



HORRY COUNTY ZONING BOARD OF APPEALS

Meeting Dates

January 13, 2020

February 10, 2020

March 9, 2020

April 13, 2020

May 11, 2020

June 8, 2020

July 13, 2020

August 10, 2020

September 14, 2020

October 12, 2020

November 9, 2020

December 14, 2020

Members

Marion Shaw, Chairman

Mike Fowler, Vice Chairman

Mark Gouhin

William Livingston

Robert Page

Drew Parks

John Brown

Johnny Brown

Kevin Doolittle

Staff

Pam Thompkins, Zoning Administrator

David Schwerd, Director of Planning

John Danford, Deputy Director

Desiree Jackson, Asst. Zoning Admin.

Stevie Brown, Chief Zoning Inspector

David Gilreath, Asst. County Admin.

David Jordan, Deputy County Attorney

Jerry Mabry, Court Reporter

Marnie Leonard, Planning Zoning Tech



HORRY COUNTY ZONING BOARD OF APPEALS
Agenda

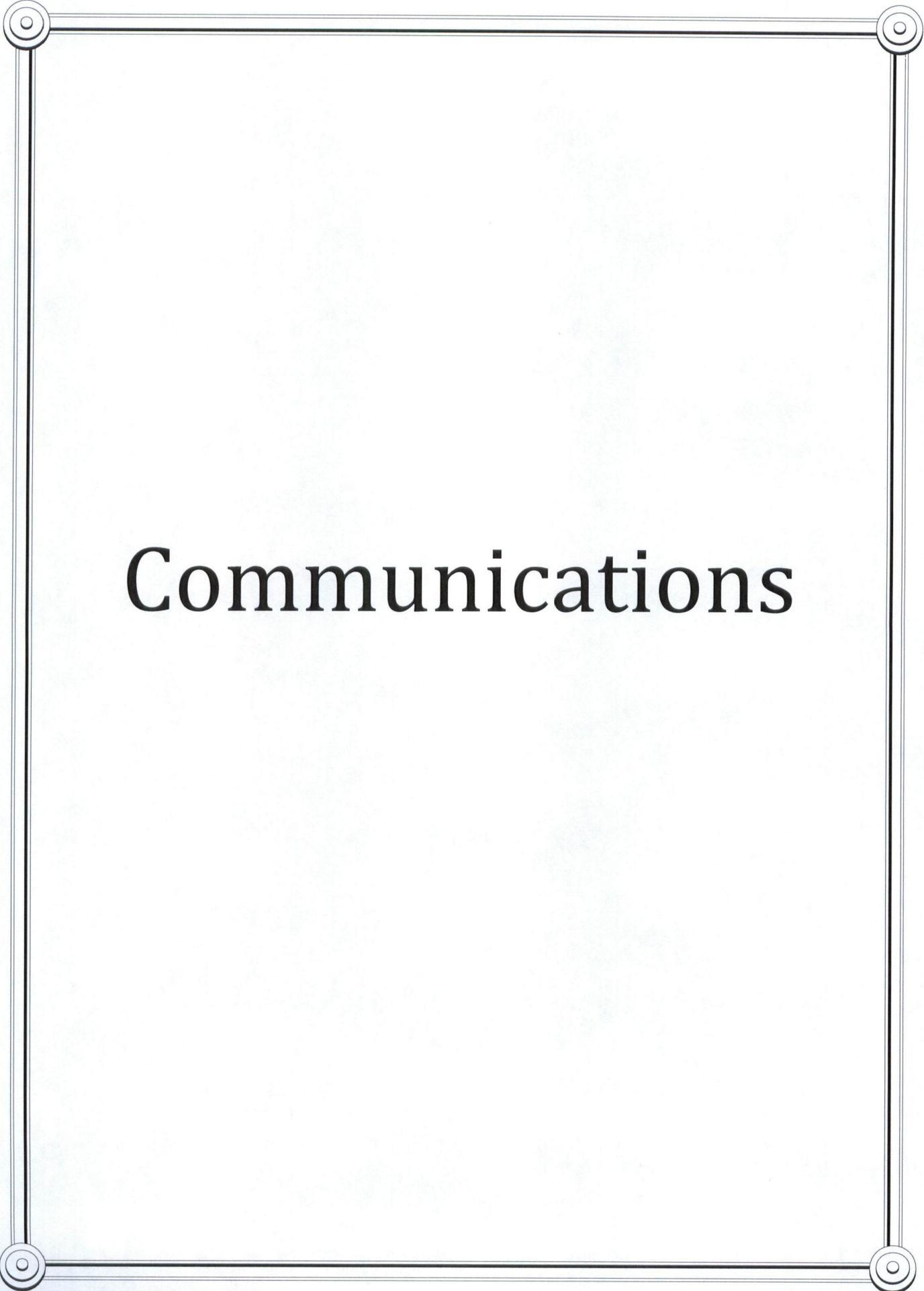
February 10, 2020

- I. Call to Order – 5:30 p.m.**
- II. Invocation/Pledge of Allegiance**
- III. Communications** **1**
- IV. Minutes**
 - January 13, 2019 – Regular Meeting Minutes..... **2-17**
- V. Old Business**
 - 2019-12-010 – Ader Vindel agent for Pedro & Carolina Miranda..... 18-30**
883 Castlewood Drive, Conway, SC (Council Member Vaught)
- VI. New Business**
 - Variances**
 - 1. 2020-01-001 – Edward & Donna Goodrich 32-45**
353 Skyland Pines Drive, Myrtle Beach, SC (Council Member Loftus)
 - 2. 2020-01-002 – Kimberly Warnick & Thomas Thorn II ... 46-57**
4147 Rose Bus Lane, Myrtle Beach, SC (Council Member Crawford)
 - 3. 2020-01-003 – Sandra Jones & Lee Edge..... 58-68**
236 Little River Neck Road, N. Myrtle Beach, SC (Council Member Worley)

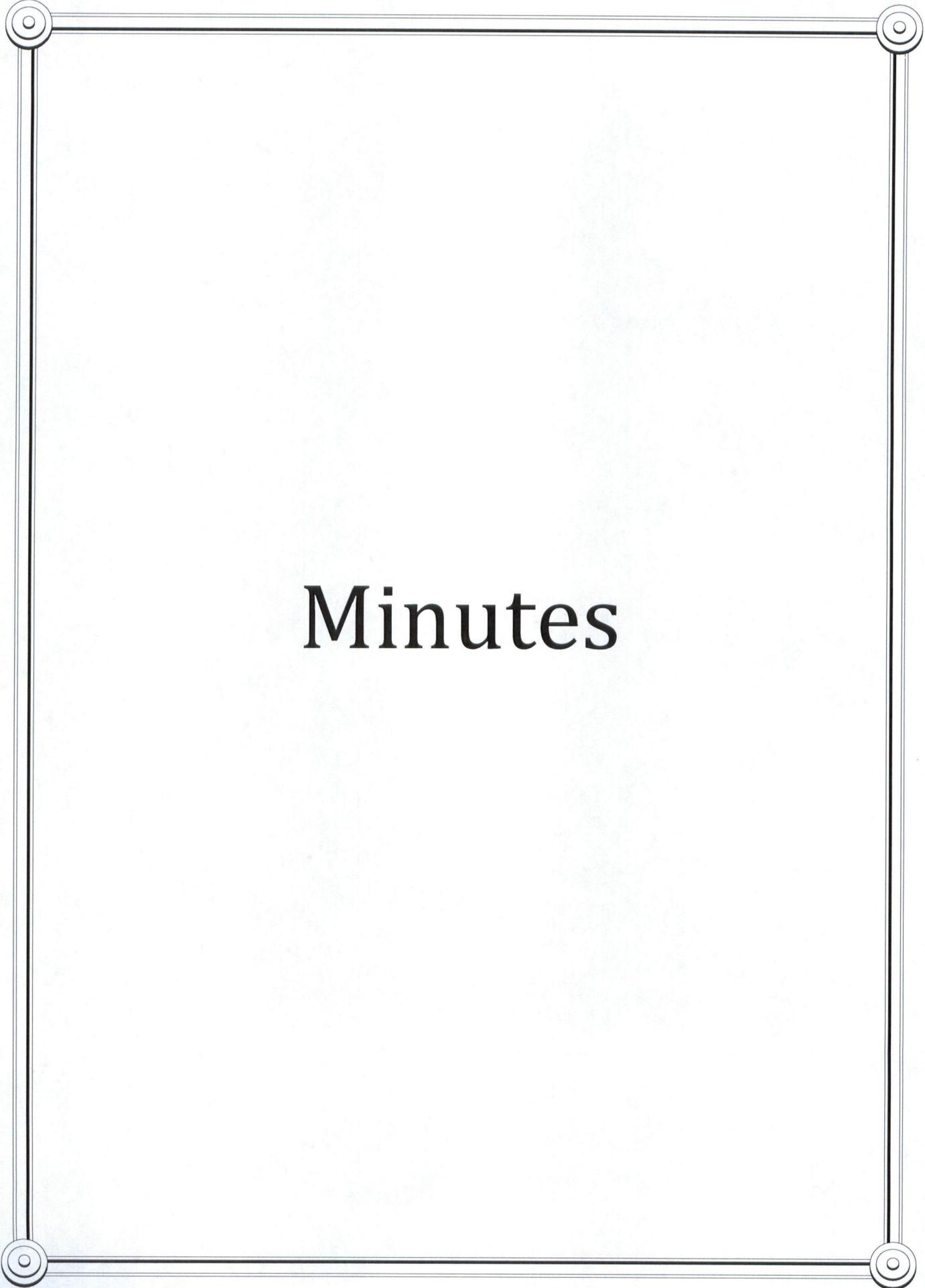


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4. **2020-01-004 – Tim Alexander, agent for Daniel E. & Gloria Smith..... 69-85**
24 Mansion Ct., Murrells Inlet, SC (Council Member Servant)
 5. **2020-01-005 - Joseph W. Fedourich, Fedo Enterprises LLC..... 86-94**
3750 Cypress Dr., Little River, SC (Council Member Worley)

VII. Adjourn



Communications



Minutes

STATE OF SOUTH CAROLINA) HORRY COUNTY ZONING BOARD OF APPEALS
)
COUNTY OF HORRY) MINUTES – January 13, 2020

The Horry County Zoning Board of Appeals held its scheduled meeting on Monday, January 13, 2020 at 5:30 p.m. in the Horry County Government Center, Multi-purpose Room B, located at 1301 Second Avenue in Conway, South Carolina.

Board Members present: Drew Parks, Michael Fowler, Mark Gouhin, William Livingston, Bobby Page, John Brown, and Kevin Doolittle

Board Members Absent: Johnny Brown and Marion Shaw

Staff present: Pam Thompkins, Marnie Leonard, John Danford, Jordan Todd, David Jordan, Jerry Mabry, and Desiree Jackson

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

Vice Chairman Michael Fowler called the meeting to order at 5:30 p.m. There was a valid quorum for voting purposes. Bobby Page delivered the invocation and Drew Parks led in the Pledge of Allegiance.

Vice Chairman Michael Fowler swore in staff.

COMMUNICATIONS

Pam Thompkins explained that case 2019-12-002 had been withdrawn by the applicant.

She stated Case 2019-12-008, Roger Kirschner Jr. agent for Health and Wealth of Horry County LLC was withdrawn by staff. The residential (SF10) zoning does not allow group homes.

Case 2019-12-010, Ader Vindel, agent for Pedro and Carolina Miranda requested a deferral to the February 10th meeting. The applicant did not have the letter from their HOA that was needed. Drew Parks made a motion to defer the case to the February 10th meeting. William Livingston seconded the motion. The motion carried unanimously. ***The variance was deferred to the February 10th, 2020 meeting.***

REGULAR MEETING MINUTES - December 9, 2019

Michael Fowler asked if there were any additions, deletions or changes to the minutes. John Brown a motion to accept the minutes as written. William Livingston seconded. The motion carried unanimously. ***The minutes for December 9, 2019 were approved.***

OLD BUSINESS

NEW BUSINESS

Public Hearings

Variances

The first case number was 2019-12-001 Robert Biagi. Pam Thompkins presented the case to the board. PIN number 462-04-02-0060 identifies the parcel located at 1 Tall Pine Lane, Myrtle Beach. The applicant is requesting a variance from Article VII, Section 706 and Article VIII regarding setback requirements in the Residential (SF10) zoning district. The new proposed location places the structure 10.2' from the rear property line instead of the required 15' for a variance of 4.8'. **(Please refer to the January 13, 2020 packet for further information.)**

Should the board decide that this variance request satisfies all five required factors and grants approval of the requested variance, staff recommends the following conditions:

1. All required documents shall be submitted to the Horry County Code Enforcement Department for review and approval and required permits obtained.
2. All future buildings and building additions must conform to Horry County regulations.
3. All other applicable County requirements shall be met.

Michael Fowler swore in Robert Biagi, applicant who explained the need for his variance request and that Horry County Code Enforcement Department told him he could build a shed as long as it was not a permanent structure.

Kevin Doolittle asked if the size of the shed could be changed. Mr. Biagi responded yes

There was no public input

Drew Parks made a motion to grant the variance with the conditions as stated by staff. William Livingston seconded the motion. The motion carried unanimously

The variance was approved with conditions.

The second case number was 2019-12-003 William Martin. Pam Thompkins presented the case to the board. PIN number 405-16-02-0002 identifies the parcel located at 5103 Krystal Lane, Conway. The applicant is requesting a variance from Article VII, Section 702 & Article VIII regarding minimum lot width at building site and setback requirements in the Forest Agricultural (FA) zoning district. The applicant is requesting to subdivide this parcel into two lots. Lot 1 does not meet the 90' minimum lot width at building site; the lot is 84' in width instead of the required 90' for a variance of 6'. The mobile home on Lot 2 has been placed on the lot. A permit cannot be issued because it does not meet the left corner side setback. The mobile home is located 2.19' from the proposed left corner side instead of the required 15' for a variance of 12.81'. **(Please refer to the January 13, 2020 packet for further information.)**

Should the board decide that this variance request satisfies all five required factors and grants approval of the requested variance, staff recommends the following conditions:

1. All required documents shall be submitted to the Horry County Code Enforcement Department for review and approval and required permits obtained.
2. All future buildings and building additions must conform to Horry County regulations.
3. All other applicable County requirements shall be met.

Michael Fowler swore in William Martin, applicant who explained the need for the variance. Mr. Martin stated that he was not aware of the setback requirements when he purchased the property from his brother in 1979. He has had two mobile homes on the property and one burned down seven years ago. He replaced it but a tree fell during the storm and had to replace it again and now he needs to have a final inspection on lot 2.

Kevin Doolittle asked about the size of the home, if it was larger or smaller than the one he is replacing it with. Mr. Martin answered that the replacement trailer is 4 foot larger than the one that was previously there.

There was no public input

Mark Gouhin made a motion to grant the variance with the conditions as stated by staff. William Livingston seconded the motion. The motion carried unanimously. ***The variance was approved with conditions.***

The third case number was 2019-12-004 Steven & Shelly Bilock. Pam Thompkins presented the case to the board. PIN number 294-04-04-0045 identifies the parcel located at 217 Maple Oak Drive, Conway. The applicant is requesting a variance from Article VII, Section 706 and Article VIII regarding setback requirements in the Residential (SF10) zoning district. The applicant wants to construct a 45' long deck on the rear of his property. The applicant has a drainage easement along the rear of his property, but the proposed structure will not encroach. The applicants proposed location for the deck is 10.5' from the rear property line instead of the required 15' for a variance of 4.5'. **(Please refer to the January 13, 2020 packet for further information.)**

Should the board decide that this variance request satisfies all five required factors and grants approval of the requested variance, staff recommends the following conditions:

1. All required documents shall be submitted to the Horry County Code Enforcement Department for review and approval and required permits obtained.
2. All future buildings and building additions must conform to Horry County regulations.
3. All other applicable County requirements shall be met.

Michael Fowler swore in Steven Bilock, applicant who explained why he needs a variance. Mr. Bilock stated that his property is very wet and does not drain properly.

Robert Page asked if Mr. Bilock was planning on cleaning out his drainage easement. Mr. Bilock answered yes.

There was no public input

Mark Gouhin made a motion to grant the variance with the conditions as stated by staff. Robert Page seconded the motion. The motion carried unanimously. ***The variance was approved with conditions.***

The fourth case number was 2019-12-005 Mike Kinsey, Carolina Home Exteriors agent for Nancy White. Pam Thompkins presented the case to the board. PIN number 427-05-01-0066 identifies the parcel located at 159 Hummingbird Court, Myrtle Beach. The applicant is requesting a variance from Article VII, Section 706 and Article VIII regarding setback requirements in the Residential (SF10) zoning district. The applicant previously requested a variance in September 2019, case no. 2019-08-004. The proposed site plan provided as part of the initial variance application showed the pool enclosure 6' from the left side. When applying for a permit for the pool enclosure a new site plan was submitted showing the pool enclosure 4' from the left side. The property is located within the AE flood zone. The proposed 45' x 24' pool enclosure will be located 4' from the left side instead of the required 10' for a variance of 6'. **(Please refer to the January 13, 2020 packet for further information.)**

Should the board decide that this variance request satisfies all five required factors and grants approval of the requested variance, staff recommends the following conditions:

1. All required documents shall be submitted to the Horry County Code Enforcement Department for review and approval and required permits obtained.
2. All future buildings and building additions must conform to Horry County regulations.
3. All other applicable County requirements shall be met.
4. The applicant must complete permit on the covered porch before obtaining a permit for the pool enclosure.

Michael Fowler swore in Mike Kinsey, agent who explained the need for the variance and also apologized for not catching the measurement mistake on the first application which led to them having to get a second variance.

There was no public input

Robert Page made a motion to grant the variance with the conditions as stated by staff. Drew Parks seconded the motion. The motion carried unanimously. ***The variance was approved with conditions.***

The sixth case number was 2019-12-009 Felix H. Pitts, G3 Engineering, agent for Prince Creek Commercial Partners LLC. Pam Thompkins presented the case to the board. PIN number 468-00-00-0003 identifies the parcel located at TPC Blvd. Murrells Inlet. The applicant

is requesting for a variance from Article VII, Section 723.5 (D) (2) regarding the height requirements in the Highway 707 overlay district, located at TPC Blvd. Murrells Inlet, SC. The applicants are proposing an Assisted Living Facility on this site located within the Prince Creek PDD and the Hwy. 707 overlay. The Prince Creek PDD allows extended care facilities to have a maximum building height of 120'; however the Hwy 707 overlay states the height of the living space can be no higher than 35'. The elevation plan of the proposed facility shows an elevation of 51' 3", the applicant would like to ask for 52' height allowance for a variance of 17'. **(Please refer to the January 13, 2020 packet for further information.)**

Should the board decide that this variance request satisfies all five required factors and grants approval of the requested variance, staff recommends the following conditions:

1. All required documents shall be submitted to the Horry County Code Enforcement Department for review and approval and required permits obtained.
2. All future buildings and building additions must conform to Horry County regulations.
3. All other applicable County requirements shall be met.
4. Maintain a 30 ft wide vegetative buffer along TPC Blvd consisting of existing vegetation/trees and will be supplemented as necessary to provide a complete and full 30 ft buffer.
5. The 52' tall wing of the facility will be moved to the side of the property farthest away from TPC Blvd.

Michael Fowler swore in Felix H. Pitts, agent who explained the request.

Michael Fowler swore in Pam Dawson who wanted it on record that she was from the Greater Burgess Community Association and that they were in room.

Drew Parks made a motion to grant the variance with the conditions as stated by staff. William Livingston seconded the motion. The motion carried unanimously.

The variance was approved with conditions.

