

MEDIUM DENSITY RESIDENTIAL DISTRICT (MDR)

**Section 5.2 MEDIUM DENSITY RESIDENTIAL DISTRICT (MDR)**

Areas designated as Medium Density Residential Districts (MDRs) shall be developed and reserved for medium density, one- and two-family, residential purposes. The regulations that apply to this district are designed to encourage the formation and continuance of a stable, healthy environment for one- and two-family dwellings and to discourage encroachment by commercial, industrial, or other uses capable of adversely affecting the residential character of the district.

**5.2.1 Permitted Uses.** Single- or two-family residences with a maximum density of 9,000 square feet in size are permitted in this District. Other uses permitted outright, or permitted with conditions or as special exceptions in the MDR are shown in Table 5.2.1. Uses not listed in this table are not permitted in the MDR, but may be allowed by a determination of similarity by the Codes Enforcement Officer.

**Table 5.2.1. Medium Density Residential District – Permitted Uses**

| Use   | Permitted | Conditional Use | Special Exception |
|---|-----------|-----------------|-------------------|
| Single- or two-family, lot-constructed or modular dwelling                                    | X         |                 |                   |
| Accessory uses  |           | X               |                   |
| Agriculture, silviculture, and horticulture   |           | X               |                   |
| Assembly hall   |           |                 | X                 |
| Country Club  |           |                 | X                 |
| Day Care Center   |           | X               |                   |
| House of Worship  |           |                 | X                 |
| Nursing homes and assisted living facilities  |           |                 | X                 |
| Public and private schools  |           | X               |                   |
| Publicly-owned building, facility, park, or land, including public/private utility structures |           |                 | X                 |

**5.2.2 Conditional Uses.** The determination of compliance for conditional uses is the responsibility of the Codes Enforcement Officer who may in turn refer the decision to the Planning Commission. Specific conditions for the conditional uses in the MDR are included in Table 5.2.2. All conditions must be met before approval may be issued.

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**Table 5.2.2 Medium Density Residential District – Conditional Uses**

| Use   | Conditions  |
|---|---|
| Accessory uses                              | See "Accessory Uses" below  |
| Agriculture, silviculture, and horticulture | No poultry or livestock   |
| Day care center                             | Neighborhood compatibility.<br>Traffic impact.<br>Adequate screening and buffers between structures/parking lots and residential properties.<br>No light or noise trespass onto residential properties. |
| Public and private schools                  | Adequate screening and buffers between structures/parking lots and residential properties.<br>No light or noise trespass onto residential properties.   |

**5.2.3 Accessory Uses.** Accessory buildings and accessory uses customarily incidental to any of the above principal uses are permitted. All accessory uses shall comply with the standards of the MDR district. No accessory use shall be established or erected prior to the establishment or erected to the establishment or erection of the principal use to which it is accessory. No existing accessory use may be expanded or extended except in compliance with the regulations of this ordinance.

The following are permitted accessory uses:

- A. Private attached and detached garages and carports
- B. Storage sheds or tool rooms
- C. Detached greenhouses
- D. Children’s playhouse and play equipment, including basketball apparatus, volleyball nets, swing sets, jungle gyms
- E. Private dish antennas/satellite earth stations under five (5) feet in diameter may be located anywhere within the property lines; larger satellite dishes may not be located in a front or side yard and must be screened from adjacent properties.
- F. Private above-grade or below-grade swimming pools and pool houses.

**5.2.4 Special Exceptions.** Special exceptions are reviewed by the Board of Zoning Appeals for a determination of conformance. The factors to be reviewed and the process are described fully in Article III, Section 3.4. Additional factors or those which should be given special consideration by the Zoning Board of Appeals within the MDR are included in Table 5.2.3.

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**Table 5.2.3 Medium Density Residential District – Special Exceptions**

| Use   | Special Issues  |
|---|---|
| Assembly halls  | Neighborhood compatibility.<br>Nearby uses.<br>Screening and buffering. Landscaping.<br>Traffic impacts.<br>Hours of operation.           |
| House of worship  | Neighborhood compatibility.<br>Nearby uses.<br>Screening and buffering. Landscaping.<br>Traffic impacts.                                  |
| Publicly-owned building, facility, park, or land, including public/private utility structures | Landscaping and fencing for safety.<br>Screening and buffering.<br>Traffic impacts.<br>Neighborhood compatibility.<br>Hours of operation. |

**Table 5.2.4 Development Standards**

|  |             |
|--|-------------|
| Minimum lot size                       | 8,712 sq ft |
| Minimum lot width                      | 80 ft       |
| Front setback                          | 30 ft       |
| Side setback                           | 12 ft       |
| Corner side yard                       | 22 ft       |
| Rear yard                              | 10 ft       |
| Maximum building size (% of total lot) | 35%         |

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**Substandard Lots of Record.** Where the owner of a lot at the time of the adoption of this chapter does not own sufficient land to enable him/her to conform to the dimensional requirements of this chapter, such lot may nonetheless be used as a building site, provided that the lot requirements are not reduced below the minimum specified in this chapter by more than twenty (20) percent. The use of substandard lots of record is encouraged, but the setbacks must be approved by the Zoning Board of Appeals. Any lot of record existing at the time of the adoption of this chapter, shall be subject to the following exceptions and modifications:

