

**HORRY COUNTY BOARD OF ARCHITECTURAL REVIEW
AND HISTORIC PRESERVATION MEETING**

**Tuesday, February 18, 2020 at 2:30 PM
1301 Second Avenue
Conway, SC 29526**

MEETING AGENDA

- I. Call to Order**
- II. Invocation & Pledge of Allegiance**
- III. Minutes**
 - A. Approval of Minutes from November 19, 2019 meeting
 - B. Approval of Minutes from January 21, 2020 meeting
- IV. Public Input**
- V. Old Business**
 - A. Amendments to Zoning Ordinance, Article XVII
 - B. BAR By-Laws
- VI. Board Discussion**
 - A. Historical Marker Program
 - B. Special Tax Assessment 701 Laurel Street
 - C. Special Tax Assessment Subcommittee
 - D. Huger Park
- VII. Announcements**
 - A. SHPO Conference – April 17, 2020
 - B. Annual Awards – May 19, 2020
 - C. Next Meeting – March 17, 2020 at 2:30 PM

STATE OF SOUTH CAROLINA)
)
COUNTY OF HORRY)

**Horry County Board of Architectural Review
and Historical Preservation
November 19, 2019 Meeting**

The Horry County Board of Architectural Review met on Tuesday, November 19, 2019, in Multi-Purpose Room B of the Horry County Government and Justice Center at 1301 2nd Avenue in Conway, SC. The following Board members were present: Jamie Thompkins, Wink Prince, Janet Obenshain, Joel Carter, Sam Dusenbury, David Stoudenmire Jr., Brenda Long (left at 3:55 PM), Gerry Wallace and Bill Strydesky. Staff present: Lou Conklin and Darra Hucks. Visitors present: Teague Hopkins, Patrick Watts and Christina Watts.

In accordance with the SCFOIA, notices of the public meeting were sent to the press (and other interested persons and organizations requesting notification) providing the agenda, date, time, and place of the meeting.

- I. **Call to Order** – Chairman, Jamie Thompkins called the meeting to order at approximately 2:30 PM. There was a quorum present.
- II. **Invocation** – Jamie Thompkins delivered the Invocation and led the Pledge of Allegiance.
- III. **Approval of Minutes** – A motion was made by Vice Chairman Wink Prince to approve the minutes from the August 20, 2019 meeting. The motion was seconded by Mr. Joel Carter. The vote carried unanimously. Mr. Carter made a motion to approve the minutes from the October 15, 2019 meeting. Mr. David Stoudenmire seconded the motion, and the vote carried unanimously.
- IV. **Public Input** – There was none.
- V. **New Business**
 - A. **Special Tax Assessment – 317 Main Street, Conway** – Mrs. Lou Conklin presented the request for a special tax assessment for the rehabilitation and construction of the building at 317 Main Street in Conway, also known as the Platt Building. Mr. Teague Hopkins, the property owner, was in attendance to propose his plans for the rehabilitation of the Platt Building to the Board. There was discussion between the Board and Mr. Hopkins about the rehabilitation work. Mr. Bill Strydesky made a motion for the existing wood windows along the side and rear of the building to be restored or replaced when necessary with wood windows to match the existing windows. Vice Chairman Prince seconded the motion. Chairman Thompkins, Vice Chairman Prince, Mrs. Brenda Long, Mr. Bill Strydesky, and Mrs. Janet Obenshain were all in favor of the motion. Mr. Joel Carter, Mr. Sam Dusenbury, Mr. David

Stoudenmire, and Mr. Gerry Wallace were opposed to the motion. Mr. Strydesky made a motion for the existing windows on the second floor along the front of the building facing Main Street to be replaced with wood windows to match the existing wood windows along the side of the building; when replacing the windows along the front of the building facing Main Street, the applicant may if he chooses, restore the arch to the windows by removing the stucco. Mrs. Long seconded the motion. All of the Board members were in favor of the motion except for Mr. Gerry Wallace who was opposed. Vice Chairman Prince made a motion to approve the front glass improvements and the special tax assessment with conditions for the building at 317 Main Street in Conway. Mr. Gerry Wallace seconded the motion. The vote carried unanimously.

On January 21, 2020, prior to voting on the November 2019 minutes, Chairman Jamie Thompkins made a motion to reconsider the vote on wood windows at the 317 Main Street in Conway. Vice Chairman Wink Prince seconded the motion. There was discussion between the Board and Teague Hopkins, property owner of 317 Main Street. The Board re-voted to allow applicant for 317 Main Street renovation to install aluminum clad windows instead of wood windows. Mr. Jamie Thompkins, Mr. Wink Prince, Mr. Sam Dusenbury, Mr. Joel Carter, and Mr. David Stoudenmire Jr. were all in favor of the motion. Mr. Bill Strydesky was opposed.

B. Special Tax Assessment – 1403 9th Avenue, Conway – Mrs. Conklin presented the request for a special tax assessment for the rehabilitation and construction of the building at 1403 9th Avenue in Conway. Mr. Patrick Watts and Mrs. Christina Watts, the property owners, were in attendance to propose the plans for the rehabilitation of the building to the Board. There was discussion between the Board and the applicants about the rehabilitation work. Mrs. Conklin explained that the applicants have applied to SHPO, and SHPO has approved with conditions. Mr. Wallace made a motion to approve the proposed rehabilitation work and the special tax assessment for the building at 1403 9th Avenue in Conway. Mr. Strydesky seconded the motion, and the vote carried unanimously.

C. Special Tax Assessment, 2 Year Review – 701 Laurel Street, Conway – Mrs. Conklin gave an overview of the special tax assessment that was granted to 701 Laurel Street in Conway on April 18, 2017. The applicant nor agent were present to provide evidence for the two year review and extension. Chairman Thompkins asked Mrs. Conklin to send a registered letter stating the applicant must be in attendance at the January 2020 meeting or lose the special tax assessment. Mr. Strydesky made a motion to defer the special tax assessment extension to the January 21, 2020 meeting provided that the applicant supplies the Board with the information needed or lose the special tax assessment. Vice Chairman Prince seconded the motion, and the vote carried unanimously.

VI. Board Discussion

- A. **BAR By-Laws** – Mrs. Conklin presented the BAR By-laws to the Board for discussion. There were comments given, but there will be no further action at this time.
- B. **Article XVII** – Mrs. Conklin presented the Board of Architectural Review and Historic Preservation Ordinance 1700 to the Board for discussion. There were comments given, but there will be no further action at this time.
- C. **Preservation Plan** – Mrs. Conklin presented the Horry County Historic Preservation Plan to the Board for discussion. There were comments given, but there will be no further action at this time.

VII. Reports – Chairman Thompkins gave an update on the two historical markers he has been working on, and he explained the Grier/Cox Ferry historical marker has almost been approved. Mr. Thompkins also mentioned the research of the military disaster has been sent to the State Department of Archives. Mrs. Conklin reminded the Board about the Historic Preservation Award nominations in March. Chairman Thompkins suggested Christopher Boyle and Rod Gragg as possible nominations for the Historic Preservation Awards. Mrs. Conklin stated she received an iPad expenditure in the amount of \$486.30, and the remaining budget for this fiscal year is \$6,213.61.

VIII. Next Meeting – January 21, 2020 at 2:30 PM

IX. Adjourn – Vice Chairman, Wink Prince made a motion to adjourn and it was seconded by Mr. Joel Carter. The motion carried unanimously. The meeting was adjourned at 4:56 PM.

STATE OF SOUTH CAROLINA)
)
COUNTY OF HORRY)

**Horry County Board of Architectural Review
and Historical Preservation
January 21, 2020 Meeting**

The Horry County Board of Architectural Review met on Tuesday, January 21, 2020, in Multi-Purpose Room B of the Horry County Government and Justice Center at 1301 2nd Avenue in Conway, SC. The following Board members were present: Jamie Thompkins, Wink Prince, Joel Carter, Sam Dusenbury, David Stoudenmire Jr., Gerry Wallace (arrived at 3:21 PM) and Bill Strydesky. Staff present: Lou Conklin and Darra Hucks. Visitors present: Teague Hopkins and Brantley Green.

In accordance with the SCFOIA, notices of the public meeting were sent to the press (and other interested persons and organizations requesting notification) providing the agenda, date, time, and place of the meeting.

- I. **Call to Order** – Chairman, Jamie Thompkins called the meeting to order at 2:36 PM. There was a quorum present.

