

The Lowcountry's Hometown

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

STAFF REPORT

TO: Town Council – 1st Reading
FROM: Justin Westbrook, Community Development Director
SUBJECT: Zoning Map Amendment (CZ-23-02) – Jason Hennessee
DATE: August 15, 2023

Background: The applicant, Jason Hennessee, has applied for a Zoning Map Amendment (CZ-23-02) for a parcel (TMS #122-14-00-017). The applicant is seeking to assign **Conditional Zoning – C-2** zoning to the subject parcel to permit a “Mini-warehouses and outdoor vehicle storage” use type.

Existing Zoning: The subject parcels are currently within the **R-1** zoning district. Per the Zoning Ordinance, the **R-1 – Single Family Residential District** is intended as:

“...single-family residential areas with detached units with low to medium population densities.”

The zoning district is primarily residential in nature, specifically designed for single-family detached dwellings.

Adjacent Zoning		Adjacent Land Use
North	Flex 1 (Berkeley County)	VACANT
South	R-1	Single-family Detached
	R-3	VACANT
East	R-1	Single-family Detached
West	Flex 1 (Berkeley County)	VACANT

Existing Site Conditions: The subject parcel is approximately 4.8 acres, which is currently undeveloped. The subject parcel is currently accessible by approximately 400-feet of frontage along Broughton Road. According to the Berkeley County GIS, there does appear to be significant wetlands on the subject parcel.

Proposed Zoning Request: The applicant previously submitted a request as a **Special Exception** to allow the use within the **R-1** zoning district. However, a **Special Exception** has been interpreted to allow uses which *MAY* be appropriate within a specific zoning district at the discretion of the Board of Zoning Appeals. This process is a quasi-judicial request where the Board must identify evidence to clearly support the seven (7) conditions for the subject parcel and the proposed use. Staff believes that this request would not be granted and proposes to the applicant that a **Conditional Zoning** *MAY* have a better chance of success, however Staff would still have

identifiable concerns. After discussion with Staff, the applicant requested to process their application as a **Conditional** Zoning request in place of the **Special Exception** request they initially submitted.

The applicant's current request is seeking to attach conditions to the base **C-2** zoning district the Town utilizes. **Conditional Zoning** serves to:

"...encourage the development of various types of flexible, negotiated developments under master plans, where the traditional density, bulk, spacing and use regulations of other zoning designations, which may be useful in protecting the character of substantially developed areas, may impose inappropriate and unduly rigid restrictions upon the development of parcels or areas which lend themselves to a unified, planned approach."

The applicant requests that a "mini-warehouse and outdoor vehicle storage" use type be permitted within the new **Conditional Zoning – C-2** district. This use type, primarily found within the **C-2 – General Commercial District** is defined as:

"Placement of vehicles on commercial lots for periods greater than 24 hours. A use permitted only in the General Commercial and industrial zones, and only by special exception. This use is distinct from outdoor vehicle sale lots, where vehicles are stored outside on public display for immediate sale."

The applicant has listed several details of the construction from their **Special Exception** request, that Staff is under the impression would still apply to the new **Conditional Zoning** request. Those are as follows:

- Abide by the building guidelines of Moncks Corner and provide a 50 ft buffer of the existing trees, on both sides and rear property lines.
- Will not increase traffic patterns anymore than the Mega Boat Ramp at the end of Broughton Road
- The street frontage will include a 6ft fence with a hedge and will be placed on the property side of the current ditch line.
- The parking area will be pervious surfaces for drainage. A crush and run or like kind stone will be used for the roadways and larger stone will be used for parking pads.
- The entrance driveway will be set off the street 40-50 feet, will be approximately 20 ft wide and will be paved so not to obstruct any traffic patterns on Broughton Road.
- Provide electricity for the gate, lighting and security cameras.
- Only allow access within a limited time frame, like 5am-9pm to eliminate any disturbances of neighboring properties.

Staff has worked with the applicant to also add protections to the Town by limiting the use types within this new **C-2** district, as only allowing "Mini-warehouses and outdoor vehicle storage" use types on the subject parcel.

All other additional elements as required by the Zoning Ordinance, specifically Section 6-12 of the Zoning Ordinances, must be met by the developer.

Transportation: Staff will not require a separate Traffic Impact Analysis (TIA) for the subject parcel prior to Preliminary Plat approval. Staff will work with the applicant on potential improvements made to Broughton Road, in accordance with Berkeley County requirements for driveway connectivity.

Consistency with Plans: Adopted in 2017 as part of the Town's Comprehensive Plan, the Future Land Use Map identifies the subject parcels as "Low Density Residential". The Plan indicates this designation be predominately single-family detached neighborhoods, ranging from 1-4 dwelling units per acre. While the subject parcel is vacant, the predominate immediate surrounding use type is single family detached dwellings. While the Future Land Use Plan is a good tool to use when determining fit for potential zoning designations and land use types, Broughton Road currently serves as a significant roadway between the Town and the future boat ramp, and the Future Land Use Plan should serve as a guide for decision-makers.

The Comprehensive Plan also lays out various goals and policies to help in decision making for land use requests. Staff believes the applicant and request generally follow the following policies listed in the plan.