The seventh case number was 2019-12-011 Felix H. Pitts, G3 Engineering, agent for Lotus Landscaping Service LLC – Chris McGee. Pam Thompkins presented the case to the board. PIN number 440-15-02-0005 identifies the parcel located at Co Op Rd, Myrtle Beach. The applicants are requesting a variance from Article VII, Section 724 and Article VIII regarding the setback requirements in the Retailing and Consumer Services (RCS) zoning district. The applicant is proposing to build trade shops on the site. There is a 25' GSWSA easement and 15' City of Myrtle Beach easement cutting across the front of the property on the Co-Op Road side. Powerline and sanitary sewer easements encroach on the Hwy 544 side of the site. The Land Development Regulations define this as a double frontage property which requires front setbacks be met on both street frontages. The parcel does not have direct access to Hwy 544 however the setback is 60' per Article VIII due to the highway being classified as a Table 1 Road. **(Please refer to the January 13, 2020 packet for further information.)**

Should the board decide that this variance request satisfies all five required factors and grants approval of the requested variance, staff recommends the following conditions:

1. All required documents shall be submitted to the Horry County Code Enforcement Department for review and approval and required permits obtained.
2. The applicant constructs a 6' wood or synthetic privacy fence internal to the landscaping on the SC 544 side of the project and remove the proposed parking (4 spots) that encroach into the 15' landscape buffer.
3. All future buildings and building additions must conform to Horry County regulations.
4. All other applicable County requirements shall be met.

Michael Fowler swore in Felix Pitts who explained the need for the variance.

There was no public input

Mark Gouhin made a motion to grant the variance with the conditions as stated by staff. Drew Parks seconded the motion. The motion carried unanimously
The variance was approved with conditions.

The eighth case number was 2019-12-013 Raymond Banks agent for Todd Cahill. Pam Thompkins presented the case to the board. PIN number 440-09-02-010 identifies the parcel located at 5877 Creekside Drive, Myrtle Beach. The applicants are requesting a variance from Article VII, Section 705 regarding setback requirements in the Residential (MSF20) zoning district, located at 5877 Creekside Dr. Myrtle Beach. The applicants are constructing a new single family home on this parcel because the existing home flooded after Hurricane Florence. A variance on the structure height was granted at the Jan. 14, 2019 Zoning Board meeting under Case# 2018-12-006 which did not show the landing/steps on the site plan. Permit #98653 was issued in May 2019 for the home. A post foundation survey shows the landing on the right hand side encroaching into the required setback. Art. IX, Section 907 allows unenclosed steps and landings to extend no more than 3' into the required setbacks. The landing is located 7.7' from the right side property line instead of the required 11.25' for a variance of 3.55'. **(Please refer to the January 13, 2020 packet for further information.)**

Should the board decide that this variance request satisfies all five required factors and grants approval of the requested variance, staff recommends the following conditions:

1. All required documents shall be submitted to the Horry County Code Enforcement Department for review and approval and required permits obtained.
2. All future buildings and building additions must conform to Horry County regulations.
3. All other applicable County requirements shall be met.

Michael Fowler swore in Todd Cahill, applicant who explained the request.

There was no public input

Mark Gouhin made a motion to grant the variance with the conditions as stated by staff. William Livingston seconded the motion. The motion carried unanimously.
The variance was approved with conditions.

The ninth case number was 2019-12-014 Mace Watts, agent for Level 10 Homes, LLC. Pam Thompkins presented the case to the board. PIN number 350-06-04-0044 identifies the parcel located at 128 Serenity Point Drive, Little River. The applicant is requesting a variance from Article VII, Section 709 and Article VIII regarding setback requirements in the General Residential (GR) zoning district. The home is located on a corner lot in Serenity Point. The applicant received a violation from HC Code Enforcement for starting work without a permit in October 2019. When plans were submitted to Code Enforcement it was discovered that the proposed location of the home does not meet the setbacks. Article V, Section 513 states that for corner lots the setback along the street side shall be 50% greater than the minimum side setback requirement of the district. The applicant was able to choose which side was the front and which side was the corner side. The required front setback is 20' and the corner side setback is 15'. The applicant does not meet the required rear setback. There is a drainage easement located on the property which the proposed structure does not encroach into. The applicant is requesting to be 10' from the rear instead of the required 15' for a variance of 5'. **(Please refer to the January 13, 2020 packet for further information.)**

Should the board decide that this variance request satisfies all five required factors and grants approval of the requested variance, staff recommends the following conditions:

1. All required documents shall be submitted to the Horry County Code Enforcement Department for review and approval and required permits obtained.
2. All future buildings and building additions must conform to Horry County regulations.
3. All other applicable County requirements shall be met.

Michael Fowler swore in Richard Watts, applicant who stated that he brought the home designer Jim Snider with him who could better explain the request.

Michael Fowler swore in Jim Snider, home designer who explained the request.

John Danford asked if permits had be applied for. Mr. Snider answered yes but they were waiting on approval.

There was no public input.

Drew Parks made a motion to grant the variance with the conditions as stated by staff. William Livingston seconded the motion. The motion carried unanimously.

The variance was approved with conditions.

The tenth case number was 2019-12-015 Roy & Edith Rogers. Pam Thompkins presented the case to the board. PIN number 350-04-02-0024 identifies the parcel located at 244 Park Street, Little River. The applicant is requesting a variance from Article VII, Section 752 regarding the minimum lot size requirements in the Multi Residential Three (MRD3) zoning district. The applicants are currently in the process of rezoning the parcel from SF10 to MRD3 so they can subdivide the parcel and place a home on each parcel. The rezoning will receive 3rd reading in February 2020. The applicants previously attempted to rezone the parcel to SF6 to allow a duplex, but did not receive the rezoning. The MRD3 zoning district requires a minimum of 6,000 sq. ft. lot for a single family use, the proposed lot size of both lots is 5,924 sq. ft. for a variance

of 76 sq. ft. for each lot. **(Please refer to the January 13, 2020 packet for further information.)**

Should the board decide that this variance request satisfies all five required factors and grants approval of the requested variance, staff recommends the following conditions:

1. All required documents shall be submitted to the Horry County Code Enforcement Department for review and approval and required permits obtained.
2. All future buildings and building additions must conform to Horry County regulations.
3. All other applicable County requirements shall be met.
4. Variance is subject to the rezoning approval to MRD3.

Michael Fowler swore in Edith Rogers, the applicant who explained that she needs the variance so she can divide the property into two lots for family members.

There was no public input

John Brown made a motion to grant the variance with the conditions as stated by staff. William Livingston seconded the motion. The motion carried unanimously.

The variance was approved with conditions.

The eleventh case number was 312-05-04-0041 Paul Gardner, agent for Belin Memorial UMC. Pam Thompkins presented the case to the board. PIN number 312-05-04-0041 identifies the parcel located at US Hwy 17 & Mica Drive, Little River. The applicant has requested a variance from Article V, Section 513 and Article VIII regarding setback requirements in the Highway Commercial (HC) zoning district. The applicant is requesting a variance from the setback requirements on this parcel. Article V, Section 513 requires a corner lot adjacent to a collector or arterial street to meet the front yard setback from both streets. This parcel is adjacent to Hwy 17 which is a major arterial street. The parcel in question is situated between 3 streets: Hwy 17, Mica Ave and Hibiscus Dr. and the application of the ordinance requires staff to enforce a triple front setback. The applicant is requesting to be 15' from the left side setback instead of the required 50' for a variance of 35'. The applicant is requesting to be 25' from the right side setback instead of the required 50' for a variance of 25'. **(Please refer to the January 13, 2020 packet for further information.)**

Should the board decide that this variance request satisfies all five required factors and grants approval of the requested variance, staff recommends the following conditions:

1. All required documents shall be submitted to the Horry County Code Enforcement Department for review and approval and required permits obtained.
2. All future buildings and building additions must conform to Horry County regulations.
3. All other applicable County requirements shall be met.

Michael Fowler swore in Paul Gardner, agent who explained that a member of the church gave the property as a donation. The church now wants to sell the property and needs the setback variance to be able to do so.

There was no public input

Mark Gouhin made a motion to grant the variance with the conditions as stated by staff. Robert Page seconded the motion. The motion carried unanimously.

The variance was approved with conditions.

The twelfth case number was 2019-12-017 Larry T. Beasley agent for Palmetto Greens 3 LLC. Pam Thompkins presented the case to the board. PIN number 304-12-03-0072 identifies the parcel located at 48 Palmetto Greens Drive, Longs. The applicants are requesting a variance from the setback requirements in the Augusta Villas @ Colonial Charters Planned Development district (PDD). The property is located within Villas at Palmetto Green Ph. 2 which is part of the Augusta Villas @ Colonial Charters PDD. The applicant has constructed a foundation for an attached garage that does not meet the front setback due to an error in the staking prior to pouring the foundation. The error was discovered during review of the post foundation survey. The applicant is requesting a front setback of 21' instead of the required 25' for a variance of 4'. **(Please refer to the January 13, 2020 packet for further information.)**

Should the board decide that this variance request satisfies all five required factors and grants approval of the requested variance, staff recommends the following conditions:

1. All required documents shall be submitted to the Horry County Code Enforcement Department for review and approval and required permits obtained.
2. All future buildings and building additions must conform to Horry County regulations.
3. All other applicable County requirements shall be met.

Michael Fowler swore in Larry Beasley, agent who explained the request.

Michael Fowler asked if the staking error was caused by the surveyor. Mr. Beasley answered yes.

Mr. Gouhin asked if parking was allowed on the street. Mr. Beasley answered yes but not overnight. Mr. Gouhin asked if the length of the driveway allows for cars to be parked in it. Mr. Beasley answered yes.

Michael Fowler swore in Hal Dixon who explained the curve in the road that and that as the developer they are ok with the structure.

Drew Parks made a motion to grant the variance with the conditions as stated by staff. Mark Gouhin seconded the motion. The motion carried unanimously.

The variance was approved with conditions.

The thirteenth case was 2019-12-018 was called at this time. Pam Thompkins presented the case to the board members and Mr. Ryan Harvey was sworn in. It was at this time that Mrs. Thompkins informed the board he was not registered as the agent on the case and could not be heard. Drew Parks made a motion to defer the case until the February 10th meeting. Robert Page seconded the motion. The motion carried unanimously. ***The case was deferred to the February 10 2020.***

Special Exceptions

The fourteenth case number was 2019-12-006 Steve Zacharias, agent for Robert J. Lutz. Pam Thompkins presented the case to the board. PIN number 417-00-00-0013 identifies the parcel located at 455 Hospitality Lane, Myrtle Beach. The applicant is requesting special exception approval per Article XIII, Section 1304 (C) (8) to allow a temporary fair at the Myrtle Beach Speedway.**(Please refer to the January 13, 2020 packet for further information.)**

Should the board find that the special exception request for the Horry County Fair meets the required conditions of Section 1404 (D), the standard conditions imposed by the board are:

- 1 Traffic impact;
2. Vehicle and pedestrian safety;
3. Potential impact of noise, lights, fumes, or obstruction of air flow on adjoining property;
4. Adverse impact of the proposed use on the aesthetic character of the environs, to include the possible need for screening from view; and
5. Orientation or spacing of improvements or buildings.

Should the Board find that the special exception request for the Horry County Fair meets the required conditions of Section 1404 (D), the standard conditions imposed by the Board are:

1. Duration of event - 15 days (this includes 3 setup days prior to the event and 2 tear down days at the conclusion);
2. Dates of the event - April 21 thru May 5, 2020;
3. Hours of Operation - 11 a.m. until 11 p.m.;
4. The applicant will comply with the parking, entry and exit, amusement ride location, bathroom locations and sound issues as shown on the site plan submitted with this application;
5. No adult entertainment or temporary adult entertainment permits;
6. No sweepstakes and/or internet gaming permitted at any time;
7. Applicant will comply with all state and local laws.
8. The applicant will have at least ten (10) uniformed security officers and two (2) EMS units on the premise Friday thru Sunday and two (2) uniformed security officers on the premise Monday thru Thursday from 11:00 AM until closing each day of the permit. At minimum the security officers must meet the requirements of the South Carolina Law Enforcement Division, as provided for in 40-18-20-etseq.,
9. Any internal traffic control must be wearing reflective vest;
10. No exotic animals;
11. Any outdoor amplified sound may not begin until noon and must end no later than 11:00 p.m.;
12. Any outdoor amplified sound must be in compliance with the County Noise Ordinance, specifically Section 13-33 (c)(1);
13. Other than what is specifically authorized herein, no other special event activity is permitted, including any other activities set forth in Section 13-34 of the Horry County Code;

14. Alcohol sales limited to the standard beer and wine sales approved at the existing MB Speedway concessions;
15. All Strates Shows rides, games, concessions, amusement activities and other temporary vendors will be located within the Fair Setup area as shown on the site layout submitted with this application;
16. The Myrtle Beach Speedway must be in compliance with all applicable county requirements including building codes;
17. All vendor permits must be obtained from the Code Enforcement Department at least ten (10) days prior to the approved event dates and the issuance of the permits will be subject to compliance with the applicable county standards that are in place for such permits;
18. All applicable county fees will be paid;
19. All permits/placards are required to be placed where they are visible by Code Enforcement and Zoning officials.

Michael Fowler swore in Steve Zacharias, agent who explained the need for the special exception.

Mr. Fowler asked if there had ever been any complaints on the Fair. Pam Thompkins answered no.

There was no public input

John Brown made a motion to grant the special exception with the conditions as stated by staff. Mark Gouhin seconded the motion. The motion carried unanimously.

The special exception was approved with conditions.

The fifteenth case number was 2019-12-012 Mark DeCenzo agent for Sokhal, LLC . Pam Thompkins presented the case to the board. PIN number 401-04-04-0012 identifies the parcel located at 1501 Hwy 544, Conway. The applicants are requesting special exception approval from Article V, Section 534 regarding on site consumption of alcohol for a Restaurant/ Bar in the Highway Commercial (HC) zoning district. (Please refer to the January 13, 2020 packet for further information.)

Should the board find that the special exception request for a proposed tap house meets the required conditions of Section 534, the standard conditions imposed by the Board are:

1. No outdoor entertainment or amplified outdoor speakers unless a special event permit has been obtained from Public Safety;
2. No hosting of vendors during spring and fall bike rallies;
3. No burnout pits;
4. No outdoor displays or tents on the property;
5. No temporary banners or signs on the property;
6. No spotlight advertising;

7. No adult entertainment, or temporary adult entertainment permits;
8. Hours of operation - **11:00 AM - Midnight, Monday thru Sunday** ; as requested by applicant;
9. Any changes in character or hours shall result in the suspension of this approval and a rehearing of the ZBA shall be required;
10. Applicant will comply with all State and local laws;
11. All future buildings and building additions must conform to Horry County regulations;
12. No sweepstakes and/or internet gaming permitted at any time.

Michael Fowler swore in Mark DeCenzo who explained the variance request.

Mr. Page had asked if any other permits had been pulled in the area.

John Danford informed the board that there has been approval (9 months ago) for several hundred apartments for the college students in the area to be built in the future.

Mr. Bobby Brown asked if there were any structures on the north side of the property. Mr. Danford answered.

Mr. Brown asked if there was going to be any barriers in the front or side for outdoor seating. Mr. DeCenzo answered that is to be decided at a later date but not at this time.

Mr. DeCenzo asked if this approval is also for the outside area and Mrs. Thompkins answered yes, he was approved for outdoor dining.

Mark Gouhin made a motion to grant the special exception with the conditions as stated by staff. Robert Page seconded the motion. The motion carried unanimously.

The special exception was approved with conditions.

At this time David Jordan, county attorney addressed the board about the case 2019-12-018. He stated that it was brought to his attention Mr. Harvey is the engineer on record for the project and the case could be heard at the end of the agenda.

Appeals

The sixteenth case number was 2019-12-007 Angela Smith Jones. Pam Thompkins presented the case to the board. PIN number 390-16-04-0003 identifies the parcel located at 106 Green Lake Drive, Myrtle Beach. The applicant is requesting an appeal from the Zoning Administrators decision that a physical therapy business is not allowed as a home occupation business in the Residential (SF 20) zoning district. The applicant wants the Zoning Board of Appeals to grant her request to base her “one-on-one Physical Therapy solo practitioner” business from her home. The applicant was denied her request for a “one-on-one Physical Therapy solo practitioner” as a home occupation business. Article V, Section 528 (d) 15 states “Prohibited home occupation uses one acre or less: ... Medical, Dental, Chiropractic or Veterinary Offices/ Clinics ...” The Zoning Administrator denied the request because a Physical Therapy practitioner is a Medical office/clinic and falls into the list of prohibited home occupation uses.

According to the North American Industry Classification System (NAICS) the business falls under the following: Sector 62: Health Care and Social Assistance, Industry Group 6213: Offices of Other Health Practitioners, and Industry Code 62134: Offices of Physical, Occupational and Speech Therapists, and Audiologists. Chiropractors also fall under Industry Group 6213, and are not allowed as a home occupation use.

Staff has received 2 complaints ahead of this request indicating that the owner was planning on conducting this business from her home. To our knowledge no Physical Therapy business has been conducted at this time.

(Please refer to the January 13, 2020 packet for further information.)

Pursuant to Section 1402 of the Zoning Ordinance "the concurring vote of a majority of the members present at a meeting of the Board of Appeals shall be necessary to reverse any order, requirement, decision or determination of the Zoning Administrator..." Therefore, the Chairman should ask the Board if there is a motion to reverse the determination of the Zoning Administrator in this case. Unless such a motion is made, seconded and concurred upon by a majority of the members present, the determination will stand.

Michael Fowler swore in Angela Smith Jones who explained her unique situation. She was told by her builder that her type of business would be allowed in her home in Horry County. She explained how her type of business has very little traffic and that she should not be in the same category as a medical office since she could also do her job at the patient's home. She explained that she was willing to let her neighbors into her home to see her business so they would feel better about what she actually does. She also stated that she is not interested in rezoning her property.

Mr. Fowler explained that the problem is with classification with her zoning district that she fell under and if this type of business was approved then it would set a precedence for future business in her same category to be approved with her same type of zoning district.

Bobby Page explained that he had read the covenants and restrictions for her development and that this type of home occupation would be in violation.

Mr. Fowler inserted that the zoning did not allow the use of a medical office. Explaining further that her classification fell under a medical office.

Mrs. Jones asked if she could appeal the classification. David Jordan, County Attorney explained that her appeal is based on the zoning administrator's classification of her as a medical office.

Mr. Fowler discussed with her that the industry codes classified her as a medical office.

Mr. Fowler advised Mrs. Jones to speak with her County Councilman Howard if she had any further questions or concerns.

Michael Fowler swore in Jeffrey Going who explained the home occupation and that he was in favor of Mrs. Jones being able to have her business in her neighborhood. He stated that he has not seen any more traffic in the neighborhood with her business.

Michael Fowler swore in Lisa Cortez who stated that all the neighbors in the immediate area were in support of her being able to have her business in her home. She also explained that Mrs. Jones house was surrounded by empty lots of trees and a creek running thru it and in the past there had been doctors in the neighborhood that did not cause a problem.

Michael Fowler swore in Stephanie Arnold who is in favor of letting her have her business. She stated that she never sees any cars at the home and that the Jones park in the garage.

Michael Fowler swore in Charles Cortez who stated that he lives three doors down and has more traffic at his house due to the number of cars he owns than they do with their business.

Michael Fowler swore in Teigh Hawkins stated that he went onto the Horry County web site and within 5 minutes he had found that it was not a permitted use. He is in opposition of having a business in the neighborhood. She would just like to keep it residential. He also mentioned the risk of having a business in the neighborhood could increase sex offenders being in his neighborhood that would not be there otherwise.