- II. **Invocation** – Jamie Thompkins delivered the Invocation and led the Pledge of Allegiance.

- III. **Approval of Minutes** – Prior to voting on the November 2019 minutes, Chairman Jamie Thompkins made a motion to reconsider the vote on the Preliminary tax assessment for 317 Main Street in Conway. The Board did not conduct a vote on the November 2019 minutes.

- IV. **Public Input** – There was none.

- V. **Old Business**
 - A. **Special Tax Assessment – 701 Laurel Street, Conway** – Mrs. Lou Conklin gave an overview of the Special Tax Assessment at 701 Laurel Street in Conway. Mrs. Conklin explained that approval of the extension on the special tax assessment at 701 Laurel Street needed to be deferred until the next meeting because the required documentation was not submitted in time for evaluation by staff. Chairman Jamie Thompkins expressed his views regarding the script numbering that had been placed on the front of the house, as not being historically accurate and the need to address this prior to final certification. Brantley Green stated that there was an old carriage house on the property that they want to restore, some work on the back of the house to meet what the state wants, some energy items, some Carolina Safe Home items, and remediate a well/septic under the house. Mr.

Green indicated that the time line for completion of work is a year and a half. Chairman Thompkins addressed the need for a better process for the board to use regarding being kept in the loop on renovations. The County had to request information from the City of Conway pertaining to expenditures for this project. Chairman Thompkins suggested the possibility of a subcommittee for follow up on Tax Assessment cases. Vice Chairman Prince made a motion to defer the special tax assessment at 701 Laurel Street in Conway until the next meeting on February 18, 2020. Mr. Joel Carter seconded the motion, and the vote carried unanimously.

VI. New Business

- A. **Preliminary Special Tax Assessment – 329 & 331 Laurel St.** – Mrs. Conklin gave an overview of the requested special tax assessment for the rehabilitation and construction of the buildings at 329 and 331 Laurel Street in Conway. The fair market value at the time of application per Horry County Tax Assessor is \$59,100. Minimum expenditures of 25% of the fair market value is \$14,775.00, must occur within a two year period. Mr. Brantley Green, the property owner, was in attendance to propose his plans for the rehabilitation of the buildings to the Board. There was discussion between the Board and the applicant about the rehabilitation work. The building will have the same look as it currently has. The transoms windows will remain and be restored. Applicant indicated he intended to keep the store fronts as they were, with one building having a recessed entrance and the second store front not being recessed. The Board asked Mrs. Conklin to attach tax verification for age of the building to the special tax assessment application. Mr. Carter made a motion that 329 and 331 Laurel Street in Conway be recognized as a historic building based on the known information, but pending verification of the date be added to the record. Mr. Dusenbury seconded the motion, and the vote carried unanimously. The building will need to be declared historic by County Council. Discussion continued with the BAR informing applicant he will need to come back before the Board for approval for signage. Applicant indicated that 329 Laurel Street would become his firm's office, however it was not known who would occupy 331 Laurel Street. Applicant indicated the plans for the 911 addressing would be to just put the numbers on the glass above each door of the buildings. Chairman Thompkins stated there was nothing wrong with that as long as numbers were not too large, resembled what other buildings has done, and followed Conway's building code. Mr. Green replied that Conway's code indicates the size, the width and the trim. Vice Chairman Prince made a motion to grant preliminary certification for the special tax assessment at 329 and 331 Laurel Street in Conway. Mr. Strydesky seconded the motion, and the vote carried unanimously.

- B. **BAR By-Laws** – Mrs. Conklin explained that comments from staff regarding BAR By-Laws was not completed. Mr. Dusenbury indicated there were several places within the By-Laws where the name of the Board had not been changed to reflect the new name for the Board, and would need to be changed. Mr. Carter read new language pertaining to quorum which states “we must have 50% plus one”, and said if it works it works. Mr. Carter also asked for clarification on the budget changes pertaining to line items. Mrs. Conklin explained that it was not necessary to get permission to move funds from one category to another category within the budget. Mr. Dusenbury made a motion to defer the approval of the BAR By-Laws to the next meeting on February 18, 2020. Vice Chairman Prince seconded the motion, and then Board members failed to vote on the motion.
- C. **Article XVII** – Mrs. Conklin presented the updated Zoning Ordinance Article XVII to the Board. Staff indicated that the change to the Zoning Ordinance must be sent to Planning Commission for recommendation and that this is the first step in officially changing the name of the Board. There was discussion between the Board members and several comments given. Mr. Strydesky made a motion to defer the approval of Zoning Ordinance XVII to the next meeting. Mr. Dusenbury seconded the motion, then discussion on the motion was held. Staff conveyed that the changes included the name change, along with provisions for the review process for the creation of a historic district. Mr. Strydesky asked questions regarding the composition and number of members for a historic district subcommittee. Mr. Carter had questions regarding whether or not we conduct surveys of properties for the creation of historic districts and whether or not subcommittee members would be capable of producing the work needed to define the district. Staff indicated that there have been a number of requests from the community for the development of districts, but the County does not have criteria defined to provide staff guidance. Mr. Carter indicated that the Board has had some resistance in the past on the creation of district standards and that those standards should be established after receipt of public input. Staff indicated that the draft for the historic district content was modeled after other jurisdictions, but Mr. Carter’s experience can help contribute to the draft ordinance. Mr. Strydesky and Mr. Thompkins agreed that the subcommittee should be led by a member of the board. Mr. Strydesky withdrew his motion. Mr. Carter recommended minor changes to the document pertaining to the new language that was added in regard to historic districts. It was agreed that changes to the document needed to be made. A motion to defer Article XVII to the next meeting was made by Mr. Strydesky with the stipulation that Board members review the ordinance and send any suggested changes to Mrs. Conklin. Mr. Dusenbury seconded the motion and the motion passed unanimously. Mrs. Conklin asked all comments be submitted to her regarding the ordinance by February 4, 2020.
- D. **Preservation Plan** – Mrs. Conklin presented the updated Preservation Plan to the Board. Staff indicated that once the name changes has been approved by County

Council, the plan will be revised to reflect the change before Plan adoption. There was discussion between the Board members. Mr. Sam Dusenbury made a motion to approve the Preservation Plan, and Mr. Bill Strydesky seconded the motion. The vote carried unanimously.

- E. **BAR By-Laws** – Staff realized that the deferment for the By-Laws had not been voted on. Chairman Thompkins asked for a motion to defer the By-Laws. Mr. Dusenbury made a motion to defer the By-Laws. Vice Chairman Prince seconded the motion, which passed unanimously.

- VII. Board Discussion** – Chairman Thompkins gave an update on the Grier/Cox Ferry historical marker. Chairman Thompkins mentioned there was no procedure in place for the three year extension on a special tax assessment case. He suggested the development of a subcommittee with four Board members on it, to evaluate progress of special tax assessment cases. Mr. Strydesky suggested modifying the application process. Mr. Dusenbury asked about the ordinance for the Special Tax Assessment and requested it be sent to all BAR members.

- VIII. Reports** – Mrs. Conklin reported that Mrs. Brenda Long will be taking over the Cemetery Project, and she reminded the Board about the nominations for the Historic Preservation Awards on May 19, 2020. Mrs. Conklin stated the fiscal year budget remainder is \$6,475.90.

- IX. Next Meeting – February 18, 2020 at 2:30 PM**

- X. Adjourn** – Vice Chairman, Wink Prince made a motion to adjourn and it was seconded by Mr. Sam Dusenbury. The motion carried unanimously. The meeting was adjourned at 4:55 PM.

**Board of Architectural Review and Historic Preservation
Decision Memorandum
Horry County, South Carolina**

Date: February 18, 2020
From: Planning and Zoning
Division: Infrastructure and Regulation
Prepared By: Lou Conklin, Senior Planner
Cleared By: Leigh Kane, Principal Planner
Regarding: Board of Architectural Review and Historic Preservation Ordinance 1700

ISSUE:

Should the Board of Architectural Review and Historic Preservation consider recommending the adoption of the update to Zoning Ordinance 1700?

PROPOSED ACTION:

Vote on the proposed amendments to Ordinance 1700 in the Zoning Ordinance.

RECOMMENDATION

Planning Staff recommends approval of the update to Ordinance 1700 in the Zoning Ordinance.

