Board of Zoning Appeals Staff Report

May 25, 2021

Project: Lowcountry Countertops
Request: Zoning Special Exception
Location: Whyte Hardee Boulevard
TM#: 029-46-04-001

Applicant:
Antony Morse, PE
21 Chadbourne Street
Bluffton SC, 29910

Project Description:

The applicant is requesting approval of a Special Exception for parcel # 029-46-04-001 located off of Whyte Hardee Boulevard directly across from the Post Office to allow for countertop manufacturing and retail.

Project Setting:

The project site is located off of Whyte Hardee Boulevard and is proposed to be commercial development. The site is currently cleared and undeveloped. Table 1 lists adjacent uses and zoning. Figure 1 shows the location of the project.

Table 1. Adjacent Land Designations and Uses

	Existing Uses	Zoning	City or County
Project Site	Undeveloped	DGC	City of Hardeeville
North	Undeveloped	DGC	City of Hardeeville
South	Undeveloped	DGC	City of Hardeeville
West	Undeveloped Unincorporated Jasper County	Jasper County	City of Hardeeville
East	Developed Commercial	DGC	City of Hardeeville

Figure 1 – Vicinity Map

Background:

The 1.23 acre parcel is located in the City of Hardeeville off of Whyte Hardee Boulevard directly across the street from the Post Office. The undeveloped property is located among other undeveloped properties and developed properties to the East.

An application for a Special Exception to allow for retail and manufacturing including cutting and polishing of stone slabs for residential and commercial use has been submitted to the Board of Zoning Appeals. The project proposes access off of Whyte Hardee Boulevard which will be further reviewed during the Site Development Plan review process.

A Special Exception Permit application may be approved if the Board of Zoning Appeals finds that all of the following criteria have been met:

1. The proposed use is consistent with the comprehensive plan and all applicable provisions of this Ordinance and applicable state and federal regulations;
2. The proposed use is consistent with the purpose and intent of the zoning district in which it is located;

3. The proposed use is consistent with any applicable use-specific standards set forth in this Ordinance;
4. The proposed use is compatible with adjacent uses in terms of scale. Site design, operating characteristics (hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts);
5. Any significant adverse impacts anticipated to result from the use will be mitigated or offset the maximum extent practicable; and
6. The proposed use is appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal, and similar facilities.

Figure 2 – Zoning Map (Property highlighted in blue)

Analysis:

The applicant is requesting a Special Exception to allow a countertop manufacturing and retail business to be constructed on 1.23 acres of undeveloped land. The commercial development will be reviewed for compliance with the City of Hardeeville Municipal Zoning and Development Ordinance (MZDO) and meet the objectives of the Comprehensive Plan as well as comply with the guidelines set forth in the Whyte Hardee Boulevard Master Plan.

The use proposed in this application is consistent with the Downtown General Commercial zoning, however manufacturing businesses and uses not specifically designed in the use table are required review by the Board of Zoning Appeals for a Special Exception. The Special Exception procedure encourages public review and evaluation of a use's operating characteristics and is intended to ensure that proposed uses will not have a significant adverse impact on surrounding uses on the community-at-large.

1. The proposed use is consistent with the comprehensive plan and all applicable provisions of this Ordinance and applicable state and federal regulations;

   The Downtown General Commercial district is intended to control infill development and revitalization in its traditional city core which strengthen property values and appearance. The proposed project will be in accordance with the Whyte Hardee Boulevard Master Plan and current Comprehensive Plan.
   The Whyte Hardee Boulevard Master Plan defines the property as being located in the Business Park District. The plan calls for the establishment of a distinct industrial business district that can be marketed for "clean" industry in a more aesthetically pleasing environment.
   Proper design of the property will be further reviewed by Staff Review Committee during the Site Development Permit process.