Michael Fowler swore in Robert Cox who supports the decision made by the Zoning Administrator. He stated that this is not a personal matter and that the applicant should have done their due diligence before building this type of structure in their home. Mr. Cox stated that he called the county and got his answer quickly that the use wasn't allowed.

Michael Fowler swore in Dwight Scott who built his home in 1992 and does not want a medical business in his neighborhood.

Mrs. Jones spoke again and explained how with her profession she can see you in your house but cannot have you in her house. Pleaded with the board to make a special exception for her business. Mark Gouhin did question Mrs. Jones on if she could rent a space for her business and do it away from her home. She replied yes but it does not have things I have in my home.

John Brown made a motion to reverse the determination of the Zoning Administrator. Mark Gouhin seconded the motion. The motion failed with a unanimous vote of no.

The appeal was denied.

VariANCES

The thirteenth case number was 2019-12-018 E & K Properties of SC Inc – Kirk Hanna. Pam Thompkins restated the case to the board. PIN number 304-11-02-0044 identifies the parcel located at S Shore Blvd. The applicants are requesting a variance from the setback requirements in the Sun Colony Planned Unit Development (PUD). The property is located within the Sun Colony PUD. The parcel was originally part of an approved condominium project (270 units)

known as Tullamore Lakes. All of the remaining property except for this parcel converted to a single-family detached fee simple development (46 lots). The result is this parcel is now abutting single family which requires a 5' landscape buffer along the property line and a 20' setback. In order to meet current Fire code the applicant will need to provide 20' separation between the proposed building and existing adjacent building. This requires a shifting of the footprint from the original approved Tullamore Lakes plan which will result in a setback encroachment. The building will be located 14' from the right side property line instead of the required 20' for a variance of 6'. This is the last multi-family building to be constructed in this phase of Sun Colony. **(Please refer to the January 13, 2020 packet for further information.)**

Should the board decide that this variance request satisfies all five required factors and grants approval of the requested variance, staff recommends the following conditions:

1. All required documents shall be submitted to the Horry County Code Enforcement Department for review and approval and required permits obtained.
2. All future buildings and building additions must conform to Horry County regulations.
3. All other applicable County requirements shall be met.

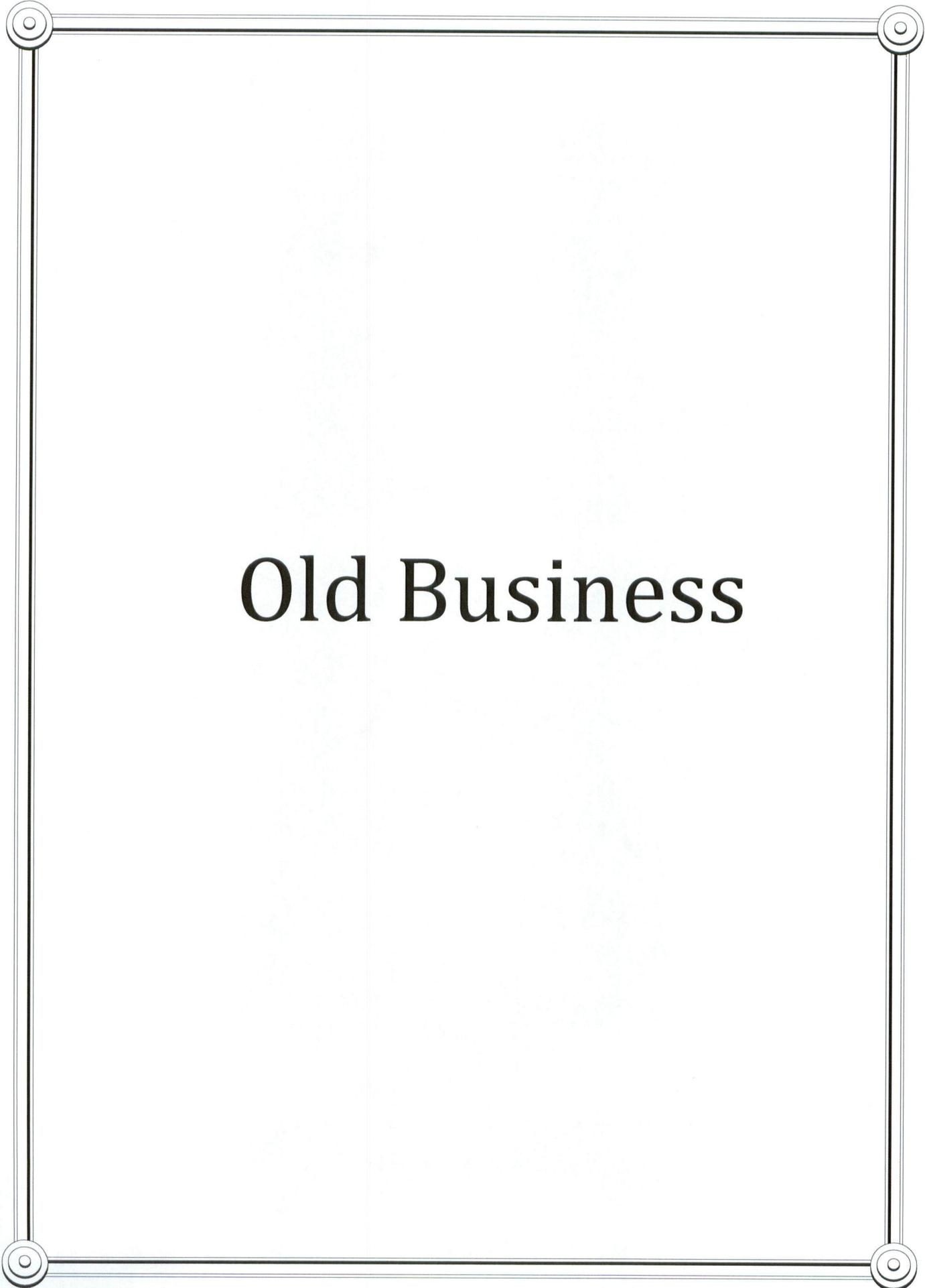
Michael Fowler swore in Ryan Harvey the project engineer who explained the need for the variance.

Mark Gouhin asked if land was developed, Mr. Harvey answered yes it was.

Drew Parks made a motion to grant the variance with the conditions as stated by staff. Robert Page seconded the motion. The motion carried unanimously.

The variance was approved with conditions.

With no further business, a motion to adjourn was made and seconded. The meeting was adjourned at approximately 7:42pm



Old Business

Case # 2019-12-010

VARIANCE REVIEW SHEET

Property Information

| | |
|-------------------------------|-------------------------------------|
| Variance Request # | 2019-12-010 |
| Applicant | Ader Vindel agent, |
| Parcel Identification (PIN) # | 400-09-04-0046 |
| Site Location | 883 Castlewood Dr. Conway, SC 29526 |
| Property Owner | Pedro & Carolina Miranda |
| County Council District # | 8 - Vaught |

Zoning Information

| | |
|-----------------|----------------|
| Zoning District | SF10 |
| Parcel Size | 14,230 sq. ft. |
| Proposed Use | Residential |

Requested Variance(s)

The applicant is requesting a variance from Article VII, Section 706 and Article VIII regarding setback requirements in the Residential (SF10) zoning district.

| | Requirement | Requested | Variance Needed | Percentage |
|-------------------|-------------|-----------|-----------------|------------|
| Left Side Setback | 10' | 5.5' | 4.5' | 45% |

Background/Site Conditions

Code Enforcement received a complaint on May 23, 2019 about a storage building being constructed without a permit. The applicants submitted an as-built survey which shows the building size of 14.4' x 53' (763 SF) including a bathroom. The building is located 5.5' from the left side property line instead of the required 10' for a variance of 4.5'. The lot size prohibits this building from being used as an accessory dwelling unit. The SF10 zoning district would require this lot to be 20,000 sq. ft. or larger in size for that use.

Ordinance and Analysis

Before a variance can be granted, the Board must first find that the strict application of the provisions of the ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the Board makes and explains in writing the following five findings:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property; (Is this request special?)

There are none.

2. These conditions do not generally apply to other property in the vicinity; (Is this request unique?)

These conditions apply to all properties within the SF10 zoning district.

3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.

Application of the ordinance prohibits staff from approving the building not meeting the required setbacks.

VARIANCE REVIEW SHEET

4. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance. (Does this request serve the public good, or harm neighbors?)

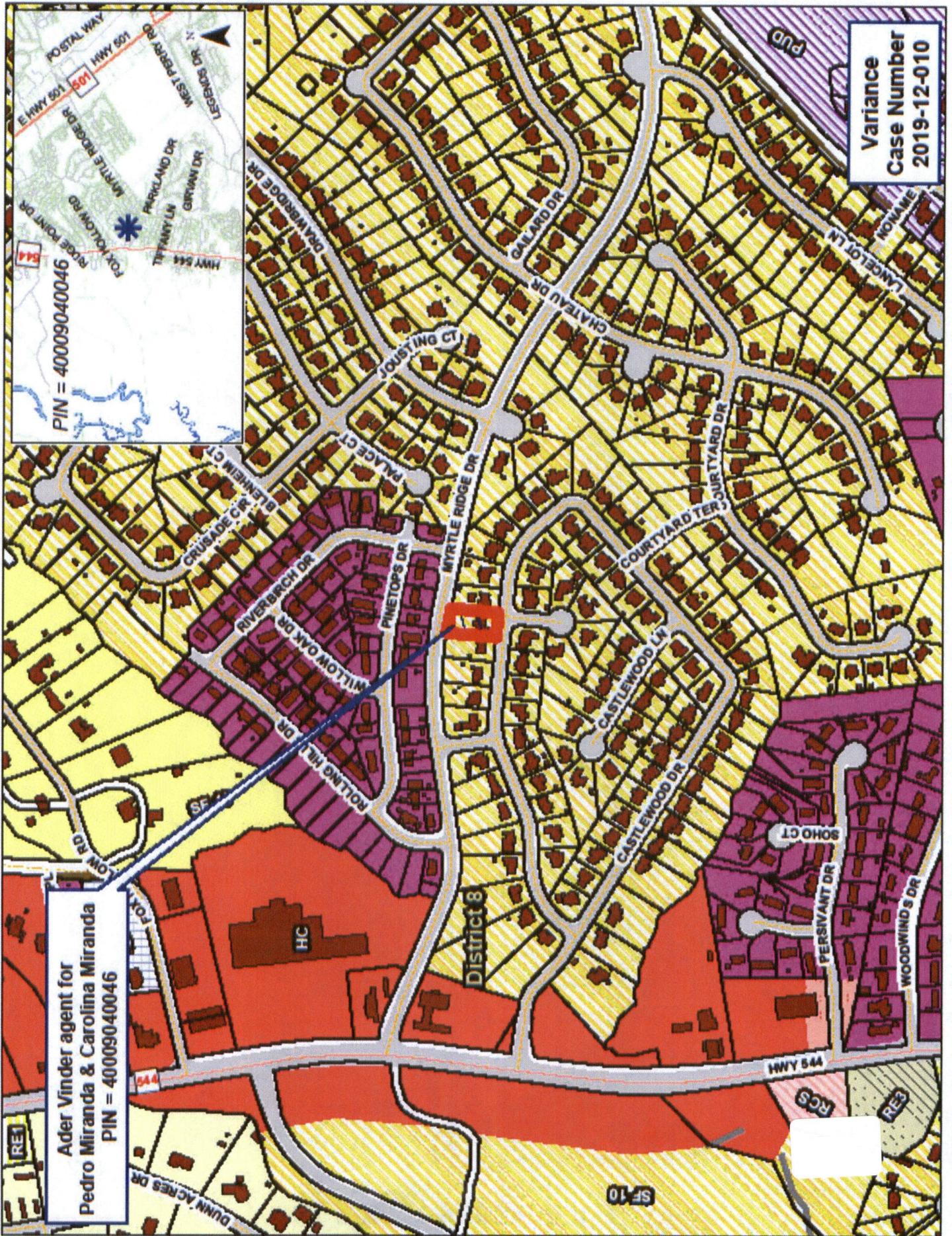
A letter of approval of the encroachment has not been provided from the Developer/HOA.

5. The board may not grant a variance, the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a nonconforming use of land or to change the zoning district boundaries shown on the official zoning map. The fact that property may be utilized more profitably, if a variance is granted, may not be considered grounds for a variance.

Proposed Order/Conditions

Should the Board decide that this variance request satisfies all five required factors and grants approval of the requested variance, Staff recommends the following conditions:

1. All required documents shall be submitted to the Horry County Code Enforcement Department for review and approval and required permits obtained.
2. All future buildings and building additions must conform to Horry County regulations.
3. All other applicable County requirements shall be met.
4. Storage building cannot be converted to an accessory dwelling unit unless all zoning requirements are met.



Ader Vinder agent for
 Pedro Miranda & Carolina Miranda
 PIN = 40009040046

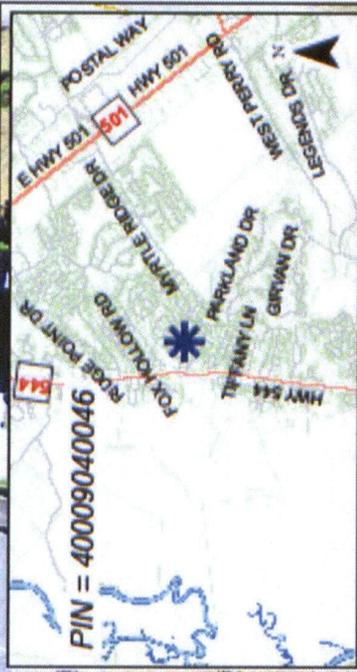
Variance
 Case Number
 2019-12-010



010 Aerial

Ader Vinder agent for
Pedro Miranda & Carolina Miranda
PIN = 40009040046

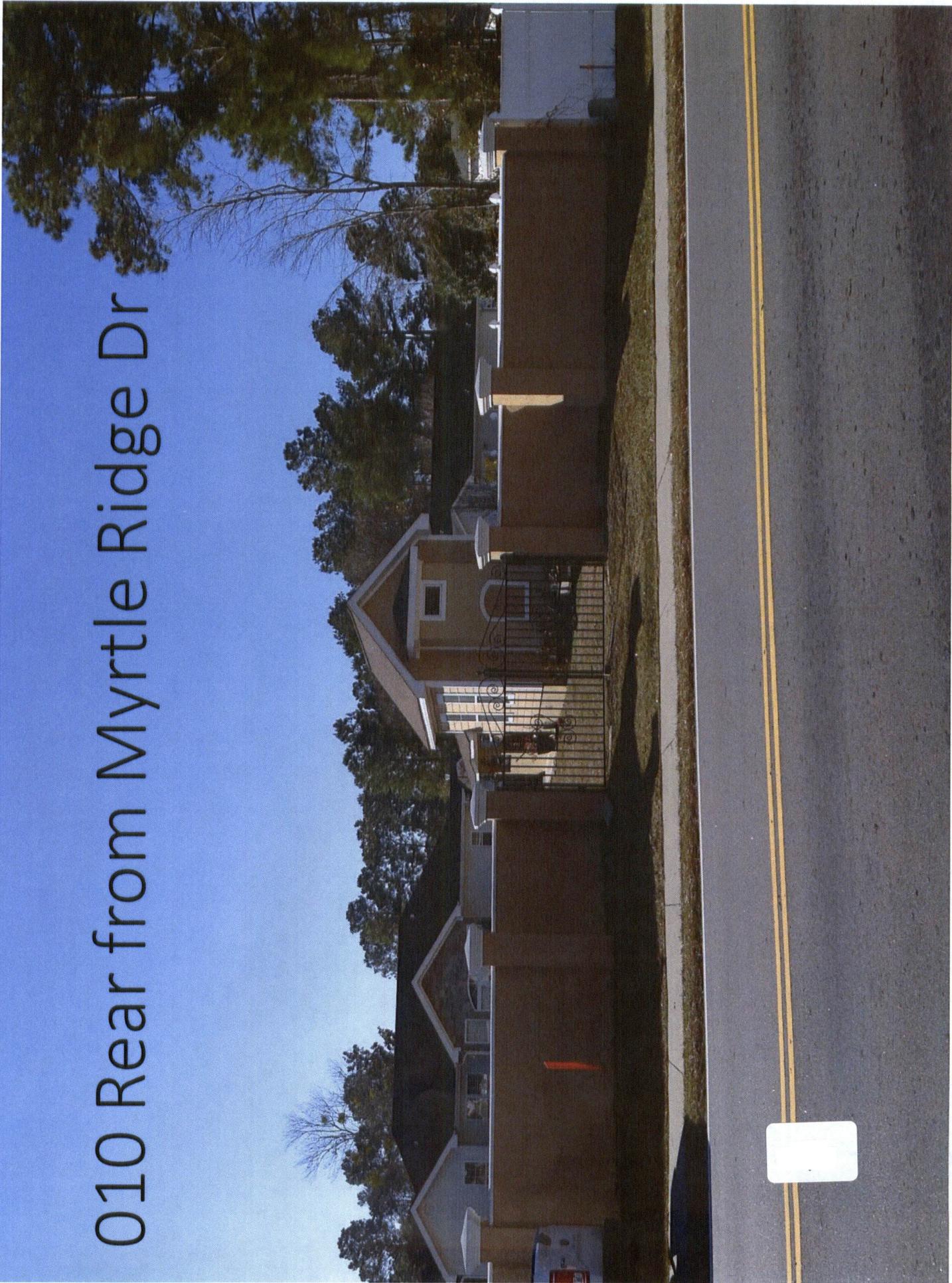
Variance
Case Number
2019-12-010



010 In rear



010 Rear from Myrtle Ridge Dr



Opposition Letter

Jackson, Desiree

From: Lisa.A.Munsey@wellsfargo.com
Sent: Tuesday, January 7, 2020 2:40 PM
To: Jackson, Desiree
Subject: Case #2019-12-010

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern,

I own the property next door to 883 Castlewood Dr. I'm writing to say how I feel about the re-zoning. The "shed" that was built is right next to my privacy fence, it's not up to code with setbacks. I have a privacy fence around my in ground pool. His shed has a window overlooking my fence. If the shed was moved to the 10 foot setback it should be then maybe that would take it out of view of my pool. I put a privacy fence up for a reason. I'm also worried it might affect my property value if I decide to sell. When you walk out my back door all you see is his shed. I was also told there was plumbing ran to the shed and if that is the case, once again I have an in ground pool on the other side of the fence, so if something happens to the plumbing who's to say it wouldn't affect my pool. I built a small shed a few years after I bought my house and Horry County was at my house measuring the setbacks. They are a very nice family but it's the law and set that way for a reason. I had to follow the proper guidelines and so should he.

Lisa Munsey

Financial Crimes Specialist 3
PVSI- Fraud and Claims Management



Applicant Submittal

VARIANCE REQUEST

Applicant hereby appeals for a variance from the requirements of the following provisions of the Zoning Ordinance:
Article(s) _____ Section(s) _____

Description of Request: Storage Building w/Bathroom

| | |
|---|--|
| Required Front Setback: _____ | Requested Front Setback: _____ |
| Required Side Setback: <u>10</u> | Requested Side Setback: <u>5.5</u> |
| Required Rear Setback: _____ | Requested Rear Setback: _____ |
| Required Bldg. Separation: _____ | Requested Bldg. Separation: _____ |
| Required Minimum Lot Width: _____ | Requested Min Lot Width: _____ |
| Required Min Lot Width/Bldg Site: _____ | Requested Min Lot Width/Bldg Site: _____ |
| Required Max Height of Structure: _____ | Requested Max Height of Structure: _____ |

Are there Restrictive Covenants on this property that prohibit or conflict with this request? Y N

A variance may be granted in an individual case of unnecessary hardship if the Board makes and explains in writing the finding as stated below:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property.
2. These conditions do not generally apply to other property in the vicinity.
3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.
4. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.
5. The Board may not grant a variance the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a nonconforming use of land, or change the zoning district boundaries shown on the official zoning map. The fact that property may be utilized more profitably, should a variance be granted, may not be considered grounds for a variance.