BACKGROUND:

The Board has voted to change the name of the Board of Architectural Review and Historic Preservation to the Historic Preservation Commission. This will require Ordinance 1700 to reflect the new name. With this name change, the ordinance has also been updated.

ANALYSIS:

Ordinance 1700 has been updated with the name change for the Board. Language has also been added to clarify how to establish historic districts. Also added public hearing advertising information for historic property register. The Planning Commission will also review the amendments and make recommendations to County Council as it is part of the zoning ordinance.

ARTICLE XVII. - ~~BOARD OF ARCHITECTURAL REVIEW AND~~ HISTORIC PRESERVATION COMMISSION

1700. - Title.

The title of this Article shall be the ~~Board of Architectural Review and~~ Historic Preservation Commission Ordinance.

(Ord. No. 04-04, § 2, 4-6-04)

1701. - Purpose of this article and declaration of policy.

The purpose of this article is to preserve the local heritage of Horry County as an irreplaceable asset thru the creation of a list of designated individual properties, sites and landmarks and thru the creation of Historic Preservation Districts. The districts will include contributing non-designated properties as well as **contributing** designated historic properties. By regulating these properties, the county seeks to:

- (1) Safeguard its heritage by providing a mechanism that identifies, preserves and enhances the important characteristics of its culture, history and architectural history;
- (2) Promote the use and conservation of our resources such as individual properties, historic districts, significant and scenic areas, and landmarks for the educational enrichment and civic pride of County residents and the State as a whole;
- (3) Encourage a general harmony of style, form, proportion and material for the historic designated properties and areas within the County; and,
- (4) Improve property values and strengthen the local economy by fostering preservation, restoration and rehabilitation.

It is hereby declared as a matter of public policy that the protection, perpetuation and use of historical or significant architectural structures, and historic preservation districts or areas of geographical significance within the County are a public necessity and are required in the interest of the prosperity, civic pride and general welfare of the people.

The County's historic buildings and districts will continue to be a distinctive aspect of Horry County. They will serve as visible reminders of the significant historical and cultural heritage of Horry County and the State of South Carolina.

The procedures and guidelines set forth in the following sections will assist in the County's historic preservation efforts by identifying buildings, sites, objects and districts that reflect the County's cultural, social, economic, political or architectural history. These procedures establish a means of recording local historical preservation activities as a matter of public record.

Article XVII is enacted pursuant to the South Carolina Code of Laws, Section 6-29-870 thru 960.

(Ord. No. 04-04, § 2, 4-6-04)

1702. - Definitions.

The following words and phrases when used in this article shall have the meanings respectively ascribed to them:

Alterations. (may also be referred to as remodeling.) A change in the external architectural features of any historic structure or in the interior of such structure if the interior feature is specifically included in the historic designation; a change in the landscape features of any historic site or place; or work having an adverse effect upon designated archaeological resources.

Archaeological resources. Any material remains of past human life, activities or habitation that are of historic or prehistoric significance. Such materials include, but are not limited to pottery, basketry, bottles, weapons, weapon projectiles, tools, structures, or portion of structures, pit houses, rock paintings, rock carvings, graves, skeletal remains, personal items and clothing, household or business refuse, printed matter, manufactured items or any piece of any of the foregoing items.

Area. Two (2) or more parcels of land, sites, houses, buildings or structures that may include streets and alleys.

Certificate of appropriateness. The document issued by the ~~board of architectural review~~ **Historic Preservation Commission**, following a prescribed review procedure, certifying that the proposed actions by an applicant are found to be acceptable in terms of design criteria relating to the individual property or the historic district.

Certificate of no effect. An official form issued by the County Planning Department stating that the proposed work on historic property will have no detrimental effect on the historic character of the property, and therefore, may proceed as specified in the certificate without obtaining further authorization under these regulations. The issuance of this form authorizes the applicant to proceed with applications for any permits required by Horry County's Code Enforcement and Zoning Departments for said work.

Construction. The addition to an existing structure or the erection of a new principal or accessory structure on a lot or property.

Contributing property. Any property located within a historic **district** that is ~~not~~ a historic or **historically** designated property.

Demolition. Any act or process that destroys in part or in whole a historic structure or property (real or personal).

Demolition by neglect. Any act or process that destroys in part or in whole a historic structure or property (real or personal) because of neglect in maintaining, repairing, recycling, or securing a resource or the loss of structural integrity of the resource.

Design guidelines. A standard of appropriate activity that will preserve the historic and architectural character of a structure or area and by which the ~~Board of Architectural Review~~ **Historic Preservation Commission** makes its decisions.

Economic hardship. Economic hardship exists when a preponderance of evidence establishes that the property in question cannot obtain a reasonable economic return or be put to any economically beneficial use.

Exterior architectural appearance. The architectural character and general composition of the exterior of a structure, including but not limited to the kind, height, size, shape, mass, proportion, details, color,

and texture of the building materials and the type, design, and character of all windows, doors, light fixtures, signs and appurtenant elements.

Historic preservation. (Secretary of the Interior's Standards for the Treatment of Historic Properties Definition.) Preservation means the act or process of applying measures necessary to sustain the existing form, integrity, and materials of an historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction. New exterior additions are not within the scope of this treatment; however, the limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a preservation project.

Historic preservation overlay district. An area designated by the Horry County Council, upon the recommendation of the ~~board of architectural review~~ **Historic Preservation Commission** and pursuant to the provisions of this Article. A District is considered an area or group of areas, urban or rural, not necessarily having contiguous boundaries, containing one (1) or more resource related by history, architecture, archaeology, engineering or culture. All historic preservation districts shall be denoted with a special boundary and the text "HP" on the official zoning maps for Horry County and **kept as a public record to provide notice of such designation and shall** be classified as an overlay for zoning and mapping purposes. The historic preservation district will not replace the zoning district of record but will coincide with that district.

Historic site, landmark, structure, resource or property. One (1) or more parcels of land, sites, houses, buildings, structures, features, open space/areas, objects, or areas worthy of preservation because it is significant in the history, architecture, archaeology, engineering, or culture of the County. Hereinafter, a historic site, landmark, structure, resource or property will be referred to as a "historic property" or a "designated property".

Horry County Historic Property Register. The list of historic properties designated historic in Horry County as compiled and kept by the Horry County Planning Department.

The list shall ~~be composed~~ **include** the lots of non-designated properties within any historic preservation district. ~~as well as those historic properties that have received National Register, state or local status.~~

Minor work. Any change modifying, restoring, rehabilitating, renovating, surfacing, or resurfacing of the features of a historic property which does not materially change the historic characteristics of the property.

Move/removal. Any relocation of a structure on its site or to another site.

Open space. Undeveloped land, a naturally landscaped area, or a formal or man-made landscaped area that provides a connective link or a buffer between other resources.

Ordinary maintenance. Keeping a resource unimpaired and through ongoing minor intervention, undertaken from time to time, its exterior condition. Ordinary maintenance does not change the external appearance of the resources except through the elimination of the usual and expected effects

of weathering, specifically, painting as an act of ordinary maintenance. Ordinary maintenance does not constitute work for the purposes of this chapter.

Ordinary landscaping. Keeping a resource unimpaired and in sustained condition through ongoing, periodic minor intervention. Ordinary landscaping does not change the appearance of the resource, except through the changes to shrubbery, flowerbeds, rock gardens, etc.

Owner of record. (may also be called the record owner.) The person, corporation or other legal entity listed as owner(s) in the records of the Horry County Tax Assessor's office.

Property. Real property, land.

Reconstruction. The act of depicting, by means of new construction, the form, features, and detailing of a non-surviving historic property for the purpose of replicating its appearance at a specific period of time and in its historic location.

Rehabilitation. The act or process of making possible an efficient compatible use for a historic property through repair, alterations, and additions while preserving those portions or features that convey its historical, cultural, or architectural values.

Repair. To restore a decayed or damaged resource to good or sound conditions by any process. A repair that changes the external appearance of a resource constitutes work for the purposes of this article.

Restoration. The act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period. The limited and sensitive upgrading of mechanical, electrical and plumbing systems and other code-required work to make properties functional is appropriate within a restoration period.

Substantial hardship. Hardship, caused by unusual and compelling circumstances, based on one (1) or more of the following:

- (1) The property cannot reasonably be maintained in the manner dictated by this article;
- (2) There are no other reasonable means of saving the property from deterioration, or collapse;
or,
- (3) The property is owned by a non-profit organization and it is not feasible financially or physically to achieve the charitable purposes of the organization while maintaining the property appropriately.