- **Land Use Policy 1:** The Town will guide land use patterns, encourage new growth, in areas that maximize efficient use of existing infrastructure and investments in expanded infrastructure.
- **Land Use Policy 3:** The Town will promote development that is appropriate and compatible with neighboring uses.

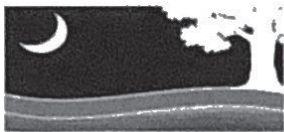
Procedural Issues: As part of any Zoning Map Amendment, the request must be at least two (2) acres, an extension of an existing district boundary, or additional **C-1** zoning contiguous to existing commercial. For this request, the subject parcel is greater than two (2) acres.

Staff Analysis: Staff believes that the use type is not particularly intense, however Staff feels the use type is not typical of uses along Broughton Road. The proposal would allow a limited commercial use type along a economically viable corridor, serving a specific communal need and purpose, with the proposed boat landing existing at the end of Broughton Road.

Staff Recommendation: At this time, Staff recommends approval of the requested **Conditional Zoning – C-2** zoning district designation for the subject parcel. Staff has reached this recommendation due to the conditions proposed by the applicant, the road classification and usage of Broughton, as well as the *Land Use Policies* set forth in the 2017 Comprehensive Plan.

Planning Commission Recommendation: At their July 25th meeting, the Planning Commission heard the request, where they voted 5-0 in favor of recommending the request.

Attachments: *SIGNED - Application (Jason Hennessee)(20230511)*
 Email (Jason Hennessee)(20230511)
 Email (Casey Hennessee)(20230630)



SPECIAL EXCEPTION APPLICATION
Moncks Corner Community Development

**MONCKS
CORNER**
The Lowcountry's Hometown

Applicant Information

Name: Jason Hennessee Address: 1481 Menhaden Lane
Phone: 843 303 3608 E-Mail: jasonhennessee@yahoo.com

Property Owner Information (If Different)

Name: Kelly Crawford Address: 418 Broughton Road
Phone: _____ E-Mail: _____

Property Location (Attach Plat if Available): 418 Broughton Road

Describe the special exception request, reason for request, and any supporting information:

To turn vacant land into storage of boats utilizing
the upcoming Mega boat landing. As surrounding
area grows, newer communities restrict boat parking
so residents need a place to park boats over night.

Has the Board of Zoning Appeals taken action on this property previously? YES ☐ NO ☒

If Yes, Please Describe: _____

I (we) certify that I (we) are the free holder(s) of the property(s) involved in this application and further that
I (we) designate the person signing as applicant to represent me (us) in this application.

Owner's Signature: _____ Date: _____

Applicant's Signature: Jason Hennessee Date: 5-11-2023

For Official Use Only

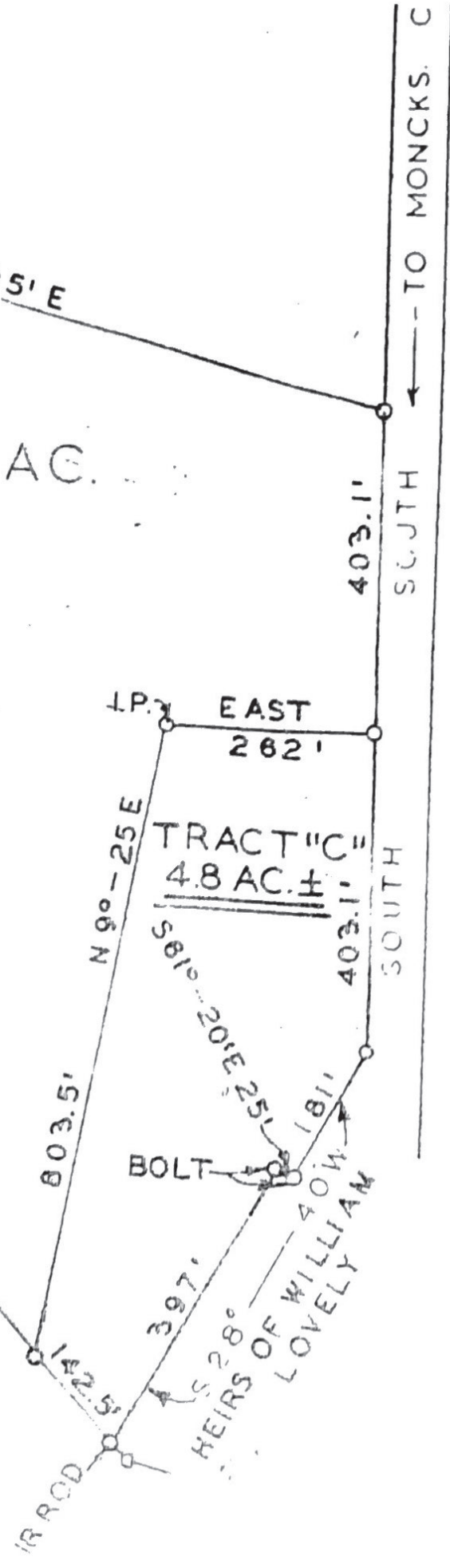
Received: _____ Property Posted: _____

Receipt #: _____ Hearing: _____

Advertised: _____ Approved: _____

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1015'

± 26.50 AC.