To the best of your ability please explain in detail how the aforementioned findings apply to your request: (may include attachments)

Storage Building w/bathroom

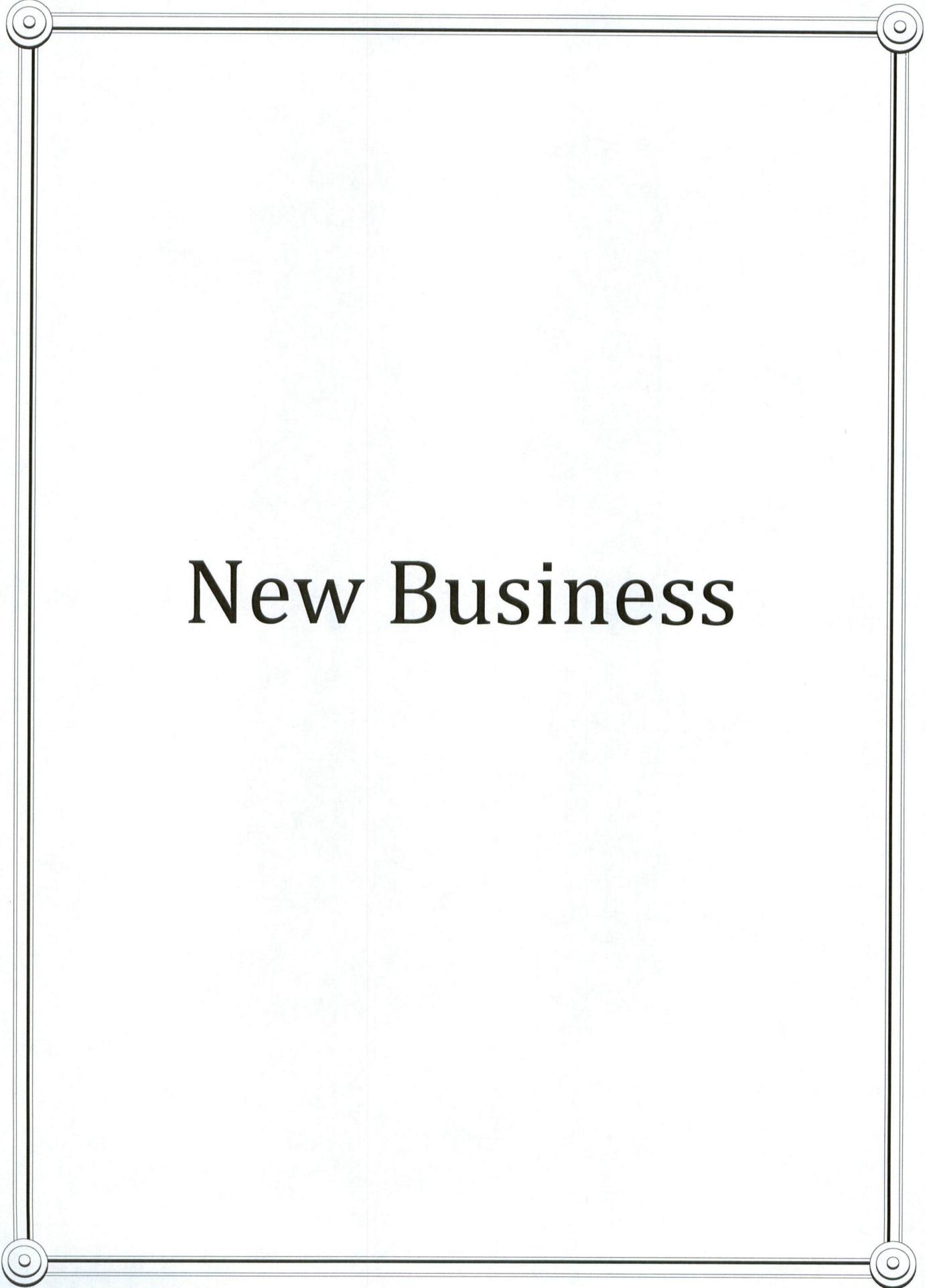
The storage can't be moved because we won't be able to access to the back door when need to park a trailer (the trailer is used to move material, tools etc).

The following documents are submitted in support of this application: (an accurate legible plot plan prepared by a registered architect, engineer or surveyor showing property dimensions and locations of all existing and proposed structures may be required)

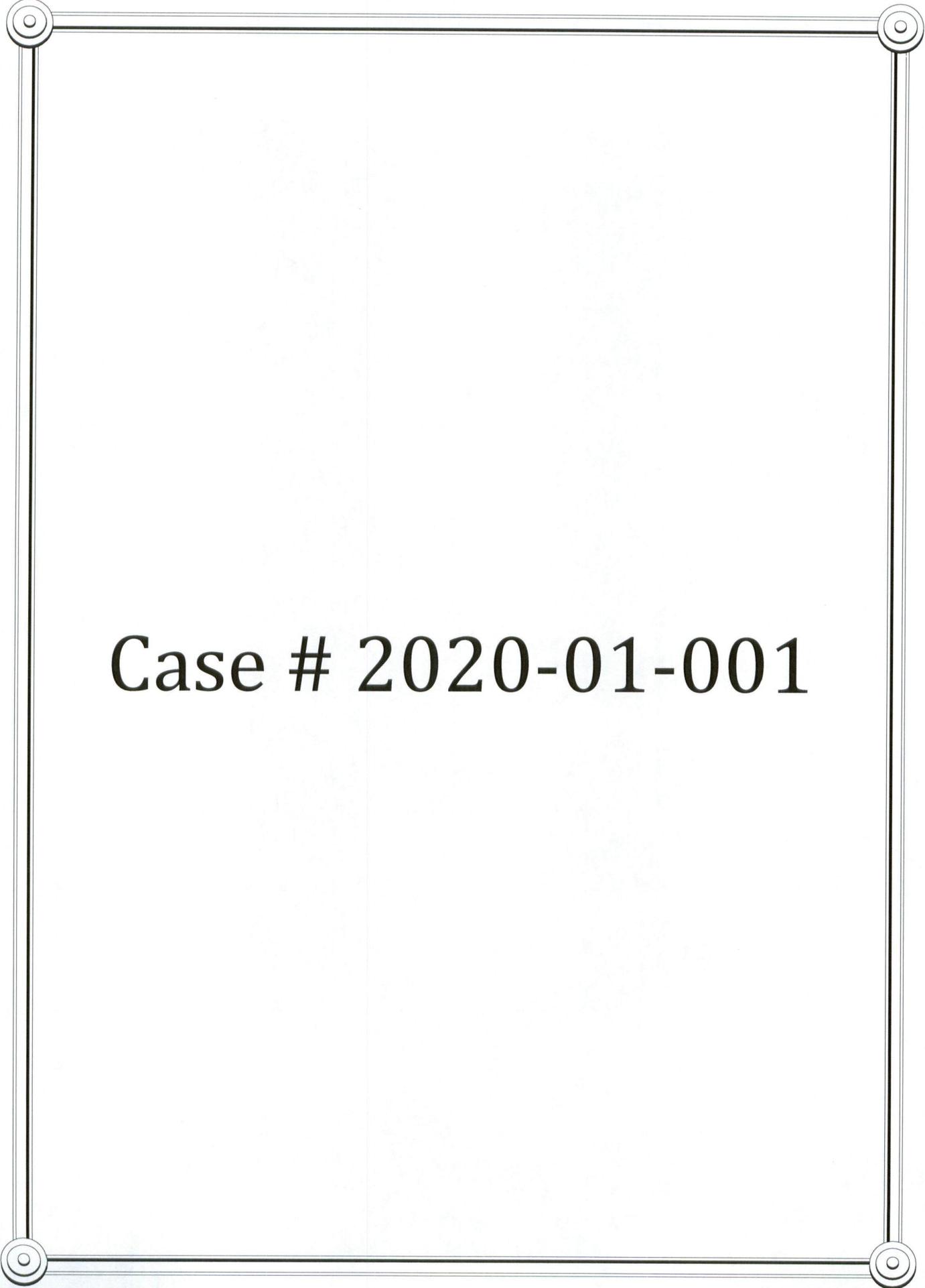
Applicant hereby certifies that the information provided in this application is correct and there are no covenants or deed restrictions in place that would prohibit this request.

[Signature]
Applicants Signature

11/29/19
Date



New Business



Case # 2020-01-001

VARIANCE REVIEW SHEET

Property Information

| | |
|-------------------------------|------------------------------------|
| Variance Request # | 2020-01-001 |
| Applicant | Edward & Donna Goodrich |
| Parcel Identification (PIN) # | 457-08-03-0016 |
| Site Location | 353 Skyland Pines Dr, Myrtle Beach |
| Property Owner | Edward & Donna Goodrich |
| County Council District # | 4 -Loftus |

Zoning Information

| | |
|-----------------|---------------|
| Zoning District | PUD |
| Parcel Size | 5,103 sq. ft. |
| Proposed Use | Residential |

Requested Variance(s)

The applicants are requesting a variance regarding the setback requirements in the Victoria Station PUD.

| | Requirement | Requested | Variance Needed | Percentage |
|---------------|-------------|-----------|-----------------|------------|
| Rear Setbacks | 25' | 17' | 8' | 32% |

Background/Site Conditions

The applicants are proposing to construct a 12' x 13' (156 sq. ft.) screen porch addition to the rear of the single family home. The parcel is located in the Victoria Station PUD which has a 25' PUD buffer & drainage easement along the rear of this parcel. The addition will be located 17' from the rear property line instead of the required 25' for a variance of 8'.

Ordinance and Analysis

Before a variance can be granted, the Board must first find that the strict application of the provisions of the ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the Board makes and explains in writing the following five findings:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property; (Is this request special?)

There are none.

2. These conditions do not generally apply to other property in the vicinity; (Is this request unique?)

The rear PDD buffer is required for all exterior properties within the Brighton Woods subdivision.

3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.

Application of the ordinance prohibits staff from approving the addition encroaching into the rear buffer and drainage easement.

VARIANCE REVIEW SHEET

4. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance. (Does this request serve the public good, or harm neighbors?)

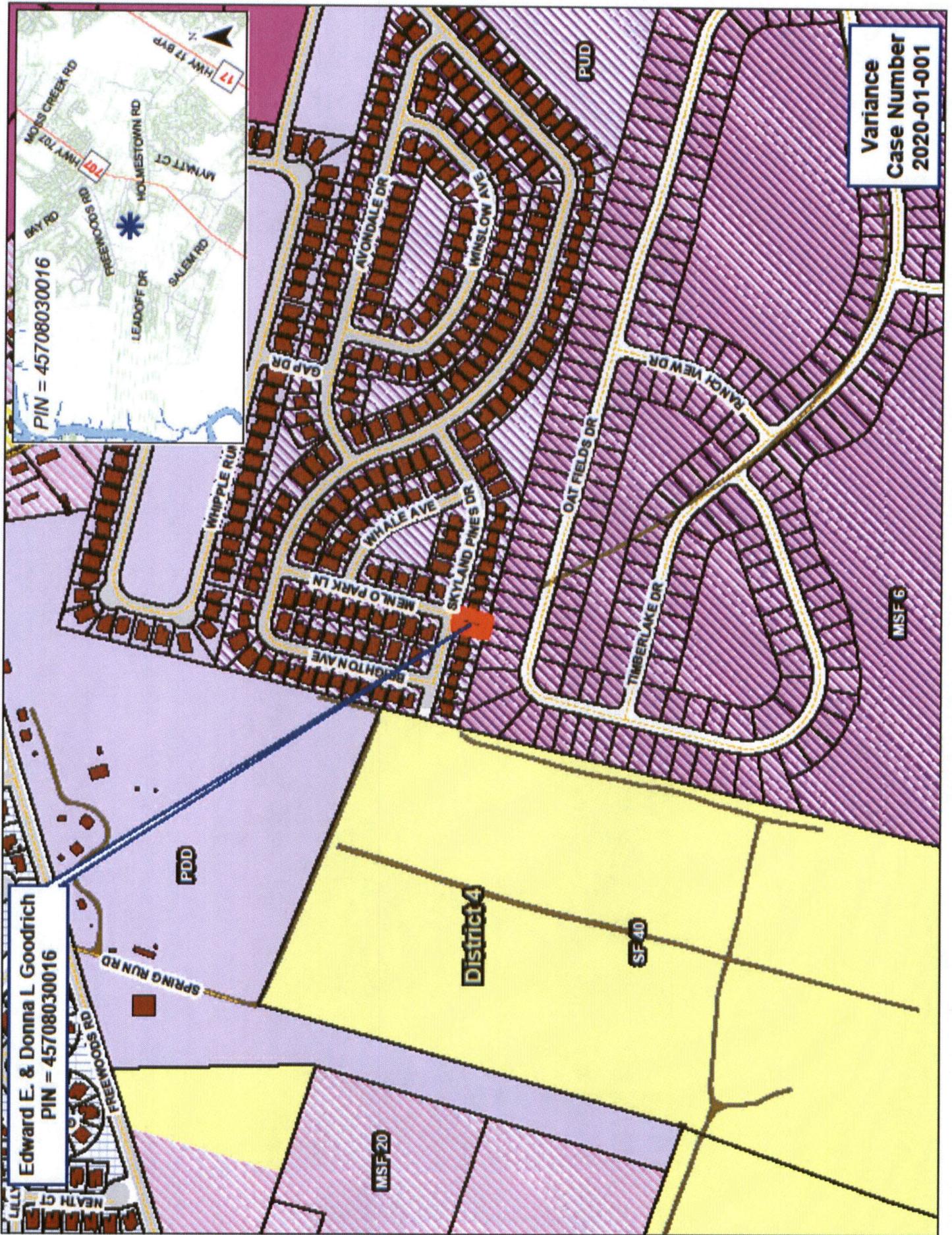
The applicant has submitted a letter from the Brighton Woods ARC and Horry County Stormwater.

5. The board may not grant a variance, the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a nonconforming use of land or to change the zoning district boundaries shown on the official zoning map. The fact that property may be utilized more profitably, if a variance is granted, may not be considered grounds for a variance.

Proposed Order/Conditions

Should the Board decide that this variance request satisfies all five required factors and grants approval of the requested variance, Staff recommends the following conditions:

1. All required documents shall be submitted to the Horry County Code Enforcement Department for review and approval and required permits obtained.
2. All future buildings and building additions must conform to Horry County regulations.
3. All other applicable County requirements shall be met.



Edward E. & Donna L. Goodrich
 PIN = 45708030016

Variance
 Case Number
 2020-01-001



Variance
Case Number
2020-01-001

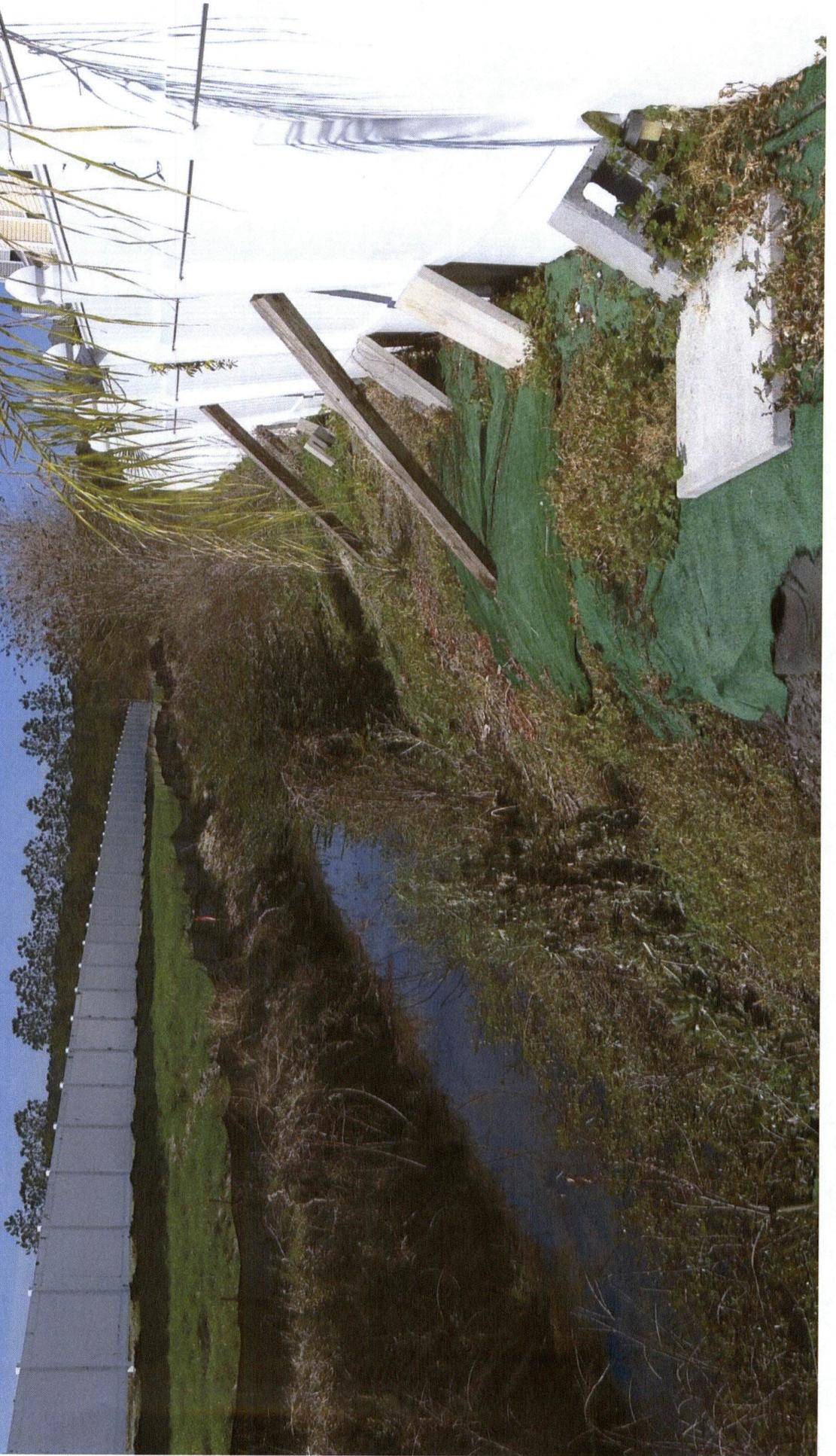
Edward E. & Donna L Goodrich
PIN = 45708030016