(Ord. No. 04-04, § 2, 4-6-04)

1703. - Establishment of the ~~Board of Architectural Review~~ **Historic Preservation Commission**.

The Horry County ~~Board of Architectural Review (HCBAR)~~ **Historic Preservation Commission**, hereinafter referred as the "~~BAR~~" (**HPC**) or the "~~Board~~ **Commission**", is responsible for the implementation of this Article. Membership of the ~~Board~~ **Commission** shall be upon appointment by the Horry County Council. Members shall assume their duties at the first regular meeting after their appointment. Members shall serve without compensation except for reimbursement for authorized expenses attendant to the performance of their duties.

(Ord. No. 04-04, § 2, 4-6-04)

1703.1. Composition and Qualifications. The ~~BAR~~ HPC shall consist of up to ten (10) members and shall be made-up of individuals in architecture, history, landscape architecture, construction, ~~or~~ education profession, real estate, or interested citizens. All members of the ~~BAR~~ HPC shall have a demonstrated interest, competence or knowledge in historic preservation.

1703.2. Organization and Operation. Organization requirements for the ~~BAR~~ HPC are established in the South Carolina Code of Laws, § 6-29-870 and the Horry County Code of Ordinances, § Article VI, Boards, Commissions, Committees and Agencies, Division I, 2-73.

1703.3. Terms of Office. The terms of office for each ~~Board~~ Commission member shall be in accordance to Article VI, Division I, of the Horry County Code of Ordinances.

(Ord. No. 04-04, § 2, 4-6-04)

1704. - Powers and duties.

The responsibility of the ~~BAR~~ HPC shall be the following:

- (1) To promote the purposes and objectives of this Article.
- (2) To review and recommend to the Horry County Council the designation of individual historic properties, buildings, resources, sites, landmarks and historic districts.
- (3) To review plans and applications for construction, rehabilitation and restoration on historic properties, resources or sites, to historic landmarks or buildings, or within historic areas or districts, and any demolition pertaining to or affecting duly designated historic properties, resources, sites, buildings or districts.
- (4) To coordinate with the comprehensive land use area plans.
- (5) To approve, deny or approve with conditions the demolition or alteration of building exteriors, or interiors, if designated as historic. The ~~BAR~~ HPC also shall review proposed new construction in a historic district.
- (6) To maintain an inventory of local historic properties, promote education about historic preservation and procedures.
- (7) To review and comment on National Register of Historic Places nomination and exercise other duties specifically needed by a community.
- (8) To review and approve/disapprove Special Tax Assessment per Horry Code of Ordinances § Article I, 19-7, Tax incentives for rehabilitation of historic properties.
- (9) Other duties as assigned by this ordinance.

(Ord. No. 04-04, § 2, 4-6-04)

1705. - Historic property inventory.

The ~~BAR~~ HPC shall maintain a local inventory of historic properties more than fifty (50) years old. These records shall be held in the Horry County Planning Department and made available to the public. Based on the local inventory and criteria, individual properties **may be** proposed for the Horry County Historic Property Register. ~~shall be reviewed by the BAR and a recommendation forwarded to the Horry County Council. The process of review shall include property owner notification and a public hearing.~~

(Ord. No. 04-04, § 2, 4-6-04)

1706. - Designation of historic properties.

1706.1. Criteria for Historic Designation. The ~~Board~~ **Commission** shall review the local inventory and make recommendations for historic properties for local historic designation to the Horry County Council or the Horry County Planning Commission (for district designations) based on the following criteria:

A property may be designated historic if it:

- (1) Has significant inherent character, interest, history, or value as part of the community or heritage of the community, state or nation; or
- (2) Is the site of an event significant in history; or
- (3) Is associated with a person or persons who contributed significantly to the culture and development of the community, state or nation; or
- (4) Exemplifies the cultural, political, economic, social, ethnic or historic heritage of the community, state or nation; or
- (5) Individually, or as a collection of resources, embodies distinguishing characteristics of a type, style, period or specimen in architecture or engineering; or
- (6) Is the work of a designer whose work has influenced significantly the development of the community, state or nation; or
- (7) Contains elements of design, detail, materials or craftsmanship which represent a significant innovation; or
- (8) Is part of or related to a square or other distinctive element of community planning; or
- (9) Represents an established and familiar visual feature of the neighborhood or community; or
- (10) Has yielded, or may be likely to yield, information important in pre-history or history.
- (11) **As allowed by the National Park Service standards for culturally significant properties.**

1706.2. Owner Notification. Property owners of whose property is proposed for historic ~~properties~~ **designation** shall be mailed notification in writing thirty (30) days prior to the date of the public hearing. **(Public hearings must be advertised at least once in a newspaper of general circulation in Horry County fifteen (15) days prior to the date scheduled for the public hearing in addition to normal meeting notices.)** Owners may appear before the ~~Board~~ **Commission**, and Horry County Council to voice approval or opposition to such designation.

1706.3. Designation as a Historic Property. The Horry County Council shall approve proposed historic properties or district designations with three (3) readings. Once approval has been given, the property shall be added to the Horry County Historic Property Register as an individual historic property or to the Official Zoning Map as a historic district.

1706.4

Designation as a Historic Cemetery. When considering and upon the designation of a historic cemetery to the Horry County Historic Property Register, the following standards shall apply:

- (1) The addition of a cemetery to the Historic Property Register shall in no way modify state law concerning cemeteries.
- (2) For all cemeteries that have no defining border, such as a fence or naturally defined boundary the following shall apply:
 - a. Taking into account the nature, character and the typical arrangement of cemeteries in Horry County along a generally east/west line, a boundary shall be drawn encompassing all gravesites, including depressions or other indicators of probable gravesites, in such a way so as to adequately protect and preserve the gravesites therein without unnecessarily encumbering any more property than necessary.
 - b. If the property owner chooses to contest the boundary, or to propose an alternative boundary, the owner may do so at the public hearings held pursuant to Section 1706.2.
 - c. A map of the property depicting the proposed boundary shall be attached to the written notification sent to the property owner pursuant to Section 1706.2.
 - d. The proposed boundary shall be determined at the time the cemetery is added to the Historic Property Register.

1706.5

Designation as a Historic District. A minimum of one (1) designated historic property must exist in the area to be considered for a historic district before a committee to investigate the merits of a historic district is formed.

Before establishing a historic district, the HPC shall appoint a committee. The committee will include a minimum of one member of the public who lives in the proposed district if at all possible. The rest of the committee shall consist of at least two HPC members. A member of the HPC shall serve as chairman of the committee. The committee shall prepare a preliminary report to be presented to the HPC, which shall include the following:

- (1) Determine the boundaries for the proposed historic district in writing and on a map.
- (2) Create a photographic inventory of resources within the proposed historic district.
- (3) Conduct research on the proposed historic district and the historic resources located within the boundaries and give an analysis of the historic significance and architectural merit of the buildings or places and the significance of the district as a whole. In evaluating the

significance of historic resources, the committee shall be guided by the selection criteria for evaluation shown in 1706.1.

(4) Determine the number of historic and non-historic resources within the boundary of the proposed district.

(5) Create a map indicating the contributing designated historic properties.

(6) Make recommendations for the zoning ordinance to regulate the historic district.

A public hearing will be held at which time the ~~report~~ ordinance will be presented to the HPC. Property owners of both contributing designated historic and contributing non-designated properties within the proposed historic district shall be mailed notification 30 days prior to the public meeting. The preliminary report and ordinance, shall be made available to the public at the meeting and a comment period shall be given open for 60 days. At the next regularly scheduled meeting, but not within two weeks to the close of the comment period, the HPC will vote to send the proposed historic district to Planning Commission. Owners may appear before the Commission, the Planning Commission and Horry County Council to voice approval or opposition to such designation.

The Commission shall give notice of the time and place of the public hearing which shall be published in a newspaper of general circulation in the county at least fifteen (15) days in advance of the scheduled hearing date. Conspicuous notice shall be posted on or adjacent to the properties affected, with at least one (1) notice being visible from each public thoroughfare that abuts the proposed historic district. At the hearing any party may appear in person or by agent or by attorney.

(Ord. No. 104-08, § 1, 10-7-08)

1707. - Nominations to the national register of historic places.