- A. The maximum lot coverage by buildings on such lot, subject to all other requirements, shall not exceed sixty (60) percent.
- B. **Adjoining lots.** When two (2) or more adjoining lots with contiguous frontage are in one (1) ownership at any time after the adoption of this chapter and those lots, individually, are smaller in area than required in this chapter, then that group of lots shall be considered as a single lot or several lots of minimum permitted area for the zoning district in which the property is located. If, however, the owner of two (2) or more adjoining lots with insufficient land dimensions decides to build on or sell off these lots he must first combine the lots to comply with the requirements of this chapter. Any lot requiring waivers below the twenty (20) percent minimum set forth in this section may be approved by the Zoning Board of Appeals provided that further decreased dimensional requirements shall conform as closely as possible to the required dimensions.

**5.2.5 Parking.** For all single- or two- family dwellings erected after the adoption of this ordinance, two (2) off-street parking spaces shall be provided.

**5.2.6 Signage.** The following signs shall be allowed in MDR districts and are exempt form permits:

- A. House numbers
- B. Election signs
- C. Home occupation signs. One (1) unlighted sign less than two (2) square feet in size mounted on a wall of the principal building.
- D. Directional signs
- E. Parking and traffic signs
- F. Temporary construction signs
- G. Real estate marketing signs. One (1) sign per street frontage pertaining to the sale or lease of the premises. The sign shall have a maximum of six (6) square feet in surface area per side and be a maximum of three and one-half (3.5) feet high.

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**5.2.7 Landscaping.** Front yards and side yards of all dwellings that front on public streets shall be landscaped, except for the area which is devoted to driveways and off-street parking space.

**5.2.8 Home Occupations.** A home occupation, or home-based business, is that accessory use of a dwelling that shall constitute either entirely or partly the livelihood of a person living in the dwelling.

**Requirements.** A home occupation shall be allowed by the Codes Enforcement Officer in the MDR district, subject to the following:

- A. The primary use of the structure must remain as a single-family residence. No more than twenty-five (25) percent, to a maximum of seven hundred fifty (750) square feet, whichever is less, shall be used for the purposes of a home occupation.
- B. A home occupation shall be conducted solely by resident occupants plus no more than one (1) additional full-time equivalent employee.
- C. There shall be no outside storage or processing. All activity must be conducted within a pre-existing structure.
- D. The activity produces no alteration or change in the residential character or outside appearance of the primary structure.
- E. No goods are located on site except for samples or designs produced on site.
- F. The activity shall be subject to all business licenses, revenue collection ordinance and other codes of the City of Walterboro and State of South Carolina.
- G. Activities specifically prohibited include repair or service of motor vehicles and other large equipment; service or manufacturing processes which would normally require industrial zoning; any activity which may become a nuisance due to noise, unsightly appearance, heat, glare, vibration, smoke, dust, electrical interference, unhealthy conditions or odor; and any activity which may affect surrounding property.
- H. There shall be no exterior display or signage allowed except for one (1), unlighted sign less than two (2) square feet in size mounted on a wall of the principal building.
- I. There is no outside storage of goods or materials.

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- J. No traffic or parking activity, sewerage or water use shall be generated by the activity in greater volumes than would normally be expected in a residential neighborhood; any need for parking generated by such home occupation shall be met off the street and other than in a required front yard.

### 5.2.9 Heavy Vehicles Prohibited

- A. It shall be unlawful for any person to park or leave unattended any truck, tractor, trailer unit, or other such vehicle with over a two-ton load capacity or which weighs more than 10,000 pounds (Tare Weight), on or within any area of the City, including streets or other public right-of-ways, that are zoned as single family residential (SFR), medium density residential (MDR) or high density residential (HDR); provided, however, the Board of Zoning Appeals may grant a resident of such an area a special exception to this prohibition, if in its opinion the hardship to the resident caused by the strict application of this ordinance outweighs the public interest served by this prohibition. In making this determination, the Board of Zoning Appeals may consider the following factors:
  - 1. The vehicle is parked entirely on private property which is occupied by the owner of the vehicle.
  - 2. The vehicle is not visible from a neighbor's house.
  - 3. The vehicle does not detract from the appearance of the neighborhood.
  - 4. The private property is of sufficient size to accommodate the vehicle without encroaching upon the various front, rear and side yard setbacks set forth in the Zoning Ordinance.
  - 5. There are no substantive objectives from the vehicle owner's neighbors relative to excessive noise, hours of operation, or appearance.
  - 6. All vehicles must be operative at all times with only minor maintenance procedures permitted.
- B. For the purpose of this Section, "Tractor Trailer Unit" shall encompass the entire unit or the tractor alone or the trailer alone.
- C. Nothing in this Section shall be construed to prohibit or otherwise limit the temporary loading and unloading of vehicles, nor shall the prohibitions herein pertain to emergency stops and parking.
- D. Nothing in this section shall be construed to prohibit or otherwise limit the parking of recreational vehicles or school buses upon private property in residential zoning districts.

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- E. Any person who violates this Section shall be deemed guilty of a misdemeanor and upon conviction pay a fine on of not more than Five Hundred and No/100 (\$500.00) Dollars or be imprisoned for a period not exceeding thirty (30) days. Each day shall constitute a separate violation.