2. The proposed use is consistent with the purpose and intent of the zoning district in which it is located;

   The regulations that apply within the Downtown General Commercial District establishes new standards for land development in order to, preserve and extend historic neighborhood character through the design and placement of building types and public spaces, they also create high quality street spaces by using buildings to form an interesting and safe environment that works for pedestrians, bicyclists, and motorists.
   Additionally, the Downtown General Commercial District looks to enhance the viability of local businesses and reduce travel demand by focusing growth in appropriate locations and also provide a measure of predictability to property owners and occupants about what may be built on their land or that of their neighbors, yet allow for a market-driven mixture of land uses that encourage a wide range of building types and sizes that could offer a measure of self sufficiency and sustainability.

3. The proposed use is consistent with any applicable use-specific standards set forth in this Ordinance;

   The use has the potential to cause adverse impacts to the existing commercial properties. As proposed, staff believes this project could potentially have negative adverse impacts to the surrounding neighborhoods without conditions placed on the project. BZA should consider conditions for potential noise mitigation as well as restrictions regarding outdoor storage in view of the Right of Way.

4. The proposed use is compatible with adjacent uses in terms of scale. Site design, operating characteristics (hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts);

   Staff believes that the project is compatible with adjacent uses and will have minimal impacts on traffic. The applicant will be required to provide a lighting plan at the time of submittal for Site Development Permit Application if approved by the board. Additionally, traffic will be reviewed as part of the Site Development Plan review process.
   Staff also believes there could be some adverse impacts due to excessive noise from the cutting of various countertop materials. The buffer and landscape requirements will help mitigate any adverse impacts of the proposed use.

5. Any significant adverse impacts anticipated to result from the use will be mitigated or offset the maximum extent practicable; and

   The proposed project would have to meet current buffer requirements in addition to any conditions set by the Board if the project is approved. At the time of submittal to Staff Review Committee there will be a comprehensive review of the project including buffer and landscape plan compliance with the MZDO.

6. The proposed use is appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal, and similar facilities.

   The proposed use will be reviewed by SCDOT, BJWSA, Police, Fire, and others as part of the Site Development Approval process through the Staff Review Committee. The proposed use is appropriately located to the facilities listed above as it is locate in an existing area of the city with commercial and industrial uses already established.

Motion:

The Board of Zoning Appeals may make the following motions:

1. Motion to approve the application as presented;
2. Motion to approve the application with conditions; or
3. Motion to deny the application. (finding of facts must be stated in the motion)

Staff would recommend that the board consider a condition to mitigate any excessive noise that could cause adverse impacts on surrounding businesses and residents. Additionally, a condition restricting outdoor storage visible form the Whyte Hardee Boulevard Right of Way should be considered by the Board.

Attachments:

1. Narrative of project
2. Proposed site plan showing location of townhomes on Property
3. Pictures of the property from Main Street and Jenkins Avenue

SEA20-000003
#20-001631

City of Hardeeville Board of Zoning Appeals
PO Box 609 (205 Main Street) | Hardeeville, SC 29927
tel: 843 784 2231 | fax: 843 784 6384
www.cityofhardeeville.com

OFFICE USE ONLY			
Application #:			
Received on:		Staff:	
Approved on:		Staff:	

Special Exception Application

1. The Applicant hereby appeals to the Board of Zoning Appeals (BZA) for a special exception for the use of the property described in the Notice of Appeal as:

   PARCEL 029-46-04-001 (1.23 ACRES)

   which is a permitted special exception under the district regulation in Section 2.46 (2.46) of the Municipal Zoning & Development Ordinance.

2. The Applicant will meet the standards in Section 7.7 of the Municipal Zoning & Development Ordinance which are applicable to the proposed special exception as follows:

   SECTIONS 7.4 B(2), 3 AND 4. PLUS ANY ADDITIONAL STANDARDS AS REQUIRED BY ZONING APPEALS, PLANNING COMMISSION AND CITY COUNCIL.

3. The Applicant suggests that the following conditions be imposed to meet the standards in the Municipal Zoning & Development Ordinance:

   STANDARDS WILL BE MEET PER THE WHYTE HARDEE BLVD. MASTER PLAN AND IN CONCURRENT WITH EXISTING COMPREHENSIVE PLAN.