Nominations to the National Register of Historic Places shall be reviewed and evaluated by the ~~BAR~~ HPC. A recommendation from the ~~BAR~~ HPC shall then be forwarded to South Carolina State Board of Review. The ~~BAR~~ HPC shall not nominate properties directly to the National Register.

(Ord. No. 04-04, § 2, 4-6-04)

1708. - Process for granting a certificate of appropriateness (COA).

1708.1. General. A Certificate of Appropriateness (COA) is required before a zoning compliance form or building permit can be issued. A COA is required for the demolition of, or any alteration, modification or addition to, as well as, any new construction to a historic property or to both a contributing designated historic property and contributing non-designated historic property located in a historic preservation district, or to an individually designated historic property. Any zoning compliance form or building permit not issued in conformity with this Article shall be considered null and void. Any project underway that does not have a Certificate of Appropriateness or a Certificate of No Effect (see Section 1709) shall have a stop work order issued by the Horry County Code Enforcement Department to prevent further work.

1708.2. Procedures.

(A) Application submission. Applications for a Certificate of Appropriateness (COA) shall be submitted to the Planning Department thirty (30) days prior to the regularly scheduled meeting of the ~~BAR~~ HPC in order to be considered. Only complete applications will be accepted and

submitted to the ~~BAR~~ HPC for review. The owner of record must sign the application form. In the event the property owner designates an agent to appear before the ~~Board~~ Commission, a letter of agency must be supplied with the application.

(B) ~~Board~~ Commission action and time limits. The ~~Board~~ Commission shall review the application, using the design guidelines appearing in Section 1710 to decide whether or not the applicant's plans are appropriate. Upon review of the application, the ~~Board~~ Commission shall have forty-five (45) days in which to state its decision - approval, denial, or approval with conditions - and the reasons for the decision. Written notification of the ~~Board's~~ Commission's decision and the reason for the decision shall be provided to the property owner or applicant. Individuals aggrieved by the decision of the ~~Board~~ Commission may appeal to the Courts of South Carolina.

1708.3. Contents of Application. The ~~Board~~ Commission shall, ~~in its By-laws,~~ require data as is reasonable and necessary to determine the nature of the application. An application shall not be considered complete until all the required data has been submitted.

1708.4. Notification of Affected Property Owners. Prior to the issuance of an approval or denial of a Certificate of Appropriateness, the Horry County Planning Department shall send out notification to the affected property owners who are ~~adjacent to and within a historic district within five hundred (500) feet of~~ the applicant's property.

1708.5. Submission of a New Application. If the ~~Board~~ Commission determines that a Certificate of Appropriateness should be denied, a new application affecting the same property may be submitted only if substantial change is made in the plans for the proposed work.

1708.6. Fines and Penalties for Violations. The system of fines applied by Horry County Code Enforcement Department for violation of the building codes will apply to violations of this Article.

1708.7. Substantial Hardship. In the event a Certificate of Appropriateness is denied, the property owner may apply for an exemption based on the substantial hardship of maintaining the property according to the design guidelines for historic properties. Substantial hardship is to be considered by the ~~Board of Architectural Review~~ Historic Preservation Commission only if the applicant can meet one (1) or more of the criteria as defined in Section 1702.

The owner may be required to submit documents to show that he cannot comply with the design guidelines. Information required may include, ~~but not limited to, one or more of the following:~~

- (1) Costs of the proposed development with and without modification needed to comply with the design guidelines as determined by the ~~Board~~ Commission;
- (2) Structural report and/or a feasibility report;
- (3) Market value of the property in its present condition and after completion of the proposed project;
- (4) Cost of the property, date purchased, relationship, if any between seller and buyer, terms of financing;

(5) For the past two (2) years, annual gross income from the property with operating and maintenance expenses, depreciation, and annual cash flow before and after debt service during that time; ~~and~~ or

(6) Other information considered necessary by the ~~Board~~ **Commission** to determine whether or not to grant the exemption.

1708.8. Demolition. It is the intent of this Section to establish minimum maintenance standards and criteria for the demolition of historic properties in Horry County.

(1) Property Owner Maintenance Responsibilities. The property owner shall make every effort to preserve from deliberate or inadvertent neglect the exterior features of buildings or structures designated as contributing or significant (and the interior portions if designated). Routine maintenance is necessary to prevent the deterioration and decay of the exterior. Buildings or structures shall be preserved against such decline and deterioration and kept free from structural defects through prompt corrections of the following:

(a) Facades which may fall and injure persons or property;

(b) Deteriorated or inadequate foundation, defective or deteriorated flooring or flooring supports, deteriorated walls or other vertical structural supports;

(c) Members of ceilings, roofs, ceiling and roof supports, deteriorated walls or other vertical structural supports;

(d) Deteriorated or ineffective waterproofing or exterior walls, roofs, foundations, or floors, including broken windows or doors;

(e) Defective or insufficient weather protection for exterior wall covering, including lack of paint or weathering due to lack of paint or other protective cover; or

(f) Any fault or defect in the building that renders it not properly watertight or structurally unsafe.

The owner will have to comply will all applicable building codes, laws and regulations governing any work on the property. Any owner who fails to maintain their building or structure in compliance with this Section will be subject to enforcement penalties.

(2) ~~Board~~ **Commission** Authorized Demolition. The ~~Board~~ **Commission** is authorized to approve the removal of dangerous or unsafe buildings and parts thereof if the building or structure is a historic landmark or is located in a historic district as defined in Section 1702 of this Article. The ~~Board~~ **Commission** shall not order or cause the building or structure or portion thereof to be removed or taken down, unless the ~~Board~~ **Commission** determines in consultation with the South Carolina Department of Archives and History and the Horry County Code Enforcement Department that:

(a) There is an extreme and immediate threat to public safety and welfare of the general public resulting from unsafe structural conditions; and,

(b) The building or structure cannot be made safe by the stabilizing, shoring or securing of the unit.

In instances where unsafe structural conditions have been identified in these buildings, the owner shall immediately make the building safe and secure.

(Ord. No. 04-04, § 2, 4-6-04)

1709. - Process for granting a certificate of no effect (COE).

1709.1. General. A Certificate of No Effect is required before any minor work to a designated historic property or to a contributing property located in a historic preservation district can occur. Minor work consists of any change modifying, restoring, rehabilitating, renovating, surfacing, or resurfacing of the features of a property that does not materially change the historic characteristics of the property or district. Minor work also incorporates landscaping, open spaces and the maintenance of a historic property or contributing properties located within a historic district. Any zoning compliance form or building permit not issued in conformity with this Section shall be considered null and void. Any project underway that does not have a Certificate of Appropriateness or a Certificate of No Effect shall have a stop work order issued by the Horry County Code Enforcement Department to prevent further work.

1709.2. Required Procedure. An application form must be submitted to the Planning Department in order to obtain a Certificate of No Effect (COE) whenever a property owner performs any minor work or repair to a historic property or contributing **non-designated historic property in a historic district**. The owner of record must sign the application form. In the event the property owner designates an agent to apply for the form, a letter of agency must be supplied with the application.

The Planning Department staff shall have fifteen (15) days to review the request. Upon review, a Certificate of No Effect shall be prepared or referred to the ~~BAR HPC~~. The COE must state the decision of the Planning Department: approval, denial, approval with conditions, or referral to the ~~Board~~ **Commission** - and the reasons for the decision. Decisions of the Planning Department are appealed to the ~~BAR HPC~~.

1709.3. Action on Applications. The Planning Department staff shall review the application, using the definition of "Minor Work" in Section 1702 to determine whether or not the application may be reviewed by staff or requires review by the ~~BAR HPC~~. Any application that requires Planning Department review shall be reviewed according to the design guidelines appearing in Section 1710. Once approved, a Certificate of No Effect (COE) shall then be issued. A copy of the application, the COE and other pertinent data shall be kept on record in the files of the Planning Department. Applications requiring ~~Board~~ **Commission** review shall be added to the next deadline for submittals to the ~~BAR HPC~~.

1709.5. Contents of Application. The Planning Department staff shall require data as is reasonable and necessary to determine the nature of the application. Such data can include, but may not necessarily be restricted to, site or architectural plans, landscaping plans, materials lists, etc. Historical and documental information may also be requested. An application shall not be considered complete until all the required data has been submitted.

(Ord. No. 04-04, § 2, 4-6-04)

1710. - Design guidelines.