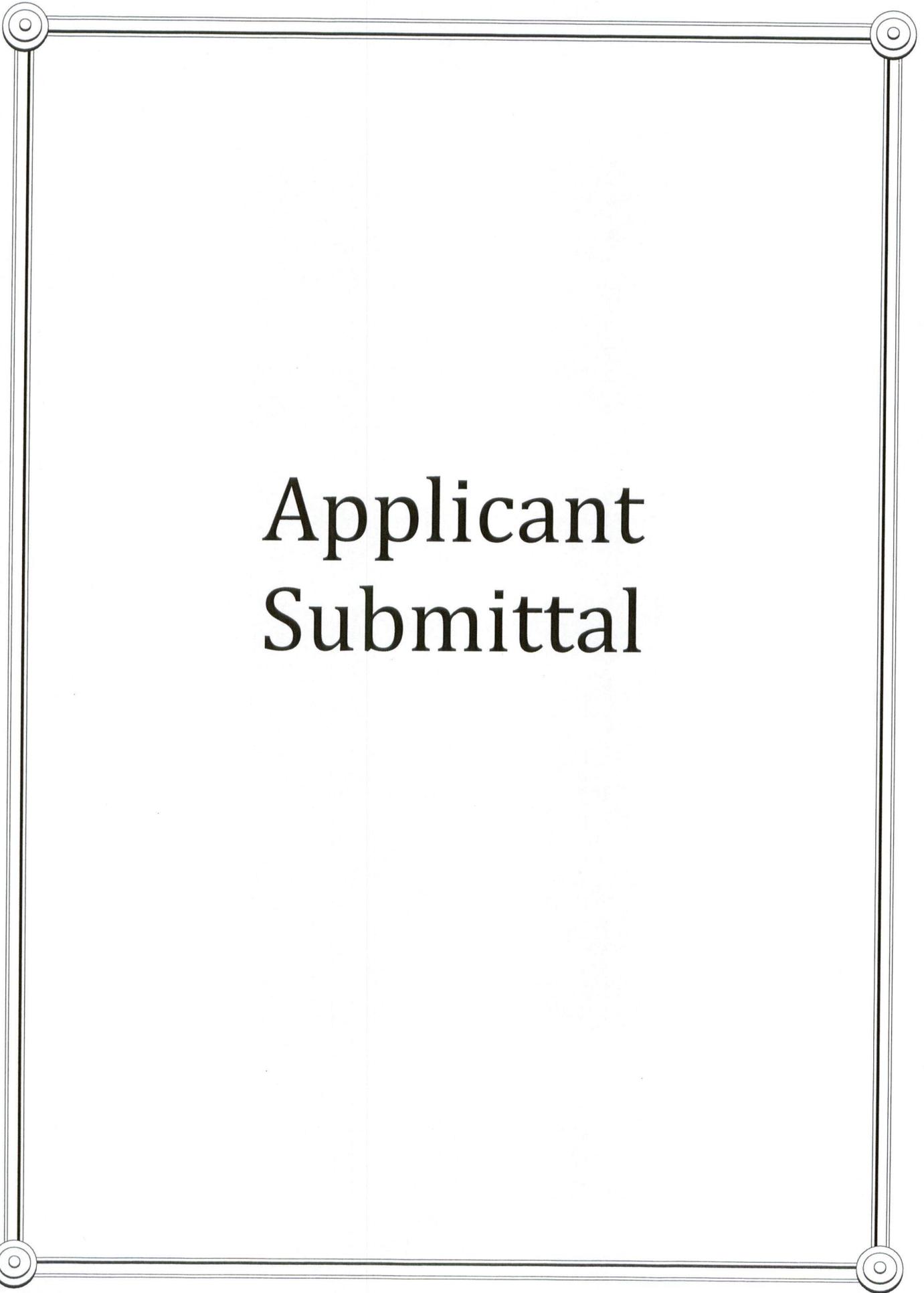
001 Aerial



001 Rear from right

001 Drainage easement to the rear





Applicant Submittal

VARIANCE REQUEST

Applicant hereby appeals for a variance from the requirements of the following provisions of the Zoning Ordinance: Article(s) _____ Section(s) _____

Description of Request: A 12x13 SCREEN ROOM ATTACHED TO HOUSE

| | |
|---|--|
| Required Front Setback: <u>20'</u> | Requested Front Setback: _____ |
| Required Side Setback: <u>7.5'</u> | Requested Side Setback: _____ |
| Required Rear Setback: <u>25' PDD Buffer</u> | Requested Rear Setback: <u>17'</u> |
| Required Bldg. Separation: <u>+ Driveway easement</u> | Requested Bldg. Separation: _____ |
| Required Minimum Lot Width: _____ | Requested Min Lot Width: _____ |
| Required Min Lot Width/Bldg Site: _____ | Requested Min Lot Width/Bldg Site: _____ |
| Required Max Height of Structure: _____ | Requested Max Height of Structure: _____ |

Are there Restrictive Covenants on this property that prohibit or conflict with this request? Y N

A variance may be granted in an individual case of unnecessary hardship if the Board makes and explains in writing the finding as stated below:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property.
2. These conditions do not generally apply to other property in the vicinity.
3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.
4. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.
5. The Board may not grant a variance the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a nonconforming use of land, or change the zoning district boundaries shown on the official zoning map. The fact that property may be utilized more profitably, should a variance be granted, may not be considered grounds for a variance.

To the best of your ability please explain in detail how the aforementioned findings apply to your request: (may include attachments)

HOME WAS BUILT WITH ONLY A 25' SETBACK TO EDGE OF PROPERTY. SCREEN ROOM WILL BE 12' FROM HOME, LEAVING 13' TO PROPERTY LINE. MY HOME IS ONLY ONE ON SKELAND PINES BUILT NEAREST TO DRAINAGE DITCH

The following documents are submitted in support of this application: (an accurate legible plot plan prepared by a registered architect, engineer or surveyor showing property dimensions and locations of all existing and proposed structures may be required)

Applicant hereby certifies that the information provided in this application is correct and there are no covenants or deed restrictions in place that would prohibit this request.

[Signature]
Applicants Signature

12-19-19
Date



**Brighton Woods Community Association, Inc.
c/o FirstService Residential**

11822 Highway 17 Bypass South • Murrells Inlet, SC 29576 • 800-870-0010

December 18, 2019

Edward Goodrich & Donna Goodrich
353 Skyland Pines Dr
Myrtle Beach SC 29588 USA

RE: 353 Skyland Pines
Myrtle Beach SC 29588
Architectural Change Application

Dear Edward Goodrich & Donna Goodrich:

Thank you for submitting an Architectural Review Request Form for your improvement. The Architectural Review Committee (ARC) reviewed your application dated 10/30/2019 for a Additions and has approved your request.

We reserve the right to make a final inspection of the change to make sure it matches the Request you submitted for Approval. Please follow the plan you submitted or submit an additional Request form if you cannot follow the original plan.

All approvals are based on the contingency that your modification does not encroach on any easement or setback area as defined by the plat for your property. In this particular case, the HOA acknowledges the encroachment into the setback and drainage easement.

You must follow all local building codes and setback requirements when making this change. A Building Permit may be needed. This can be applied for at the County offices.

Our approval here is only based on the aesthetics of your proposed change. This approval should not be taken as any certification as to the construction worthiness or structural integrity of the change you propose. Be aware that you are responsible for contacting the appropriate Utility Companies before digging.

We appreciate your cooperation in submitting this Request for Approval. An attractive Community helps all of us get the full value from our homes when we decide to sell.

FOR THE ARCHITECTURAL REVIEW COMMITTEE

Sincerely,
Tori Perano
Community Manager
tori.perano@fsresidential.com
843-904-7124

cc: Property File

INFRASTRUCTURE &
REGULATION DIVISION-
STORMWATER DEPARTMENT

4401 Privetts Road
Conway, South Carolina 29526



Post Office Box 1236
Conway, South Carolina 29528-1236

Phone: (843) 915-5160
Fax: (843) 365-2208
www.horrycounty.org

December 13, 2019

Ed Goodrich
353 Skyland Pines Dr.
Myrtle Beach 29588
Brighton Woods Lot 271

Re: Lot 271 Brighton Woods ph. 2

Dear Mr. Goodrich:

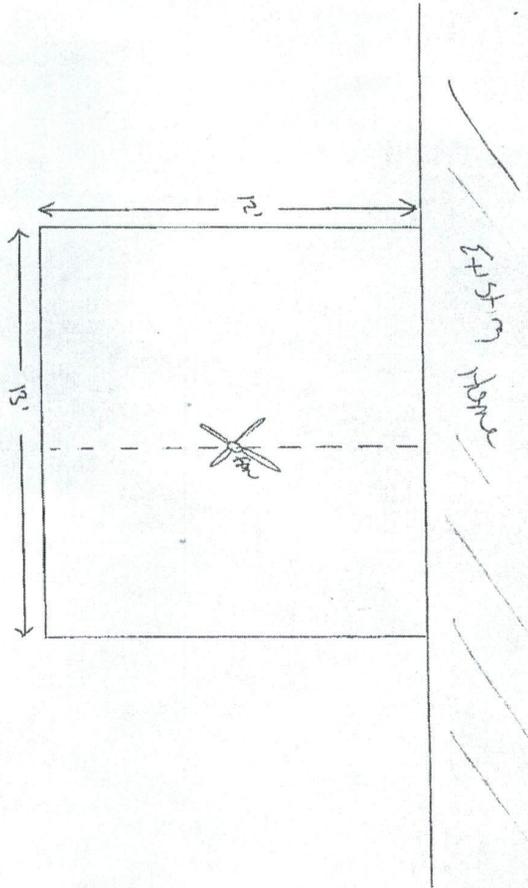
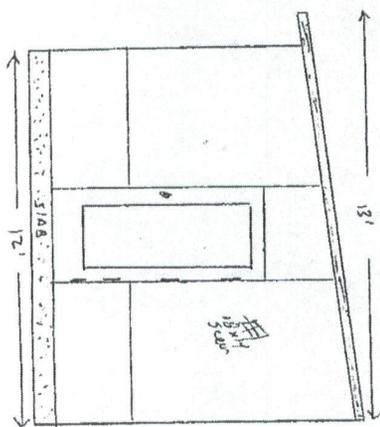
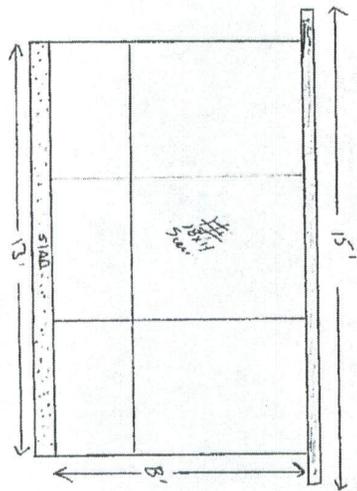
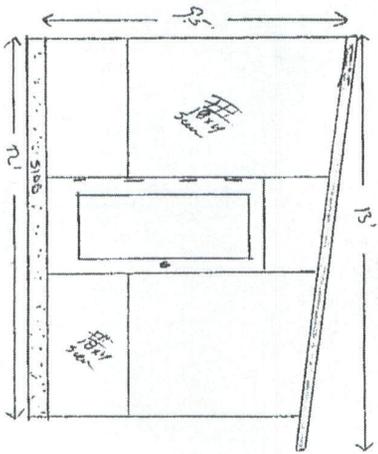
The Stormwater Department has been asked to determine if the encroachment in the drainage easement you are proposing is going to hinder the drainage flows or the future ability to maintain the conveyance. We have investigated the site and have reviewed your proposed plan. We do not see this encroachment having any impact on the drainage facilities or conveyances as described in the site plan submitted.

If you have any further questions please feel free to contact me at the number listed below.

Sincerely,

A handwritten signature in blue ink that reads "Eric Hasara". The signature is written in a cursive style.

Eric Hasara | Storm Water Project Manager / CEA 1
Horry County Government
Storm Water Department
4401 Privetts Rd, Conway, South Carolina 29526
Tel 843.915.6958 | Fax 843.365.2170 | Hasarae@horrycounty.org
Website: StormWater.HorryCounty.org



DONOR: Goodrich
 353 Skyland Drive
 M.B., SC 29588
 973-983-7721
 973-983-7720

K B SUNSPACES
 11768 Highway 17, Bypass
 Murrells Inlet, SC 29576
 1-843-650-1585
 State License #501112

Case # 2020-01-002

VARIANCE REVIEW SHEET

Property Information

| | |
|-------------------------------|------------------------------------|
| Variance Request # | 2020-01-002 |
| Applicant | Kimberly Warnick & Thomas Thorn II |
| Parcel Identification (PIN) # | 428-16-03-0027 |
| Site Location | 4147 Rose Bud Lane, Myrtle Beach |
| Property Owner | Kimberly Warnick & Thomas Thorn II |
| County Council District # | 6 - Crawford |

Zoning Information

| | |
|-----------------|----------------|
| Zoning District | MSF 20 |
| Parcel Size | 16,935 sq. ft. |
| Proposed Use | Residential |

Requested Variance(s)

The applicant is requesting a variance from Article VII, Section 705 and Article VIII regarding setback requirements in the Residential (MSF20) zoning district.

| | Requirement | Requested | Variance Needed | Percentage |
|------------------------------|-------------|-----------|-----------------|------------|
| Front Setbacks (Rose Bud Ln) | 30' | 15' | 15' | 50% |
| Rear Setback (Sunlight Dr) | 30' | 15' | 15' | 50% |

Background/Site Conditions

The applicants are proposing to place a single family home on this parcel. The Land Development Regulations define this as a double frontage property which requires front setbacks be met on both street frontages. The home will be located 15' from Rosebud Lane and Sunlight Drive instead of the required 30' for a variance of 15'. Staff would ask that access only be allowed from Rose Bud Lane.

Ordinance and Analysis

Before a variance can be granted, the Board must first find that the strict application of the provisions of the ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the Board makes and explains in writing the following five findings:

- 1. There are extraordinary and exceptional conditions pertaining to the particular piece of property; (Is this request special?)**

The parcel is odd shaped and encumbered by a street being located on each side.
- 2. These conditions do not generally apply to other property in the vicinity; (Is this request unique?)**

This condition applies to all double frontage lots.
- 3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.**

Application of the ordinance prohibits staff from approving the home not meeting the required setbacks.

VARIANCE REVIEW SHEET

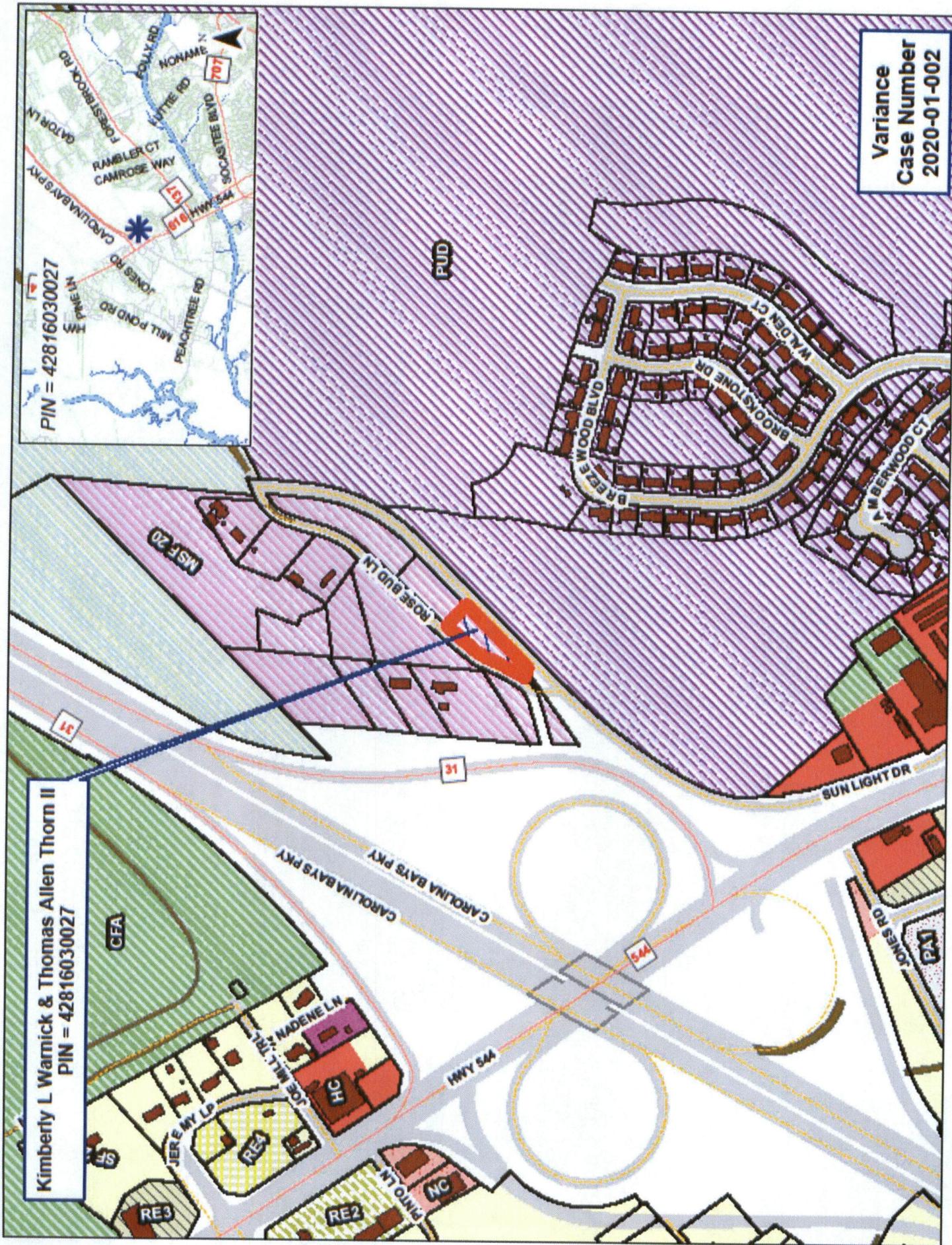
4. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance. (Does this request serve the public good, or harm neighbors?)

5. The board may not grant a variance, the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a nonconforming use of land or to change the zoning district boundaries shown on the official zoning map. The fact that property may be utilized more profitably, if a variance is granted, may not be considered grounds for a variance.

Proposed Order/Conditions

Should the Board decide that this variance request satisfies all five required factors and grants approval of the requested variance, Staff recommends the following conditions:

1. All required documents shall be submitted to the Horry County Code Enforcement Department for review and approval and required permits obtained.
2. All future buildings and building additions must conform to Horry County regulations.
3. All other applicable County requirements shall be met.
4. Applicant must access the property from Rose Bud Lane and not via Sunlight Drive.