FRONT GATE EXAMPLE



FRONT GATE EXAMPLE



Conditional Zoning Application for 418/TBD Broughton Road

Jason Hennessee <jasonhennessee@yahoo.com>

Thu 5/11/2023 10:08 PM

To: Justin Westbrook <J.Westbrook@monckscornersc.gov>

📎 4 attachments (1,015 KB)

Plat Copy.pdf; Special Exemption Application.pdf; Example of entrance Fence.jpg; Example of street frontage hedge.jpg;

Caution! This message was sent from outside your organization.

Hello Justin,

Please find our application attached for a Conditional Zoning for 418/TBD Broughton Road, TMS Number #1221400017, 4.8 acres. Documents attached include; copy of the most recent recorded plat, application and 2 photos for examples of entrance and road frontage.

We are requesting to change the use of this vacant tract of land that is currently zoned R-1 qualified agricultural to use as a boat storage facility. We estimate approximately 150-200 spots of parking. Given the new Mega Moncks Corner Boat Landing is under construction down the street 1.2 miles, we feel a boat storage facility near by, is not only a convenience to the residents of the community but a necessary asset to the local residents. It will offer the ability to have overnight parking for the boats that aren't typically allowed in most of the newer construction neighborhoods with CCR's and HOA's in place. This property is located .25 of a mile from multiple commercial and government buildings including; attorney's offices, Quality Roofing, Berkeley County Courthouse and the Berkley County Detention Center. Given that, we feel a special use permit for this land, enhances this streets amenities and community and fits in line with the 10 year plan for this community. It also offers the residents that want to use the new ramp and facilities at the end of the street a option for overnight boat parking.

Details of the facility and construction:

- 1). We intend to abide by the building guidelines of Moncks Corner and provide a 50 ft buffer of the existing trees, on both sides and rear property lines.
- 2). Will not increase traffic patterns anymore then the Mega Boat Ramp at the end of Broughton
- 3). The street frontage will include a 6ft fence with a hedge and will be placed on the property side of the current ditch line.
- 4). The parking area will be pervious surfaces for drainage. A crush and run or like kind stone will be used for the roadways and larger stone will be used for parking pads.
- 5). The entrance driveway will be set off the street 40-50ft, will be approximately 20 ft wide and will be paved so not to obstruct any traffic patterns on Broughton Road.
- 6). We will need electrical for the gate, lighting and security cameras.
- 7). We will only allow access with in a limited time frame, like 5am-9pm to eliminate any disturbances of neighboring properties.

We will be happy to provide any additional information and we look forward to hearing from you once you review.

Thank you for your consideration,

Jason & Cayce Hennessee

843-303-3608

Re: 418 Broughton App

Jason Hennessee <jasonhennessee@yahoo.com>

Fri 6/30/2023 12:43 PM

To: Justin Westbrook <J.Westbrook@monckscornersc.gov>

Cc: Cayce Hennessee <caycehennessee@yahoo.com>

Caution! This message was sent from outside your organization.

Hello Justin,

After much consideration, we would like to change our application to now apply for a conditional use permit C2 zoning. What additional form or information do we need to submit. Thank you,
Jason Hennessee

Sent from my iPhone

On May 18, 2023, at 10:40 AM, Justin Westbrook <J.Westbrook@monckscornersc.gov> wrote:

Sir,

I apologize, I misspoke regarding the meeting date. Due to the application deadline, the Board of Zoning Appeals will hear the case at their **July 11th** meeting, not the June 6th meeting as I indicated earlier. I apologize for this confusion. Please let me know if you have any questions or if there is anything else I can help you with.

<Outlook-va3pap2f.png> **Justin Westbrook**
Community Development Director
Town of Moncks Corner
Direct 843-719-7913
118 Carolina Ave, Moncks Corner, SC 29461

From: Justin Westbrook <J.Westbrook@monckscornersc.gov>

Sent: Thursday, May 18, 2023 9:23 AM

To: Jason Hennessee <jasonhennessee@yahoo.com>; Cayce Hennessee <caycehennessee@yahoo.com>

Subject: Re: 418 Broughton App

Sir,

The application for the Special Exception has been received. The Board of Zoning Appeals is set to hear this request at their June 6th meeting. Staff Reports and Packets typically go out a week before the meeting, and I will make sure you are included in that email. Should any questions come up regarding

the request, I will reach out. If there is anything else I can help you with, please let me know.

<Outlook-hmzbd0lt.png> **Justin Westbrook**
Community Development Director
Town of Moncks Corner
Direct 843-719-7913
118 Carolina Ave, Moncks Corner, SC 29461

From: Jason Hennessee <jasonhennessee@yahoo.com>
Sent: Wednesday, May 17, 2023 10:58 AM
To: Justin Westbrook <J.Westbrook@monckscornersc.gov>; Cayce Hennessee <caycehennessee@yahoo.com>
Subject: 418 Broughton App

Good morning, Justin, just wanted to confirm that you received request last week. Thank you, Jason Hennessee,