1710.1. Intent. It is the intent of this Section to ensure that properties designated as historic or located within a Historic Preservation District shall remain in harmony with the architectural and historical character of Horry County, South Carolina. In granting a Certificate of Appropriateness or a Certificate of No Effect, the ~~Board~~ **Commission** or Planning Department shall take into account the following:

- (1) The architectural and historical significance of the structure,
- (2) The exterior form and appearance of any proposed additions or modifications, and
- (3) The effect of such change or additions upon other structures in the vicinity.

1710.2. General Design Review Guidelines. When considering an application for a Certificate, the Secretary of the Interior's Standards for Rehabilitation shall be used as guidelines in making decisions. In addition, the ~~Board~~ **Commission** may recommend to Horry County Council the adoption of more specific guidelines for specific historic properties and districts. These guidelines shall serve as the minimum basis for determining the approval, approval with conditions, or denial of an application for all ~~historic properties as well as all historic and contributing~~ historic properties located within a Historic Preservation District.

The Secretary's Standards for Rehabilitation are:

- (1) A historic property will be used as it was historically used or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
- (2) The historic character of a designated property shall be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relations that characterize a property will be avoided.
- (3) Each historic property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other buildings, will not be undertaken.
- (4) Changes to a designated property that have acquired historic significance in their own right will be retained and preserved.
- (5) Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property will be preserved.
- (6) Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
- (7) Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
- (8) Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
- (9) New additions, exterior alterations, or related new construction will not destroy historic materials, features and spatial relationships that characterize the designated property. The new

work will be differentiated from the old and will be compatible with the historic materials, features, size, scale, and proportion and massing to protect the integrity of the historic property and its environment.

(10) New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

1710.3. Maintenance, Repair, and Interior Projects. Nothing in this document shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature of structures designated as historic when that repair does not involve a change in design, material, color or outer appearance of the structure. Interior arrangements or alterations shall not be considered unless the interior is specifically described and designated as historic.

1711. - Challenge of a staff or ~~board~~ **Commission** decision.

Any applicant may challenge a decision of the Planning Department staff to the ~~BAR~~ **HPC**. Decisions of the ~~Board~~ **Commission** must be appealed to the Courts of South Carolina pursuant to the South Carolina Code of Laws, Section 6-29-900 et sequitur.

(Ord. No. 04-04, § 2, 4-6-04)

1712. - Conditional use permitting for weddings/periodic events.

1. Said facilities shall be exempt from the parking requirements of Section 1100 of the Zoning Ordinance.
2. Said facilities shall be exempt from the landscaping requirements of Section 527 of the Zoning Ordinance
3. The requirements of Chapter 13, Article 3 (Noise Control) of the County Code shall be met;
4. Any new structures erected for this purpose:
 - a. Must be approved by the Horry County ~~Board of Architectural Review~~ **Historic Preservation Commission** under the Secretary of the Interior Standards of Historic Preservation;
 - ~~b. Must substantially reflect the character and harmony of the surrounding area and the historic parcel;~~
 - b. Meet all requirements of the underlying zoning including any applicable Overlays;
 - c. May not exceed four thousand five hundred (4,500) square feet in size;
 - d. Shall meet applicable building code and be legally permitted.
5. Ingress, egress, and/or parking of vehicle traffic shall not create a hazard for traffic on an adjacent street;
6. Where the historic integrity of a designated structure will be potentially affected by the installation of commercial restroom facilities, ADA compliant, handicapped accessible portable restroom facilities may be substituted during all scheduled events.

7. All signage for the facility must be approved by the ~~Board of Architectural Review~~ **Historic Preservation Commission** and no off-site signage shall be permitted for such activities.
8. The ~~Board of Architectural Review~~ **Historic Preservation Commission** shall review the facility for appropriateness to host said events and may include or limit what events shall be allowed to be held, including, but not limited to:
 - a. Weddings, receptions, bridal showers, baby showers;
 - b. Reunions;
 - c. Reenactments;
 - d. House museums;
 - e. Holiday/seasonal events;
 - f. Similar social events that meet the requirements of this ordinance.
9. A conditional use permit shall be obtained prior to the commencement of the use.

(Ord. No. 38-12, § 2, 8-21-12)

COUNTY OF HORRY)
STATE OF SOUTH CAROLINA)

RESOLUTION NO. BAR-2-2020

A RESOLUTION OF THE BOARD OF ARCHITECTURAL REVIEW AND HISTORIC PRESERVATION RECOMMENDING TO AMEND ARTICLE XVII OF THE HORRY COUNTY ZONING ORDINANCES PERTAINING TO THE BOARD OF ARCHITECTURAL REVIEW AND HISTORIC PRESERVATION.

WHEREAS, Article XVII of the zoning ordinance was adopted in 2004 and underwent an update in 2008 and 2012 since its adoption; and

WHEREAS, the current name of The Board of Architectural Review and Historic Preservation does not accurately reflect the purpose of the Board which is primarily historic preservation; and

WHEREAS, the current ordinance allows for Historic Districts, but has no procedures for the creation of these districts; and

WHEREAS, the name of the Board when first founded in 1987, was the Horry County Historic Preservation Commission; and

WHEREAS, The Board has recommended approval of changing their name back to the Horry County Historic Preservation Commission; and

WHEREAS, Article XVII has been updated to include language to establish procedures for the creation of Historic Districts; and

BE IT, THEREFORE, RESOLVED THAT:

The Horry County Board of Architectural Review and Historic Preservation supports the proposed amendment to Article XVII and recommends approval of their requested name change to the Horry County Planning Commission on this 18th day of February, 2020.

**HORRY COUNTY BOARD OF ARCHITECTURAL REVIEW
AND HISTORIC PRESERVATION**

James B. Thompkins III
Chairman

Wink Prince Vice Chairman

Bill Strydesky

Brenda Long

Joel Carter

Sam Dusenbury

David Stoudenmire, Jr.

Gerry Wallace

**Board of Architectural Review and Historic Preservation
Decision Memorandum
Horry County, South Carolina**

Date: February 18, 2020
From: Planning and Zoning
Division: Infrastructure and Regulation
Prepared By: Lou Conklin, Senior Planner
Cleared By: Leigh Kane, Principal Planner
Regarding: Board of Architectural Review and Historic Preservation By-Laws

ISSUE:

Should the Board of Architectural Review and Historic Preservation consider adoption of the update to the By-Laws?

PROPOSED ACTION:

Vote on the proposed updates to the By-Laws.

RECOMMENDATION

Planning Staff recommends approval of the update to the By-Laws.

BACKGROUND:

The Board has voted to change the name of the Board of Architectural Review and Historic Preservation to the Historic Preservation Commission. This required the By-Laws to reflect the new name. With this name change, the By Laws have also been updated.

ANALYSIS:

The By-Laws have been updated with the proposed name change to the Board and to reflect Horry County Code of Ordinances, Chapter 2- Administration, Article VI - Boards, Commissions, Committees and Agency. After review and recommendations by the BAR, County Council will need to approve the changes.

**HORRY COUNTY ~~BOARD OF ARCHITECTURAL REVIEW~~
AND HISTORIC PRESERVATION COMMISSION**

BY-LAWS

ADOPTED THIS ____ DAY OF _____, 20____, BY THE HORRY COUNTY ~~BOARD OF ARCHITECTURAL REVIEW AND HISTORIC PRESERVATION~~ COMMISSION.

ARTICLE I.

NAME

The name of this county agency is the Horry County ~~Board of Architectural Review and Historic Preservation~~ Commission.

ARTICLE II.

ORDINANCE AND STATUS OF HORRY COUNTY

~~BOARD OF ARCHITECTURAL REVIEW AND HISTORIC PRESERVATION~~ COMMISSION

The Horry County ~~Board of Architectural Review and Historic Preservation~~ Commission (HPC) (~~BAR~~) is an agency of Horry County Government as established by County Ordinance titled ~~Board of Architectural Review and Historic Preservation~~ Commission Ordinance No. 04-04 and adopted April 6th, 2004, add revised DATE. The County Ordinance and any amendments thereto shall be the Constitution or the Chartering document of the Horry County ~~Board of Architectural Review and Historic Preservation~~ Commission and shall take precedence over the ~~Board's~~ Commission's By-Laws in the event there is any question or problem of interpretation.

The Horry County ~~Board of Architectural Review and Historic Preservation~~ Commission is responsible for accepting and administering on behalf of the County, full or partial interest in real property, including easements, that the County may have or accept as a gift or otherwise.

ARTICLE III.