Variance
 Case Number
 2020-01-002

Kimberly L Warnick & Thomas Allen Thorn II
 PIN = 42816030027

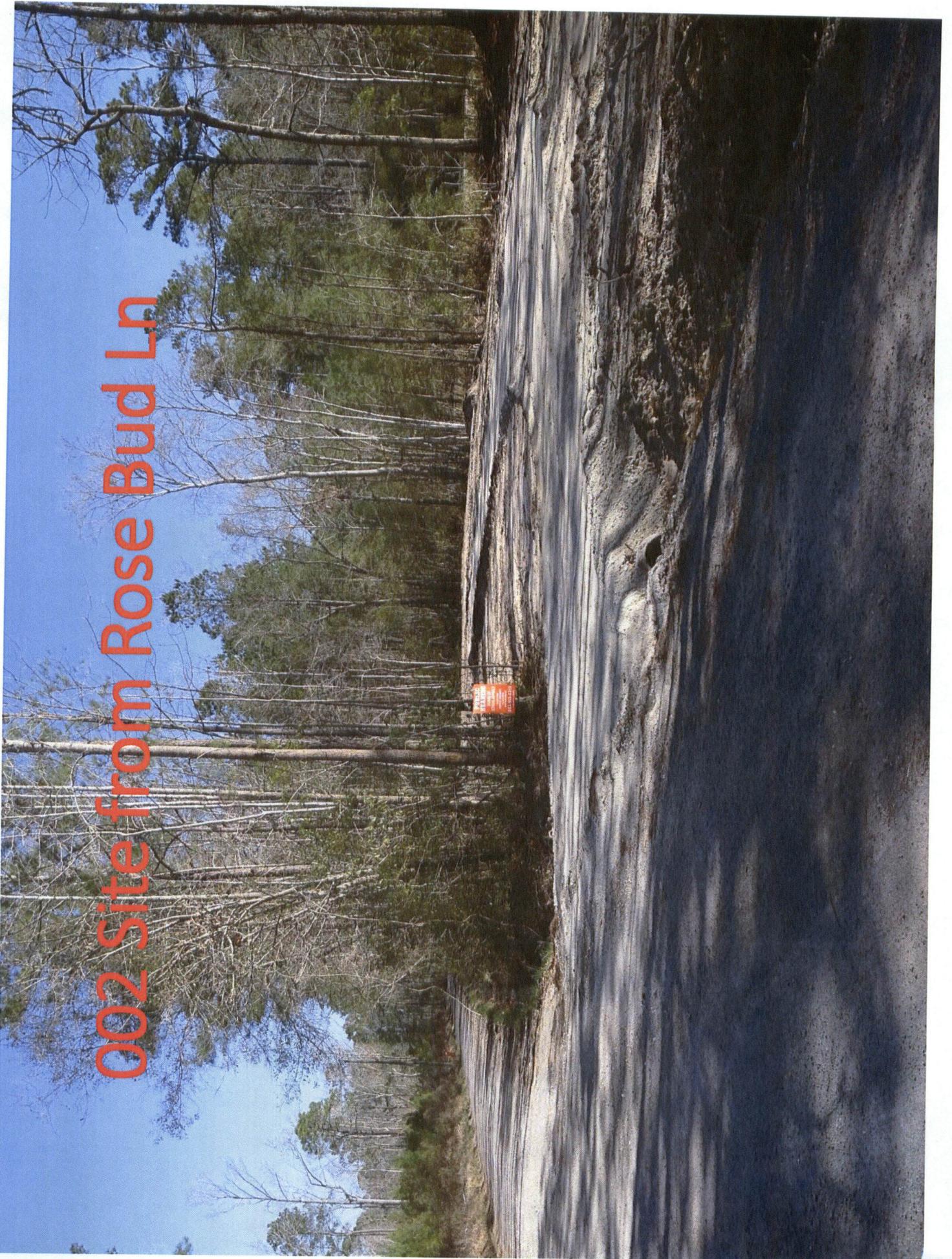
Variance
Case Number
2020-01-002

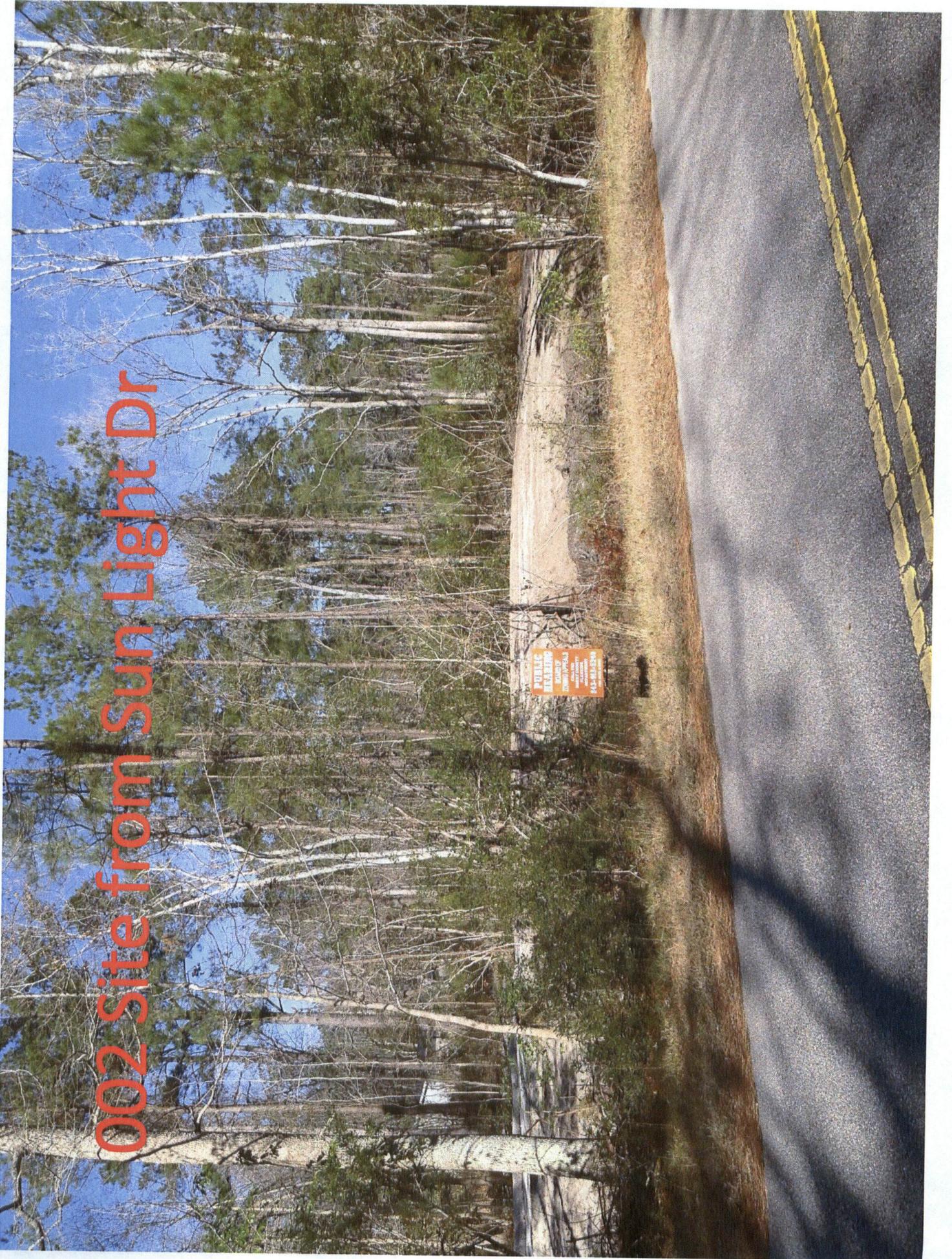


Kimberly L Warrick & Thomas Allen Thorn II
PIN = 42816030027

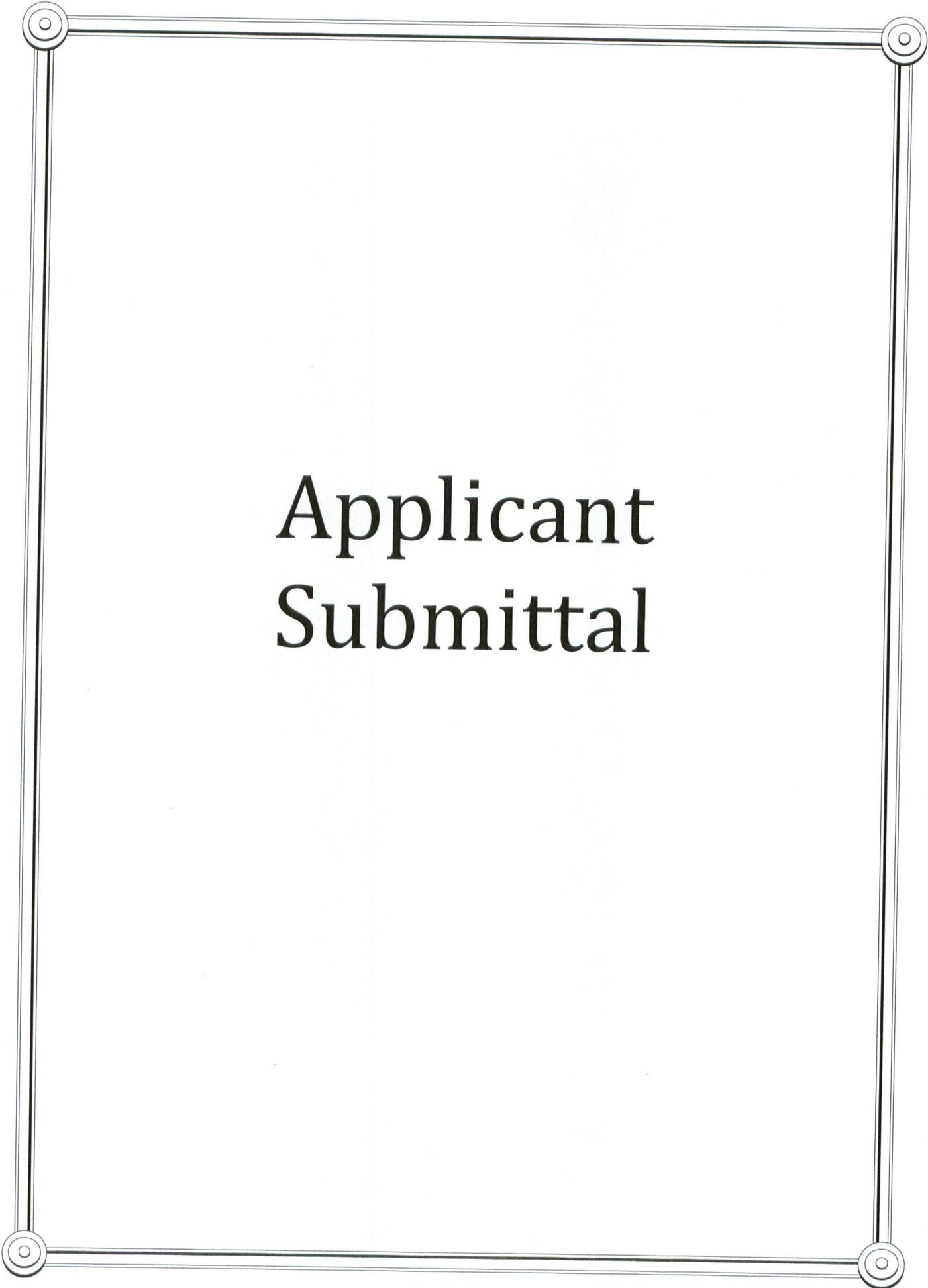


002 Site from Rose Bud Ln





002 Site from Sun Light Dr



Applicant Submittal

VARIANCE REQUEST

Applicant hereby appeals for a variance from the requirements of the following provisions of the Zoning Ordinance: Article(s) _____ Section(s) _____

Description of Request: Applicant is requesting to reduce the front/rear setback from 30' to 15'.

Required Front Setback: 30'

Requested Front Setback: 15' See Plot Plan

Required Side Setback: 15' 11.25'

Requested Side Setback: 15'

Required Rear Setback: 10.88' 30'

Requested Rear Setback: 25' 15'

Required Bldg. Separation: _____

Requested Bldg. Separation: NA

Required Minimum Lot Width: _____

Requested Min Lot Width: _____ KLW

Required Min Lot Width/Bldg Site: _____

Requested Min Lot Width/Bldg Site: _____

Required Max Height of Structure: _____

Requested Max Height of Structure: _____

Are there Restrictive Covenants on this property that prohibit or conflict with this request? Y (N)

A variance may be granted in an individual case of unnecessary hardship if the Board makes and explains in writing the finding as stated below:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property.
2. These conditions do not generally apply to other property in the vicinity.
3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.
4. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.
5. The Board may not grant a variance the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a nonconforming use of land, or change the zoning district boundaries shown on the official zoning map. The fact that property may be utilized more profitably, should a variance be granted, may not be considered grounds for a variance.

To the best of your ability please explain in detail how the aforementioned findings apply to your request: (may include attachments)

see attached

The following documents are submitted in support of this application: (an accurate legible plot plan prepared by a registered architect, engineer or surveyor showing property dimensions and locations of all existing and proposed structures may be required)

Applicant hereby certifies that the information provided in this application is correct and there are no covenants or deed restrictions in place that would prohibit this request.

Kimberly Lynn Warwick
Applicants Signature

12-20/19
Date

December 20, 2019

Re:

4147 Rosebud Lane
Myrtle Beach, SC 29588

To whom it may concern:

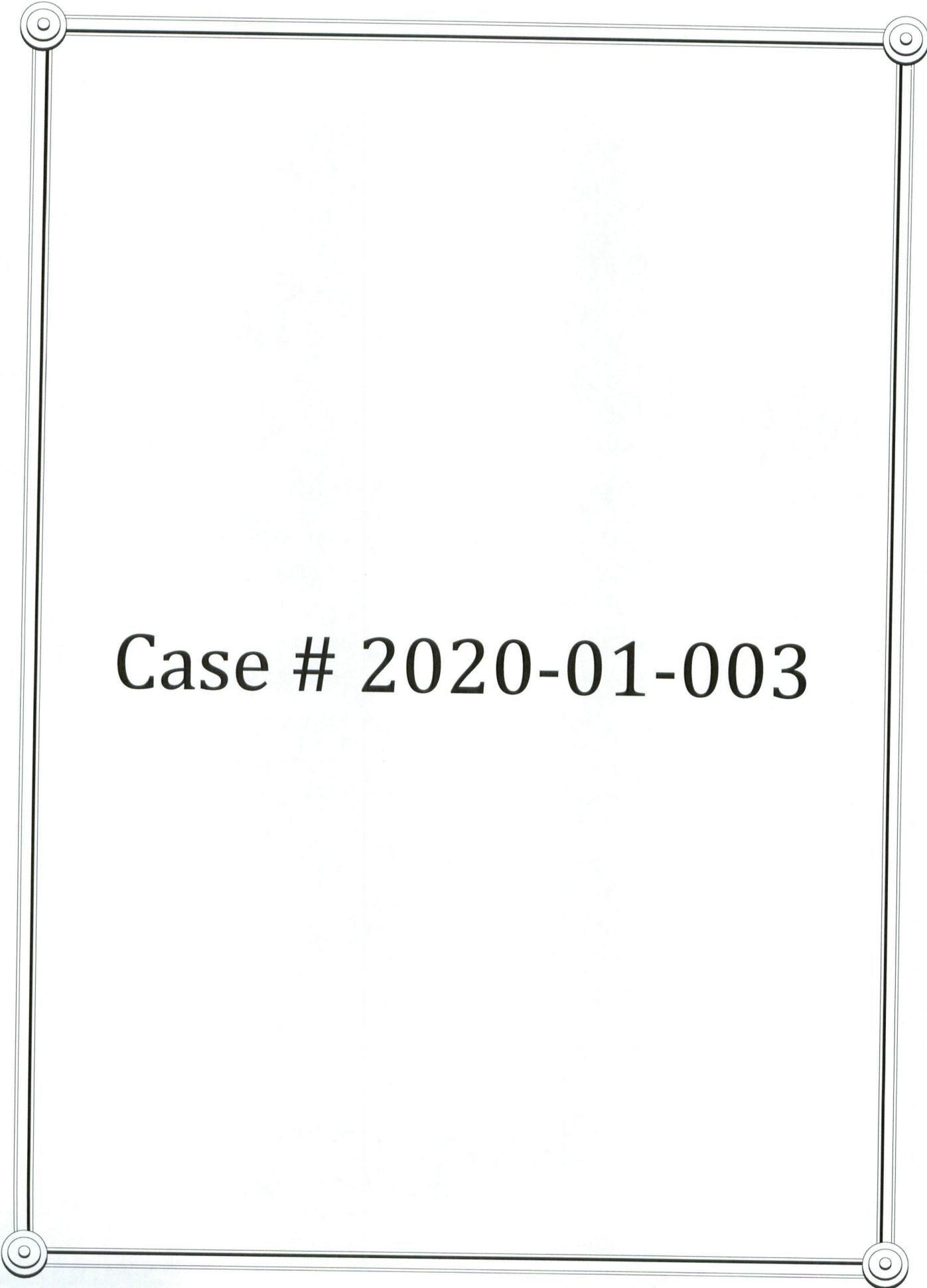
I recently purchased this property to build my personal home. After the surveying company had surveyed the property to start construction, they informed me that the SCDOT had taken 10' off each side of the property since the last time it had been surveyed. This made the property which I thought was 96' wide, now only 76' wide. I then had my architect redesign my 1010 square foot house to fit the new dimensions of the lot. Now I have just learned that my property has been zoned with 2 front set backs at 30' each because it's between 2 county roads. This will only leave me with 16' of buildable land. I am requesting that the set backs be as shown on my plot plan because if they are not, my property will be



unusable.

Kimberly L Warnick

Kimberly L Warnick

A rectangular frame with a double-line border and decorative corner pieces at each of the four corners. The text "Case # 2020-01-003" is centered within the frame.

Case # 2020-01-003

VARIANCE REVIEW SHEET

Property Information

| | | | |
|-------------------------------|---|---------------------------|----------------|
| Variance Request # | 2020-01-003 | Zoning Information | |
| Applicant | Lee Edge | Zoning District | SF 10 |
| Parcel Identification (PIN) # | 351-06-02-0024 | Parcel Size | 17,926 sq. ft. |
| Site Location | 236 Little River Neck Rd, N. Myrtle Beach | Proposed Use | Residential |
| Property Owner | Sandra Jones & Lee Edge | | |
| County Council District # | 1 - Worley | | |

Requested Variance(s)

The applicant is requesting a variance from Article V, Article VII, Section 706 and Article VIII regarding setback, minimum lot size and street frontage requirements in the Residential (SF10) zoning district.

| | Requirement | Requested | Variance Needed | Percentage |
|--------------------------------------|----------------|---------------|-----------------|------------|
| Lot 1 - Front Setbacks | 12.5' | 3.1' | 9.4' | 75% |
| Lot 1 - Left Side Setbacks | 10' | 9.5' | 0.5' | 5% |
| Lot 1 - Minimum Lot Size Requirement | 10,000 sq. ft. | 7,827 sq. ft. | 2,173 sq. ft. | 22% |
| Lot 2 - Street Frontage | 50' | 27' | 23' | 46% |
| Lot 2 - Right Side Setback | 10' | 9.5' | 0.5' | 5% |

Background/Site Conditions

The applicants are requesting to subdivide the property so they may have one home located on each lot. They rezoned the property from CFA to SF10 in November 2019 under Ordinance 98-19. There are 4 variances needed to subdivide the property. Proposed lot 1 is 7,827 sq. ft. instead of the required 10,000 sq. ft. for a variance of 2,173 sq. ft. Lot 1 needs a left side setback of 9.5 instead of the required 10' for a variance of 0.5'. Lot 2 needs a right side setback of 9.5' instead of the required 10' for a variance of 0.5' and a variance from the lot frontage requirements. Proposed lot 2 has only 27' of street frontage instead of the required 50' for a variance of 23'.

The applicant is also requesting a variance for the existing home on lot 1 that is considered legal non-conforming, but would not allow the replacement in their current location. Art. V Section 500.4 (Replacement of Structures) would allow staff to reduce the required front setback of 25' to 12.5' for structures of the same size or smaller. The applicant is requesting a variance to allow the home to be replaced in the future at the current location of 3.1' from the front property line instead of the required 12.5' for a variance of 9.4'.

Ordinance and Analysis

Before a variance can be granted, the Board must first find that the strict application of the provisions of the ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the Board makes and explains in writing the following five findings:

VARIANCE REVIEW SHEET

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property; (Is this request special?)

The dwellings have been there since 1930 and 1972 per the Horry County Tax Assessor records.

2. These conditions do not generally apply to other property in the vicinity; (Is this request unique?)

These requirements apply to all lots in the SF10 zoning.

3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.

Application of the ordinance prohibits staff from approving the subdivision of these lots not meeting zoning requirements.