4. The following documents are submitted in support of this application:

   (1) CONCEPT PLAN WITH TOPOGRAPHIC AND SURVEY
   (2) BUILDING PLANS
   (3) USE NARRATIVE

APPROVAL CRITERIA

A. The proposed use is consistent with the comprehensive plan and all applicable provisions of the MZDO and applicable state/federal regulations;

B. The proposed use is consistent with the purpose and intent of the zoning district in which it is located;

C. The proposed use is consistent with any applicable use-specific standards set forth in this Ordinance;

D. The proposed use is compatible with adjacent uses in terms of scale, site design, operating characteristics (hours of operation, traffic generation, lighting, noise, odor, dust,and other external impacts);

E. Any significant adverse impacts anticipated to result from the use will be mitigated or offset to the maximum extent practicable; and

F. The proposed use is appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal, and similar facilities.

APPLICANT INFORMATION

Contact Person: LOWCOUNTRY COUNTERTOPS ANTHONY MORSE, PE (AGENT)

Mailing Address: 21 GADBOURNE ST.

City / State / ZIP: BLUFFTON, SC 29910

I prefer to be contacted by: ☑ cell # ☐ business # ☑ e-mail

Preferred Phone #: 703-915-0561

E-Mail: tony.morsepe@gmail.com

Fee Payment: $150

I have completed this form to the best of my knowledge and authorize the City of Hardeeville to process this application.

Signature: _____ Date: _____

Macad One Consulting Services, LLC

Tony.morsepe@gmail.com

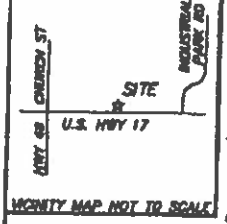
21 Chadbourne Street
Bluffton, SC 29910

703-915-0561
843-709-7988

DEVELOPMENT NARRATIVE

Lowcountry Countertops is requesting a Special Exception on parcel 029046-04-001 from the Board of Zoning Appeals to develop a retail facility for the cutting and polishing of stone slabs for residential and commercial use. In addition, we will sale products for the maintenance and care of the stone countertops. There will be no storage of slabs outside the proposed facility itself. All operations will be processed inside the proposed building.

The development of this project will be in accordance with the current guidelines 0f the WHTTE HARDEE Boulevard Master Plan and the current Comprehensive Plan. The plan will also be developed in accordance with the recommendations from the Planning Staff, Planning Commission and the City Council.



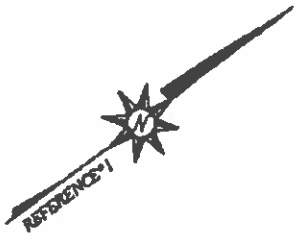
VICINITY MAP NOT TO SCALE

NOTES

1) AREA WAS DETERMINED BY THE COORDINATE METHOD.
2) ANYTHING SHOWN OUTSIDE THE DEFINED BOUNDARY IS FOR DESCRIPTIVE PURPOSE ONLY.
3) THE PUBLIC RECORDS REFERENCED ON THIS PLAT ARE ONLY USED AND/OR NECESSARY TO THE ESTABLISHMENT OF THE BOUNDARY OF THIS PROPERTY. THEY ARE NOT AND DO NOT CONSTITUTE A TITLE SEARCH.
4) DISTANCE SHOWN HEREON ARE HORIZONTAL GROUND DISTANCES.
5) NO SUBSURFACE OR ENVIRONMENTAL INVESTIGATION OR SURVEYS WERE PERFORMED FOR THIS PLAT. THEREFORE THIS PLAT DOES NOT REFLECT THE EXISTENCE OR NONEXISTENCE OF WETLANDS, CONTAMINATION, OR OTHER CONDITIONS WHICH MAY AFFECT THIS PROPERTY.
6) THIS PLAT IS FOR THE EXCLUSIVE USE OF THE HEREON NAMED PARTY(IES), THE CURRENT OWNERS OF THE PROPERTY AND ALSO THOSE WHO PURCHASE, MORTGAGE OR GUARANTEE THE TITLE THERETO ARISING FROM A TRANSACTION INVOLVING THE CURRENT OWNER(S) WITHIN SIX MONTHS FROM THE DATE HEREOF AND THESE PEOPLE ONLY.