PURPOSE

The purpose of the Horry County ~~Board of Architectural Review and Historic Preservation~~ Commission shall be to:

Provide a mechanism to identify, protect, and preserve the distinctive historical and architectural characteristics of Horry County, which represent the County's cultural, social, economic, political, and architectural history;

Foster civic pride in the beauty and accomplishments of the past as represented in Horry County's historic places;

Conserve, and improve the value of property designated as historic structures or properties or within designated historic districts;

Foster and encourage preservation, restoration, rehabilitation of structures, areas, neighborhoods, and help to prevent blight; and,

Encourage new developments reflecting and compatible with the historic character of the County.

ARTICLE IV.

GOAL

To declare a matter of public policy that the protection, enhancement, perpetuation, and use of improvements of special character or special historical interest or value is a public necessity and is required in the interest of the health, prosperity, safety and welfare of the people. To preserve significant buildings, land areas, or districts having important historical, architectural, archaeological, or cultural interest and values that reflect the heritage of the County where unprecedented growth in population, economic functions, and land-use activities in the County have increasingly threatened to uproot or destroy these values, and once uprooted or destroyed, their distinctiveness is forever gone.

ARTICLE V.

DUTIES AND AUTHORITY

The duties and authority of the Horry County ~~Board of Architectural Review and Historic Preservation~~ **Commission** shall be those in the Ordinance and any amendments thereto.

ARTICLE VI.

MEMBERSHIP OF THE ~~BOARD~~ **COMMISSION** AND TERMS OF MEMBERSHIP

The ~~Board of Architectural Review and Historic Preservation~~ **Commission** shall consist of not more than ten (10) members. Members shall be appointed by ~~the Chairman of Horry County Council.~~ **the Chairman of Horry County Council.** ~~upon advice and consent of Horry County Council.~~

At least five (5) members shall have demonstrated interest, competence, or knowledge in historic preservation. Five members shall be appointed from among professionals in the disciplines of architecture, history, architectural history, planning, archeology, or related disciplines (**to include but not limited to** such as urban planning, American studies, American civilization, cultural geography, cultural anthropology, engineering, or real estate) to the extent that such professionals are available in Horry County. The other members

shall be appointed from one or more of the following categories: lawyer, developer, **construction contractor**, or property owner.

Members shall be appointed to serve staggered four-year terms. The first members appointed shall be appointed for a term of two, three or four years. All terms shall commence July 1st and end June 30th of the appropriate year. Members shall serve until their successors are elected and qualify. Vacancies occurring otherwise than through the expiration of a term, shall be filled for the unexpired term by the Chairman of Horry County Council. Vacancies shall be filled for unexpired terms due to membership resignation or in the event a member moves from Horry County. All vacancies shall be filled within sixty (60) days, where possible. ~~In the event that a vacancy is not filled within sixty (60) days, that member shall serve until a new member is appointed.~~ Newly appointed members shall be installed at the first regular meeting after their appointment.

~~Any member shall be removed from membership after a public meeting for repeatedly failing to attend properly called meetings without just cause, generally after failure to attend three (3) consecutive meetings. A member shall also be removed from membership after a public meeting for malfeasance or misconduct in office.~~ **Any member of the commission may be recommended for removal for cause by a vote of two-thirds (2/3) majority of the commission. Written notice of the recommendation shall be given to the county administrator within five (5) days of the meeting in which the recommendation is officially made. Removal will be by a majority vote of the county council after written notice to the member concerned.** A written statement of the reasons for such removal shall be provided.

Members are expected to attend meetings. An attendance roster, including the names of members who attended and who did not attend, shall be included in the minutes of each meeting. Absence by any member from three (3) consecutive meetings without a valid reason, such as illness or pressing personal commitments, shall be considered a voluntary resignation by the member. In the event that three consecutive meetings are missed for any reason, valid or not, a letter shall be sent from the Chairperson of the **Board Commission** to the non-attending member to inquire their intention of continued service to the **Board Commission**. The non-attending member shall respond to this letter in writing with their intentions or shall be considered to have voluntarily withdrawn from service to the **Board Commission**.

All members must report to the ~~Secretary~~ **Staff Liaison** if they anticipate that they will be unable to attend a duly called meeting so that the ~~Secretary~~ **Staff Liaison** can determine whether a quorum will be present for the meeting.

The Secretary shall notify the County Administrator of any resignations due to absence from meetings and other resignations and vacancies caused by death, disability, transfer or residence outside of the county or other causes, within thirty (30) days of the effective date thereof.

ARTICLE VII.
OFFICERS

At the first meeting subsequent to July 1st of each year, the offices of Chairman and Vice-Chairman shall be elected from the ~~BAR~~ HPC voting membership and shall serve one-year terms or until their successors are elected. The ~~BAR~~ HPC may elect a Secretary or appoint a Secretary who may be a County official or employee of the County to keep accurate records or the proceedings of the ~~BAR's~~ HPC meetings. The Secretary, if not a ~~BAR~~ HPC member, shall not be a voting member of the ~~BAR~~ HPC.

ARTICLE VIII.
DUTIES OF OFFICERS

The duties of the officers shall be those usually related to the positions, as outlined by the parliamentary authority adopted by these By-Laws, with the following conditions:

Chairman – Shall give leadership to the ~~Board~~ Commission, act as a liaison between the ~~Board~~ Commission and County Council, preside over all meetings and represent the ~~Board~~ Commission when the ~~Board~~ Commission is not in session, and shall be responsible, per the Ordinance and amendments thereto, to the Horry County Council for the conduct and management of the ~~Board of Architectural Review and~~ Historic Preservation Commission. The Chairman shall serve as Ex-Officio on all committees.

Vice-Chairman – Shall perform the duties of the Chairman in his/her absence.

Secretary – Shall ensure that accurate records of each meeting are kept and that all correspondence directed by the ~~BAR~~ HPC is accomplished, keep accurate files required by the ~~BAR~~ HPC, and be responsible for the bi-monthly financial report which will list the disbursements made in behalf of the ~~BAR~~ HPC.

ARTICLE IX:
CONFLICT OF INTEREST

No member shall take any action with regard to a matter before the ~~BAR~~ HPC which action would be in violation of state laws and regulations concerning ethics and government accountability. A member who is faced with a conflict of interest under state law shall prepare a written statement describing the matter and the nature of the potential conflict of interest and shall furnish a copy of that statement to the chairman. The chairman shall then cause the statement to be printed in the minutes of the meeting and require that the member be excused from any votes, deliberations, and other actions on the matter.

ARTICLE X:
COMMITTEES

The Executive Committee shall consist of the officers of the ~~BAR~~ HPC. The Committee may appoint any committee(s), sub-committee(s) and/or advisory committees as stipulated in the Ordinance and any amendments thereto.

ARTICLE XI:
MEETINGS

The regular meeting date of the ~~Board~~ Commission shall be the third Tuesday of each calendar month.

Special meetings may be called by any two (2) members of the ~~Board~~ Commission after not less than three (3) days notice to each member. The place of the meeting shall be determined by the Chairman.

All meetings shall be held in a place accessible and open to the general public. Meetings and actions of the ~~Board~~ Commission shall be governed by the requirements of the South Carolina Freedom of Information Act.

All meetings shall be advertised with notice posted on the bulletin board in the County Council office at least twenty-four (24) hours prior to the scheduled meeting.

All meetings at which public hearings are to be conducted must be advertised at least once in a newspaper of general circulation in Horry County fifteen (15) days prior to the date scheduled for the public hearing in addition to normal meeting notices.

ARTICLE XII:
RULES OF ORDER

The Rules contained in the most current edition of "Robert's Rules of Order" shall govern the ~~Board~~ Commission in all cases to which they are applicable and in which they do not conflict with the provision of these By-Laws, the Ordinance and any of its amendments or with county, state, or national law.

The ~~Board~~ Commission is the final authority on interpretation of parliamentary authority by majority vote of the required quorum.

ARTICLE XIII.
QUORUM

~~A simple majority of all members of the Board of Architectural Review and Historic Preservation shall constitute a meeting quorum.~~

All meetings must have a majority fifty (50) percent plus one (1) of the membership present to conduct business.

ARTICLE XIV.
MINUTES

~~Minutes and other official records of all meetings and actions shall be kept. Copies of approved minutes and other official records of all meetings, duly signed by the appropriate officer, shall be forwarded to the County Administrator within thirty (30) days after each meeting.~~

A record of the vote of each member on all business and recommendations shall be recorded as part of the minutes of each meeting. The chairman shall vote on each issue brought before the Commission.