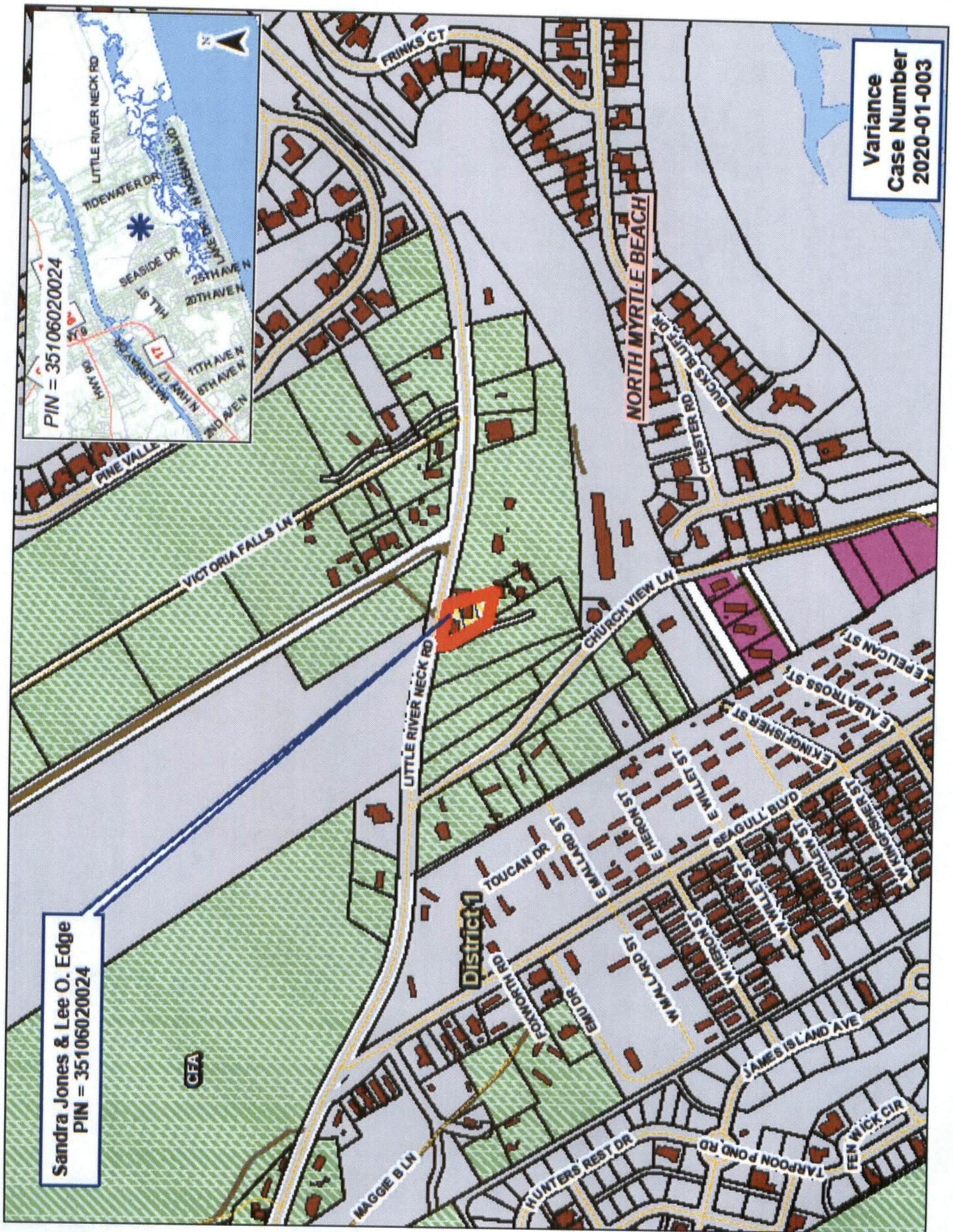
4. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance. (Does this request serve the public good, or harm neighbors?)

5. The board may not grant a variance, the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a nonconforming use of land or to change the zoning district boundaries shown on the official zoning map. The fact that property may be utilized more profitably, if a variance is granted, may not be considered grounds for a variance.

Proposed Order/Conditions

Should the Board decide that this variance request satisfies all five required factors and grants approval of the requested variance, Staff recommends the following conditions:

1. All required documents shall be submitted to the Horry County Code Enforcement Department for review and approval and required permits obtained.
2. All future buildings and building additions must conform to Horry County regulations.
3. All other applicable County requirements shall be met.



Sandra Jones & Lee O. Edge
 PIN = 35106020024

Variance
 Case Number
 2020-01-003

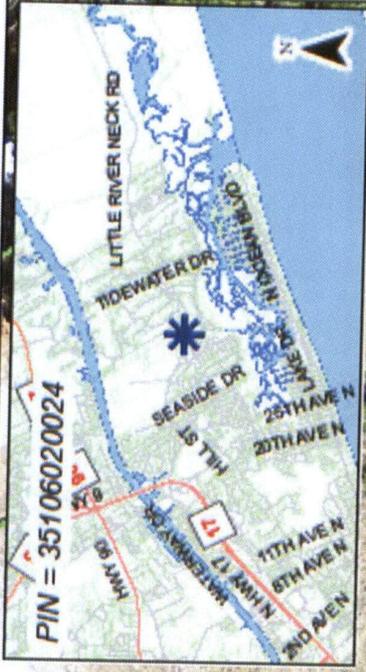


Variance
Case Number
2020-01-003

003 Aerial

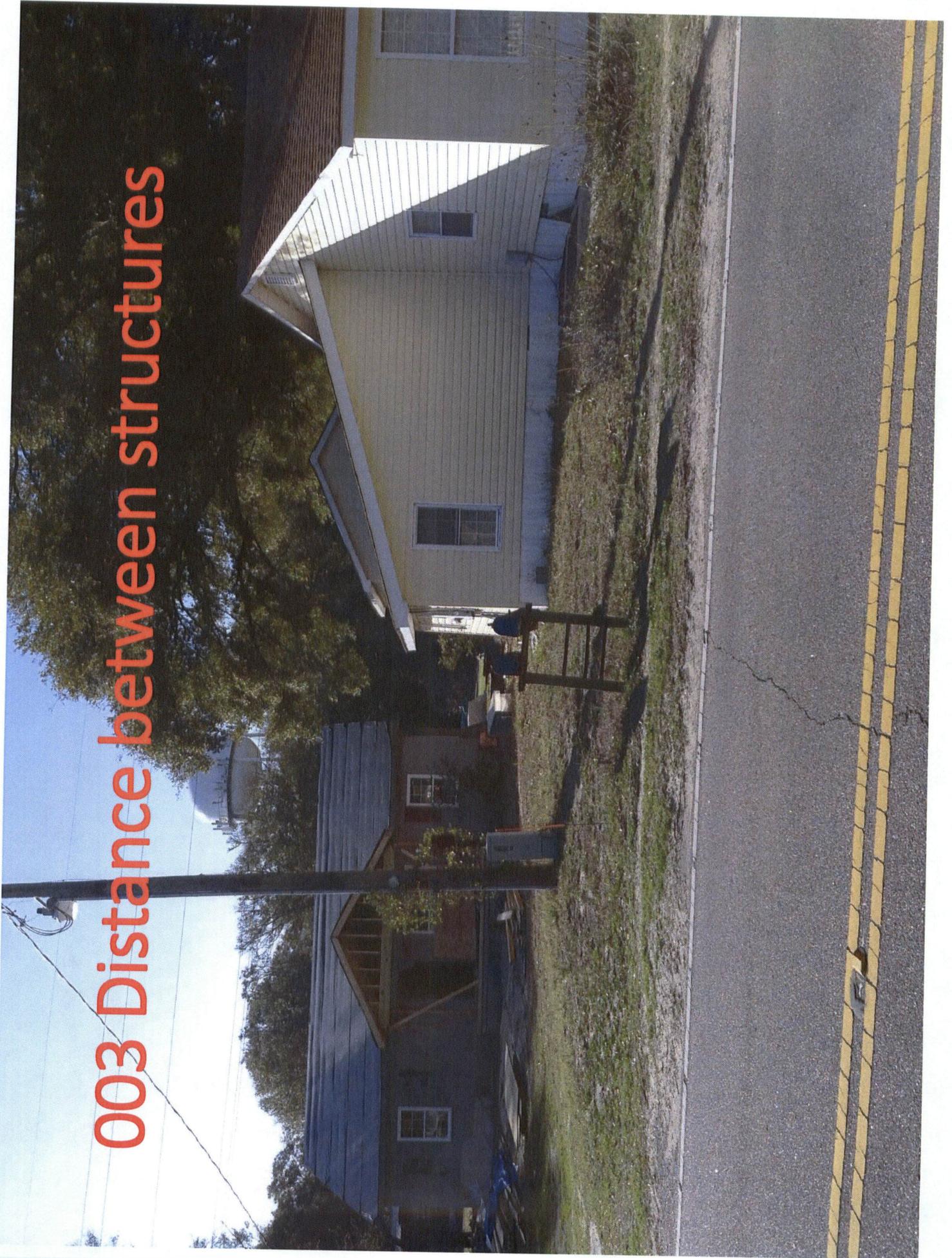
Sandra Jones & Lee O. Edge
PIN = 35106020024

LITTLE RIVER NECK RD

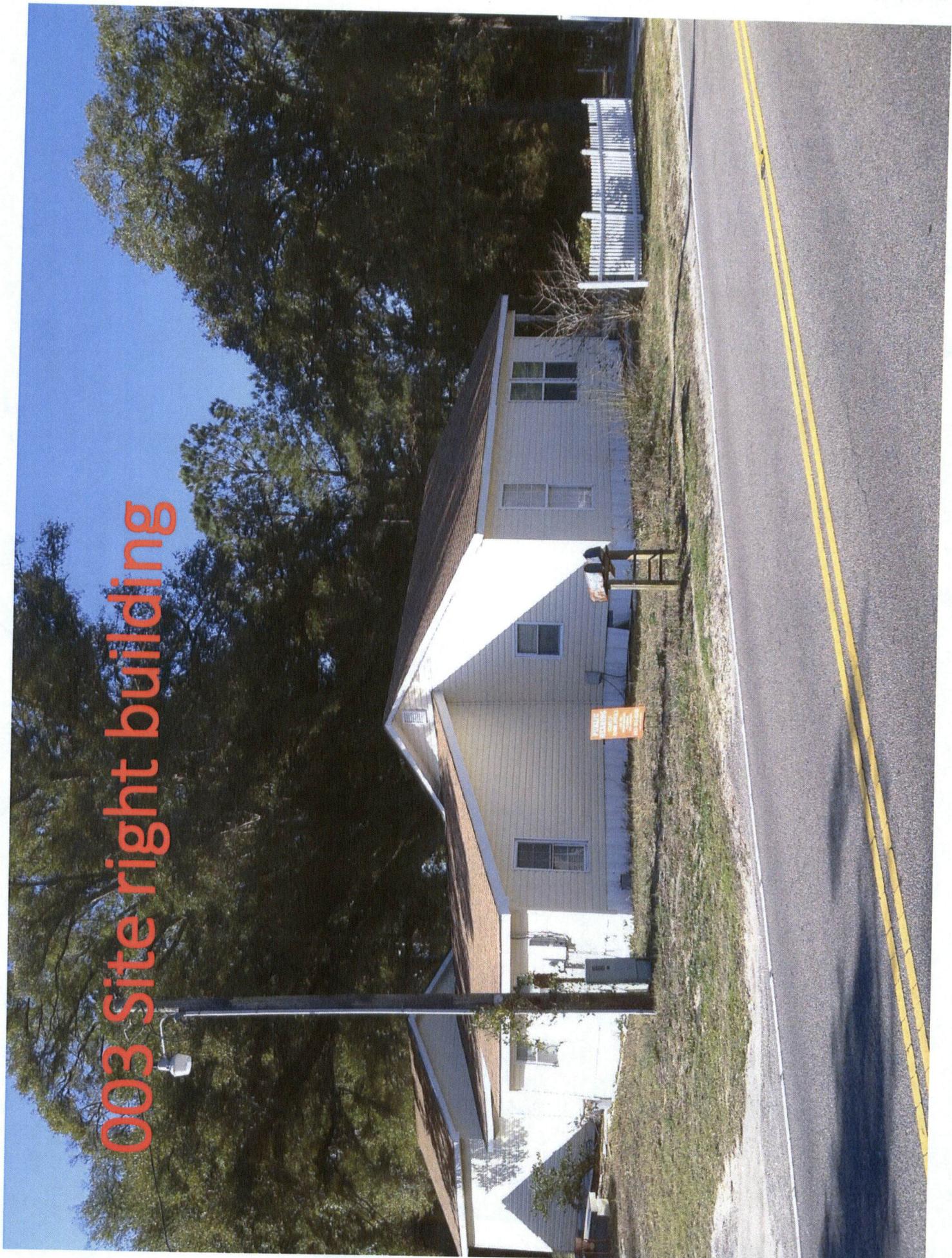


PIN = 35106020024

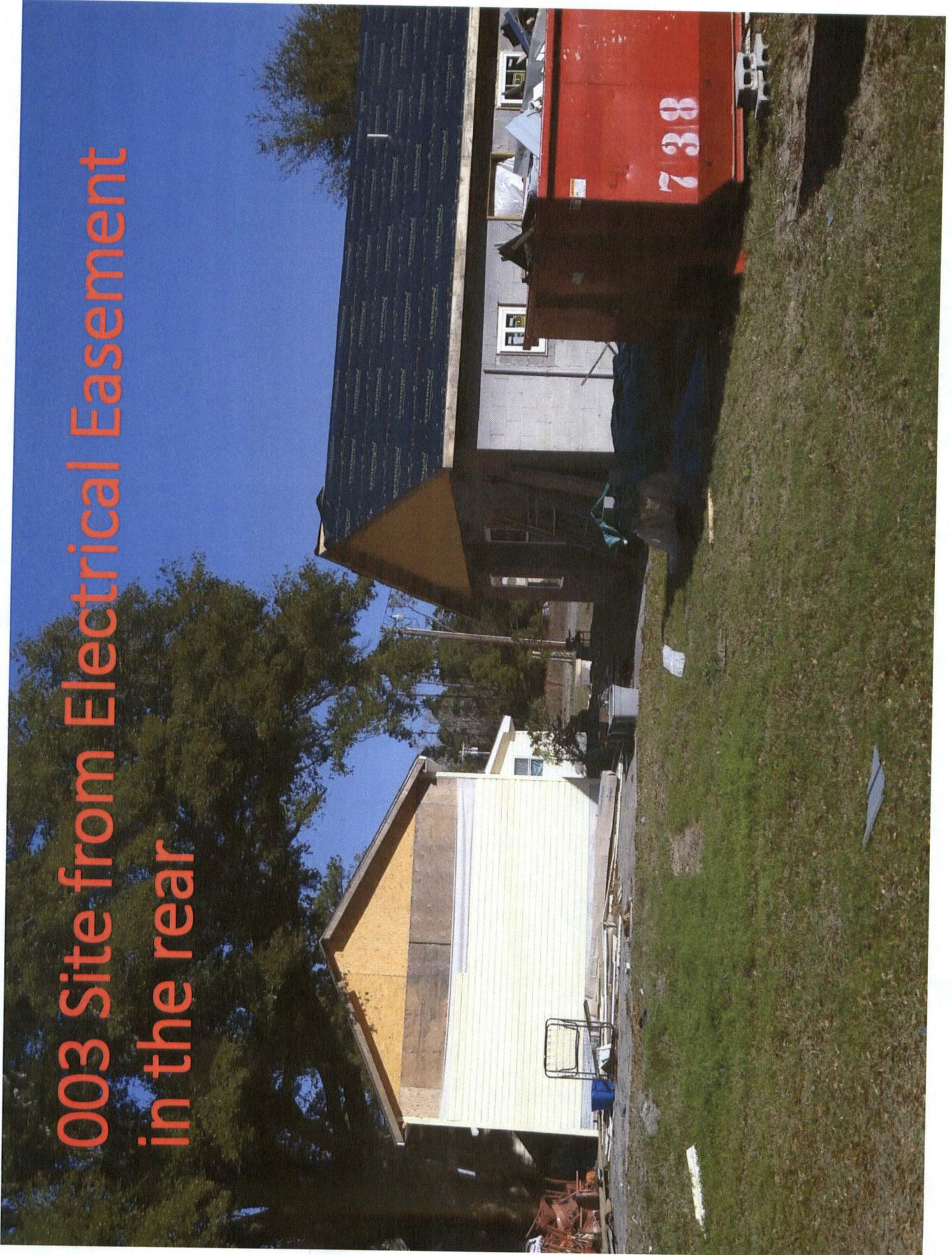
003 Distance between structures

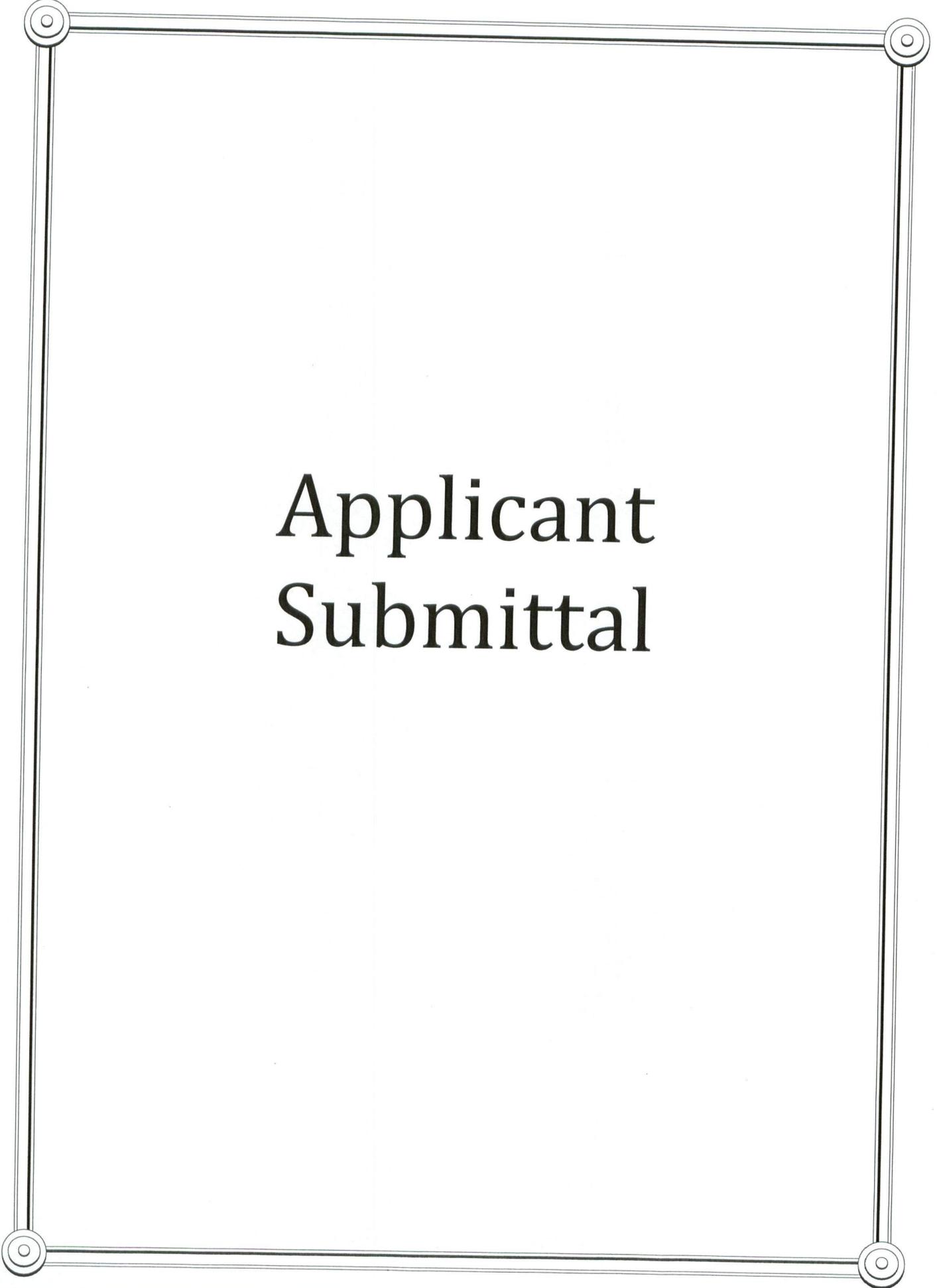


003 Site right building



003 Site from Electrical Easement
in the rear





Applicant Submittal

VARIANCE REQUEST

Applicant hereby appeals for a variance from the requirements of the following provisions of the Zoning Ordinance:
 Article(s) _____ Section(s) _____

Description of Request: Lot 1 - needs a lot size variance
Lot 2 does not meet 50' frontage from the Rd.

| | |
|--|--|
| Required Front Setback: <u>25'</u> | Requested Front Setback: <u>3.1 (Lot 1)</u> |
| Required Side Setback: <u>10' / 25' (CS)</u> | Requested Side Setback: <u>9.5 (Lot 1) 9.5 6.6 (Lot 2)</u> ^{9.5} |
| Required Rear Setback: <u>15'</u> | Requested Rear Setback: <u>9.5 (Lot 1)</u> |
| Required Bldg. Separation: <u>25'</u> <i>Required Corner Side</i> | Requested Bldg. Separation: <u>2.5 (Lot 1) + 6.7 (Lot 2)</u> |
| Required Minimum Lot Width: _____ | Requested Min Lot Width: _____ |
| Required Min Lot Width/Bldg Site: _____ | Requested Min Lot Width/Bldg Site: _____ |
| Required Max Height of Structure: _____ | Requested Max Height of Structure: _____ |
| <u>Min lot size 10,000 sf</u> | <u>Min lot size Req. 7827 sf</u> |

Are there Restrictive Covenants on this property that prohibit or conflict with this request? Y N

A variance may be granted in an individual case of unnecessary hardship if the Board makes and explains in writing the finding as stated below:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property.
2. These conditions do not generally apply to other property in the vicinity.
3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.
4. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.
5. The Board may not grant a variance the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a nonconforming use of land, or change the zoning district boundaries shown on the official zoning map. The fact that property may be utilized more profitably, should a variance be granted, may not be considered grounds for a variance.