PLAT REFERENCE:

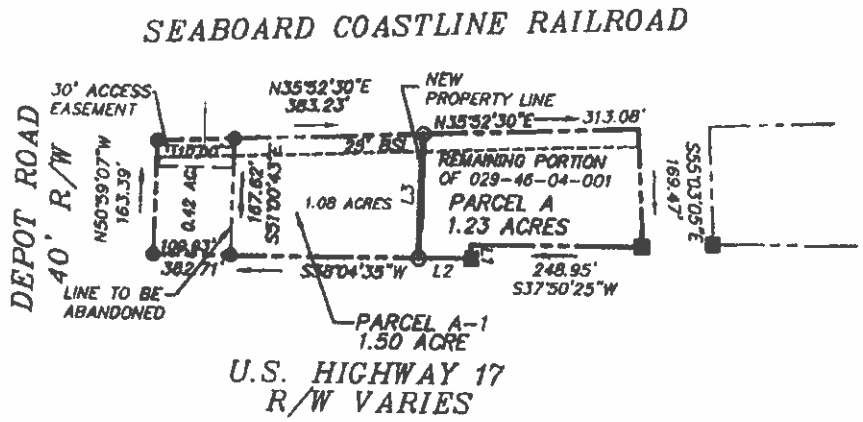
1. PLAT BOOK 32, PAGE 265.
2. PLAT BOOK 29, PAGE 87.

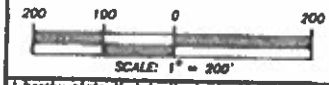


FLOOD NOTE:

THIS PROPERTY APPEARS TO BE LOCATED IN FLOOD ZONE 'C' PER F.E.M.A. FLOOD INSURANCE RATE MAP. SEE COMMUNITY MAP 450025, PANEL 115 D NOT A SPECIAL FLOOD HAZARD AREA. MAP REVISED: SEPT. 29, 1986

LINE	BEARING	DISTANCE
L1	S55°21'50"E	19.91'
L2	S38°04'35"W	77.26'
L3	S50°59'07"E	178.11'





EQUIPMENT USED: TOPCON ROBOTICS
AREA: 119,109.18 SQ.FT 2.73 ACRES
PRECISION: 1/INFINITY
FIELD WORK COMPLETED: 06/10/2016

I hereby state that to the best of my knowledge, information and belief, the survey shown hereon was made in accordance with the requirements of "THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA", and meets or exceeds the requirements for a Class 'A' survey as specified therein. Also there are no visible encroachments or projections other than shown. In my opinion the property shown correctly depicts the boundaries of the subject parcel(s). Survey not valid unless embossed with an original surveyors seal. Witness my original signature, registration number and seal this 20th day of June, 2016.

SOUTH CAROLINA PROFESSIONAL LAND SURVEYOR TIER A 20187 MATTHEW D. CLARK

SOUTH CAROLINA ALIQUOT SURVEYING ASSOCIATES INC. CERTIFICATE OF AUTHORIZATION C2 4165

MATTHEW D. CLARK SC REG. NO. 20187

ALIQUOT SURVEYING ASSOCIATES, INC.
P.O. BOX 1121
HARDEEVILLE, SC 29927
OFFICE: (843) 784-3200
FAX: (843) 784-3220

SUBDIVISION: --
LOT No.: --
BLOCK: --
PLAT BOOK: --
DATE: JUNE 10, 2016
JOB No.: 16-000
DRAWN BY: MDC
CHECKED BY: MDC

PREPARED FOR: ST. ANTHONY CATHOLIC CHURCH

RECONSOLIDATION AND SUBDIVISION OF TMS 029-46-04-001 AND 029-46-04-002

HARDEEVILLE RECONSOLIDATION/SUBDIVISION JASPER COUNTY, S.C.