ARTICLE XV.
FINANCES

~~Budget requests shall be submitted according to the schedule and format of the annual Horry County budget manual. Budget requests shall be accompanied by a line-item justification, a statement of goals and objectives for the use of the county funds, and any other information required by the County Administrator and County Council. Approval must be obtained before making line item revisions in, or reprogramming funds from, previously approved budget requests as provided in the current budget.~~

For expenditures of County funds not under the County's financial management system, an audit report and management letter if provided by the external auditor shall be submitted to the County Administrator by September 30th of each year for the last previous fiscal year in which County funds were obtained.

Purchasing policies of Horry County, at minimum, will be followed for all bidding and other procurements.

ARTICLE XVI.
ANNUAL REPORT

~~In January of each year, an annual report of activities along with recommendations for improvements or changes desired shall be prepared and submitted to the Horry County Council, the Horry County Planning Commission, and the County Administrator.~~

The Commission shall present to the County Council in January of each year an annual report of activities along with recommendations for improvements or changes desired.

ARTICLE XVII.
MEMBERS AND PERSONNEL SUBJECT TO STATE STATUTES
AND COUNTY ORDINANCES

Members and staff shall be subject to and governed by the statutes of the State of South Carolina, the ordinances of Horry County, and all rules and regulations promulgated pursuant thereto, relating to County departments, agencies, boards and commissions and members, employees or personnel thereof. These entities are responsible to the County Administrator for compliance with general administrative requirements.

ARTICLE XIX.
AMENDMENTS

No amendment may be made relative to the substance of the Ordinance creating the Horry County ~~Board of Architectural Review and Historic Preservation Committee~~ Commission. Suggested amendments or changes to the By-Laws shall be presented to the Chairman in writing who shall then submit it, in writing, to the ~~Board~~ Commission members in the notice of the Meeting at which the vote is to be taken. Amendments to and/or changes of the By-Laws shall require a two-thirds vote of the voting members.

Board of Architectural Review and Historic Preservation
Briefing Memorandum
Horry County, South Carolina

Date: February 18, 2020
From: Planning and Zoning
Division: Infrastructure and Regulation
Prepared By: Lou Conklin, Senior Planner
Cleared By: Leigh Kane, Principal Planner
Regarding: Grier's/Cox's Ferry Historical Marker

ISSUE:

What is the status of the Grier's/Cox's Ferry Historical Marker?

CONCLUSION:

Should the BAR accept the text proposed by the State Historic Preservation Office, propose new text for the Grier's/Cox's Ferry Historical Marker, or create the Grier's/Cox Ferry marker without SHPO being involved?

BACKGROUND:

SC Department of Archives and History is responsible for the States Historic Marker Program. Though markers interpret historic places, such as historic sites, structures, and people of events, they are not an official historic preservation designation.

ANALYSIS:

The application for Grier's/Cox's Ferry marker was sent to the State Historic Preservation Office with the proposed sign text. Responses have been sent back and forth between the State Historic Preservation Office and Ben Burroughs. They have not come to an agreement for the text to the marker. Chairman requests the Board evaluate its options.

Board of Architectural Review and Historic Preservation
Briefing Memorandum
Horry County, South Carolina

Date: February 18, 2020
From: Planning and Zoning
Division: Infrastructure and Regulation
Prepared By: Lou Conklin, Senior Planner
Cleared By: Leigh Kane, Principal Planner
Regarding: Special Tax Assessment for Rehabilitated Property, PIN # 367-01-01-0023

ISSUE:

What is the status of the extension on the preliminary tax assessment of 701 Laurel Street, Conway?

CONCLUSION:

Applicant has met the minimum expenditures within the two year period for the Special Tax Assessment. Extension has been granted.

BACKGROUND:

Horry County Code, Section 19-7, provides for a special tax assessment for eligible rehabilitated historic properties. This special assessment creates an incentive for the rehabilitation of historic parcels by freezing the tax assessments at pre-rehabilitation levels for up to 15 years. This prevents a property owner from being penalized for improving the value of a historic property.

An applicant under Section 19-7 must meet the following conditions:

1. The owner of the property applies for and is granted Historic Designation by Horry County Council; and
2. The proposed rehabilitation receives approval of rehabilitation work from the BAR, using the Secretary of the Interior Standards of Historic Preservation; and,
3. The owner of the property will be expending a minimum of 25% of the fair market value of the building during the rehabilitation project.

Provided that an applicant meets the three above requirements, the BAR may grant preliminary approval to the project, which will temporarily trigger the tax assessment freeze on the property. The applicant then has two years to complete the project and meet the requirements previously mentioned, at which time the BAR may grant final certification of the project. If the project is not completed after two years, but the minimum expenditures for rehabilitation have been incurred, the property continues to receive the special assessment until the project is completed, but not for more than five years.

ANALYSIS:

The 2017 fair market value of the J. W. Holliday Jr. house located at 701 Laurel Street was \$278,500.00. Preliminary approval was given on April 18, 2017. Within two years of Preliminary Certification, applicant needed to spend 25% or \$69,625.00. Applicant has pulled building permits from the city of Conway in excess of this amount and has produced billing receipts in excess of \$200,000. 00 for the two year time period.

J. W. Holliday Jr. House – 701 Laurel St.
Special Tax Assessment – 2 Year Reassessment
PIN -338-13-04-0055



Board of Architectural Review and Historic Preservation
Briefing Memorandum
Horry County, South Carolina

Date: February 18, 2020
From: Planning and Zoning
Division: Infrastructure and Regulation
Prepared By: Lou Conklin, Senior Planner
Cleared By: Leigh Kane, Principal Planner
Regarding: Special Tax Assessment Subcommittee

ISSUE:

Should the BAR create a subcommittee for Special Tax Assessments?

CONCLUSION:

The BAR is handling more cases involving Special Tax Assessments.

BACKGROUND:

Horry County Code, Section 19-7, provides for a special tax assessment for eligible rehabilitated historic properties. This special assessment creates an incentive for the rehabilitation of historic parcels by freezing the tax assessments at pre-rehabilitation levels for up to 15 years. This prevents a property owner from being penalized for improving the value of a historic property.

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ANALYSIS:

The BAR is having more applications for the Special Tax Assessment. Several areas of concern have been brought up at previous meetings in order to improve the review process. Staff would like BAR input on;

- Historic Designation Application
- Revising the Preliminary Tax Assessment Application
- Establishing a process for conducting reviews of construction work prior to final certification.
- Application process for extension

While advising on revisions to the application, the primary and ongoing function of the subcommittee will be to conduct site visits prior to Final Certification.

Board of Architectural Review and Historic Preservation
Briefing Memorandum
Horry County, South Carolina

Date: February 18, 2020
From: Planning and Zoning
Division: Infrastructure and Regulation
Prepared By: Lou Conklin, Senior Planner
Cleared By: Leigh Kane, Principal Planner
Regarding: Huger Park

ISSUE:

What is the status of Huger Park?

CONCLUSION:

Continue to move forward with Huger Park.

BACKGROUND:

On January 10, 2013, Horry County acquired the land to create the Huger (Ten Oaks) Park. Over the years different concepts for the park were created. The idea is to create a Memorial Park for General Isaac Huger, who alongside Generals Francis Marion and Peter Horry fought in the American Revolutionary War. The land on which the ten majestic Live Oaks stand, (the area for the park) was once part of Isaac Huger land holdings in this section of the South Carolina Lowcountry, which also included thousands of acres that are now part of Myrtle Beach. The preservation of the ten Live Oaks together with the commemoration of General Isaac Huger has been the main area of interest.

ANALYSIS:

On February 12, 2020 a design charrette for Huger Park was held. Participants from the Sons of the American Revolution, Daughters of the American Revolution, Beautify Carolina Forest, Carolina Forest Civic Association, D.R. Horton, Horry County Parks and Recreation, Horry County Planning & Zoning, the Horry County Parks and Open Space Board, Horry County Board of Architectural Review and Historic Preservation, Coastal Carolina University's Horry County Archives, the Horry County Historical Society, and the Horry County Museum. Multiple park designs concepts were developed. Staff will be synthesizing design concepts and presenting ideas back to the same group. An opportunity of the BAR to get involved may possibly be assisting with a historic marker.