

N/A

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?

No. The developer could build smaller houses.

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. With proper engineering, as well as the abundant open space outside of the individual lots, stormwater will be contained on the overall site in the manner desired by DHEC.

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

The Zoning Ordinance aims to be comprehensive, but cannot cover every contingency. In this case, the developer is meeting all requirements of the code in terms of minimum lot size, lot width, setbacks, and driveway size. By meeting the minimum lot size, setbacks and width, however, there is no room on each individual lot for pervious surface. However, Staff feel confident that with proper engineering stormwater will not be an issue. In fact, many neighborhoods in other jurisdictions go up to 80% coverage.

Staff recommends **APPROVAL** of this 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.