To the best of your ability please explain in detail how the aforementioned findings apply to your request: (may include attachments)

The Home on the lot, has suffered Fire Damage
which was left to Lee + Angela Edge. Renovation cost is at a high rate
So, we wish to separate this lot also for Tax purpose

The following documents are submitted in support of this application: (an accurate legible plot plan prepared by a registered architect, engineer or surveyor showing property dimensions and locations of all existing and proposed structures may be required)

Applicant hereby certifies that the information provided in this application is correct and there are no covenants or deed restrictions in place that would prohibit this request.

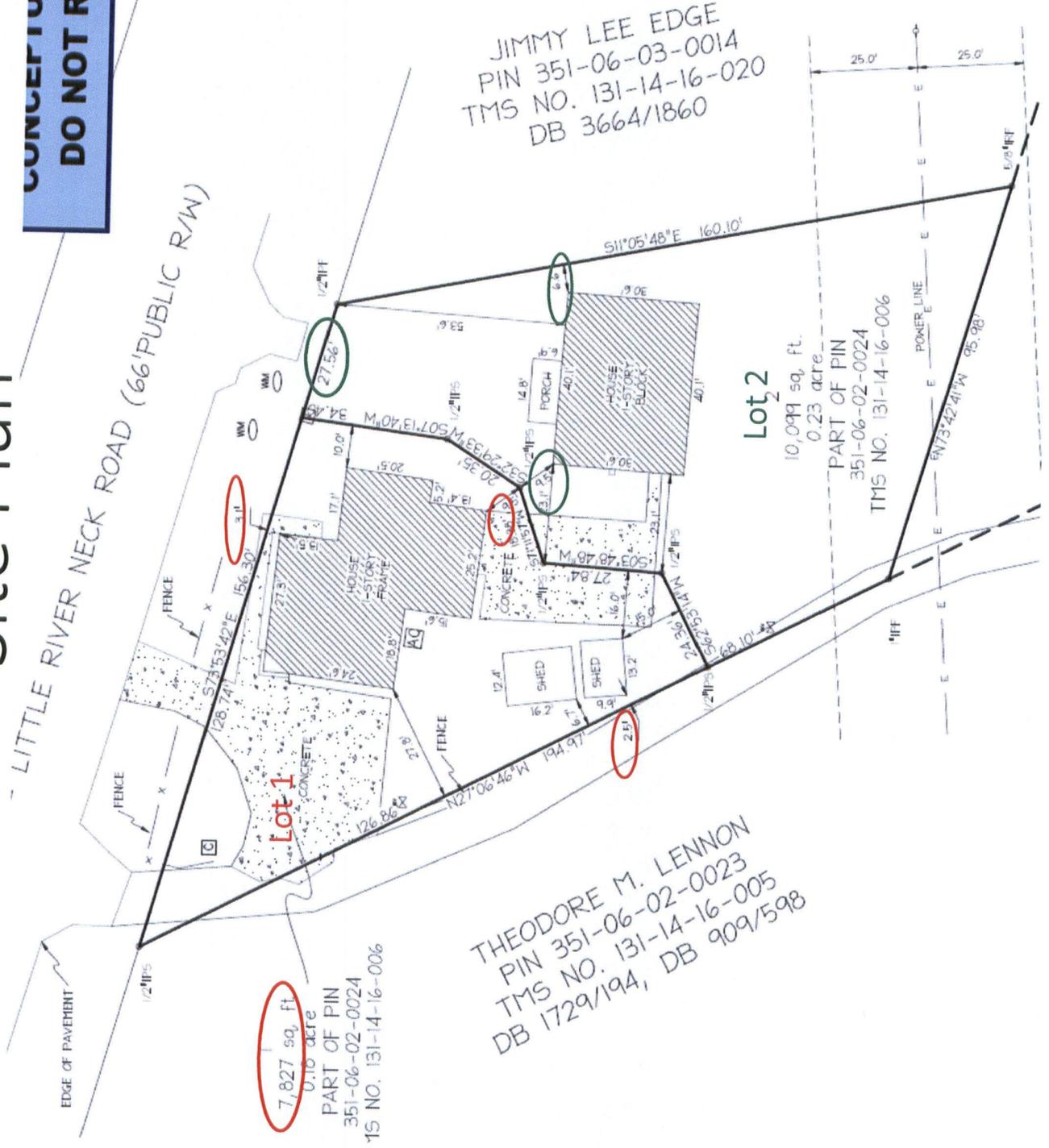
Lee O. Edge
 Applicants Signature

1-2-20
 Date

Site Plan

**CONCEPTUAL PLAN
DO NOT RECORD**

LITTLE RIVER NECK ROAD (66' PUBLIC R/W)



Case # 2020-01-004

VARIANCE REVIEW SHEET

Property Information

| | |
|-------------------------------|--|
| Variance Request # | 2020-01-004 |
| Applicant | Tim Alexander, agent for Daniel E. & Gloria S. Smith |
| Parcel Identification (PIN) # | 462-16-03-0086 |
| Site Location | 724 Mansion Ct., Murrells Inlet |
| Property Owner | Daniel E. & Gloria S. Smith |
| County Council District # | 5 - Servant |

Zoning Information

| | |
|-----------------|---------------|
| Zoning District | GR |
| Parcel Size | 6,622 sq. ft. |
| Proposed Use | Residential |

Requested Variance(s)

The applicant is requesting a variance from Article VII, Section 709 and Article VIII regarding setback requirements in the General Residential (GR) zoning district.

| | Requirement | Requested | Variance Needed | Percentage |
|-----------------------------|-------------|-----------|-----------------|------------|
| Front Setback (Mansion Ct.) | 25' | 15.7' | 9.3' | 37% |

Background/Site Conditions

This parcel is located within Jamestowne Colony which is a grandfathered subdivision from the 1980's. The applicants have constructed a 21.9' x 17.8' (389 sq. ft.) carport on this parcel. Permit #105846 was issued on 12/3/2019, after review Zoning determined that Mansion Ct. was the front of this property. The carport is located 15.7' from the front property line instead of the required 25' for a variance of 9.3'.

Ordinance and Analysis

Before a variance can be granted, the Board must first find that the strict application of the provisions of the ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the Board makes and explains in writing the following five findings:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property; (Is this request special?)

There are none.

2. These conditions do not generally apply to other property in the vicinity; (Is this request unique?)

These conditions apply to all parcels within Jamestowne Colony.

3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.

Application of the ordinance prohibits staff from approving the carport not meeting the required setbacks.

VARIANCE REVIEW SHEET

4. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance. (Does this request serve the public good, or harm neighbors?)

The applicant has provided a letter of approval from the Jamestowne Colony HOA.

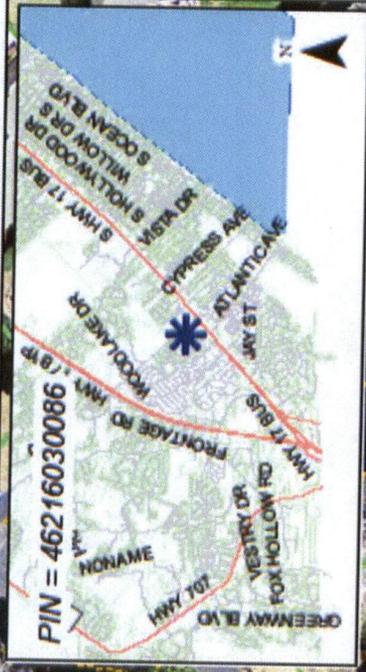
5. The board may not grant a variance, the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a nonconforming use of land or to change the zoning district boundaries shown on the official zoning map. The fact that property may be utilized more profitably, if a variance is granted, may not be considered grounds for a variance.

Proposed Order/Conditions

Should the Board decide that this variance request satisfies all five required factors and grants approval of the requested variance, Staff recommends the following conditions:

1. All required documents shall be submitted to the Horry County Code Enforcement Department for review and approval and required permits obtained.
2. All future buildings and building additions must conform to Horry County regulations.
3. All other applicable County requirements shall be met.

Variance
Case Number
2020-01-004

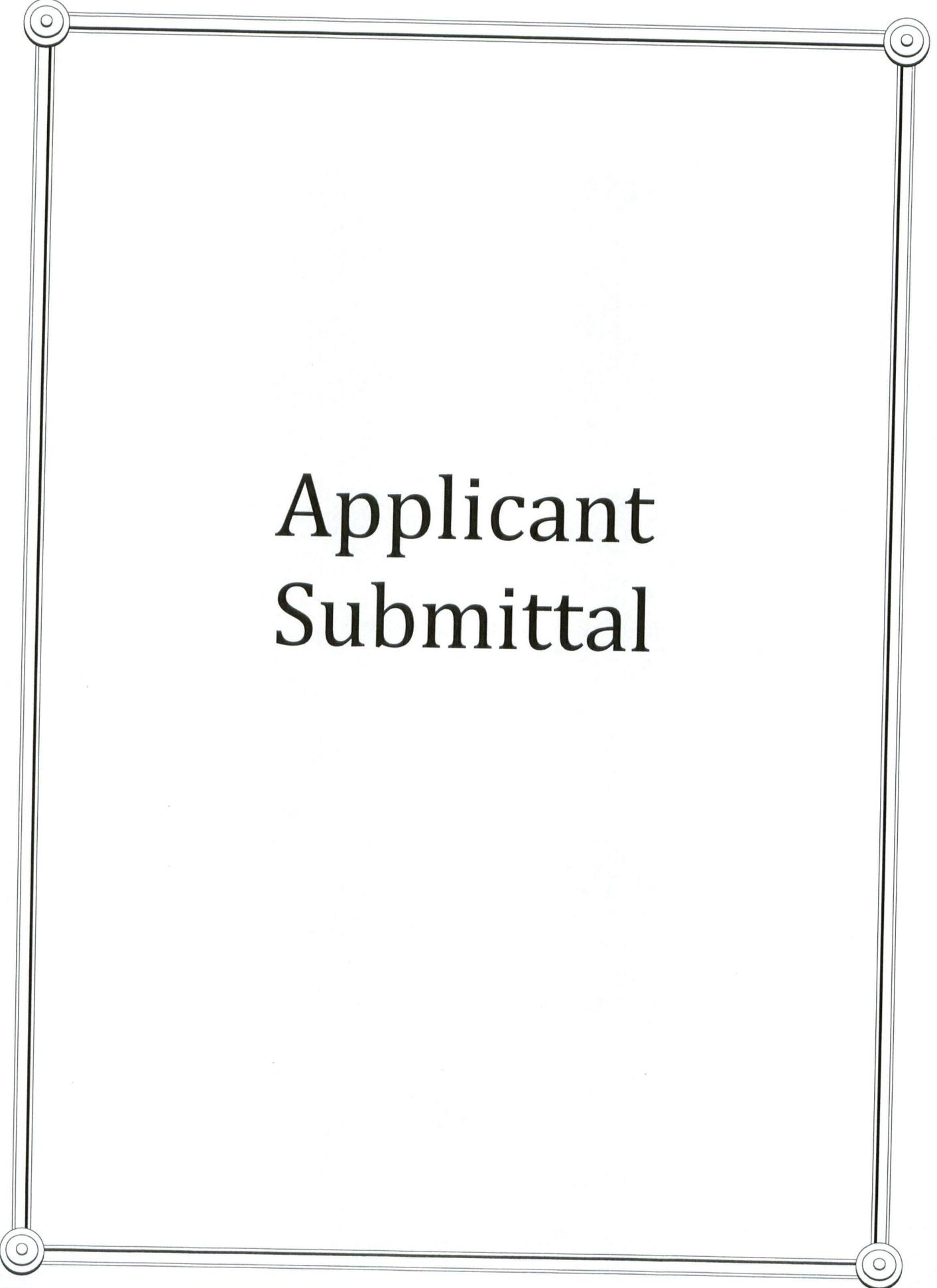


004 Aerial

Daniel E. & Gloria S. Smith
PIN = 46216030086







Applicant Submittal

VARIANCE REQUEST

Applicant hereby appeals for a variance from the requirements of the following provisions of the Zoning Ordinance: Article(s) _____ Section(s) _____

Description of Request: CARPORT ALLOWED WITHIN SETBACKS

Required Front Setback: 25'
Required Side Setback: 5' st. side / 0'
Required Rear Setback: 0'
Required Bldg. Separation: _____
Required Minimum Lot Width: _____
Required Min Lot Width/Bldg Site: _____
Required Max Height of Structure: _____

Requested Front Setback: 15.7'
Requested Side Setback: _____
Requested Rear Setback: _____
Requested Bldg. Separation: _____
Requested Min Lot Width: _____
Requested Min Lot Width/Bldg Site: _____
Requested Max Height of Structure: _____

Are there Restrictive Covenants on this property that prohibit or conflict with this request? Y N

A variance may be granted in an individual case of unnecessary hardship if the Board makes and explains in writing the finding as stated below:

- 1. There are extraordinary and exceptional conditions pertaining to the particular piece of property.
- 2. These conditions do not generally apply to other property in the vicinity.
- 3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.
- 4. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.
- 5. The Board may not grant a variance the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a nonconforming use of land, or change the zoning district boundaries shown on the official zoning map. The fact that property may be utilized more profitably, should a variance be granted, may not be considered grounds for a variance.

To the best of your ability please explain in detail how the aforementioned findings apply to your request: (may include attachments)

SEE ATTACHED EXAMPLES OF SIMILAR CARPORTS ALREADY IN OUR NEIGHBORHOOD. WE WANT TO HAVE THE SAME ABILITY TO HAVE A CARPORT LIKE OTHERS IN OUR NEIGHBORHOOD. THE FRONT OF OUR HOUSE IS ONLY 13'6" FROM THE AREA FOR CARPORT.

The following documents are submitted in support of this application: (an accurate legible plot plan prepared by a registered architect, engineer or surveyor showing property dimensions and locations of all existing and proposed structures may be required)

SEE ATTACHED SURVEY OF CARPORT BEING CONSIDERED

Applicant hereby certifies that the information provided in this application is correct and there are no covenants or deed restrictions in place that would prohibit this request.

Daniel Smith Gloria Smith
Applicants Signature

1-2-2020
Date

January 2, 2020

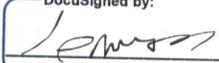
Planning & Zoning Department
1301 2nd Ave., Suite 1D09
Conway, SC 29526

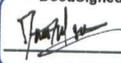
Re: Setbacks for 724 Mansion Ct., Murrells Inlet, SC 29576

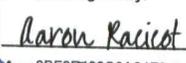
To Whom This May Concern:

The HOA Board of Jamestowne Colony Subdivision approves the current placement of the carport on 724 Mansion Ct. The HOA Board had previously accepted and approved the owners (Daniel and Gloria Smith) request to construct a carport over their existing driveway. And now to comply with the request of Planning & Zoning, the Board hereby acknowledges, accepts and approves the carport location which does not meet the 25' setback for front of house.

Jamestowne Colony Board of Directors

DocuSigned by:

1/2/2020 | 5:23 PM EST
5B127F54681468
Jeremy Albright, President

DocuSigned by:

1/2/2020 | 5:34 PM EST
1419EFC288A94A1
Dave Marcus, Vice President

DocuSigned by:

1/2/2020 | 5:38 PM EST
38F3E926A24E2
Aaron Racicot, Member

Jamestowne Colony HOA
850 Colony Drive
Garden City, SC 2956

(http://www.horrycounty.org)

horrycounty.org

Land Records

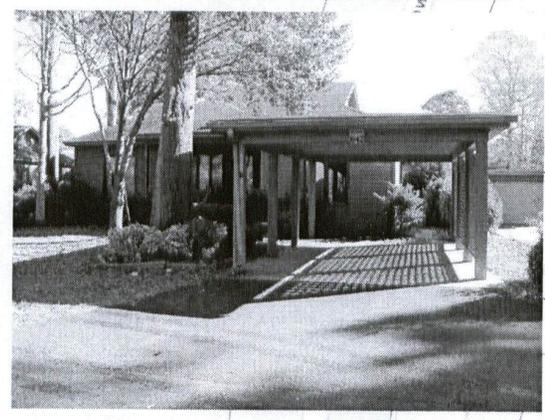
Owner, PIN, TMS, Address or Subdivision

Close

JAMESTOWNE COLONY; LT 5 ...

PIN: 46216030050 / TMS: 1950922019

- Land
- Transfers
- Splits/Merges
- Permits
- Contact Us



Owner

ALBRIGHT JEREMY ETAL
 PO BOX 331
 ASHEBORO, NC 27204

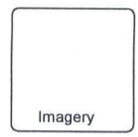
| | |
|-----------------|--------------------------|
| District | 610 - MURRELLS INLET/G.C |
| Deed Book | 3889 |
| Deed Page | 3427 |
| Estimated Acres | 0.13 Acres |

Primary Building

| | |
|------------------------|-----------|
| Estimated Year Built | 1984 |
| Finished Area | 1348 sqft |
| Bedrooms | 2 |
| Baths | 2 |
| Garages/Carports | 0 |
| Auxillary Improvements | YES |

Taxable Values

| | |
|-------------------|---|
| Residential Land | 0 |
| Residential Impr. | 0 |
| Farm Land | 0 |
| Farm Improved | 0 |



Built 1984



Owner, PIN, TMS, Address or Subdivision

Close

JAMESTOWNE COLONY; LT 10.

PIN: 46216030075 / TMS: 1950922010

- Land
- Transfers
- Merges
- Permits
- Contact Us

Owner

BRANHAM JEWEL ANN ETAL
808 JAMES LANDING CT
MURRELLS INLET, SC 29576

District 610 - MURRELLS INLET/G.C
 Deed Book 3724
 Deed Page 169
 Estimated Acres 0.12 Acres

Primary Building

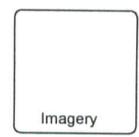
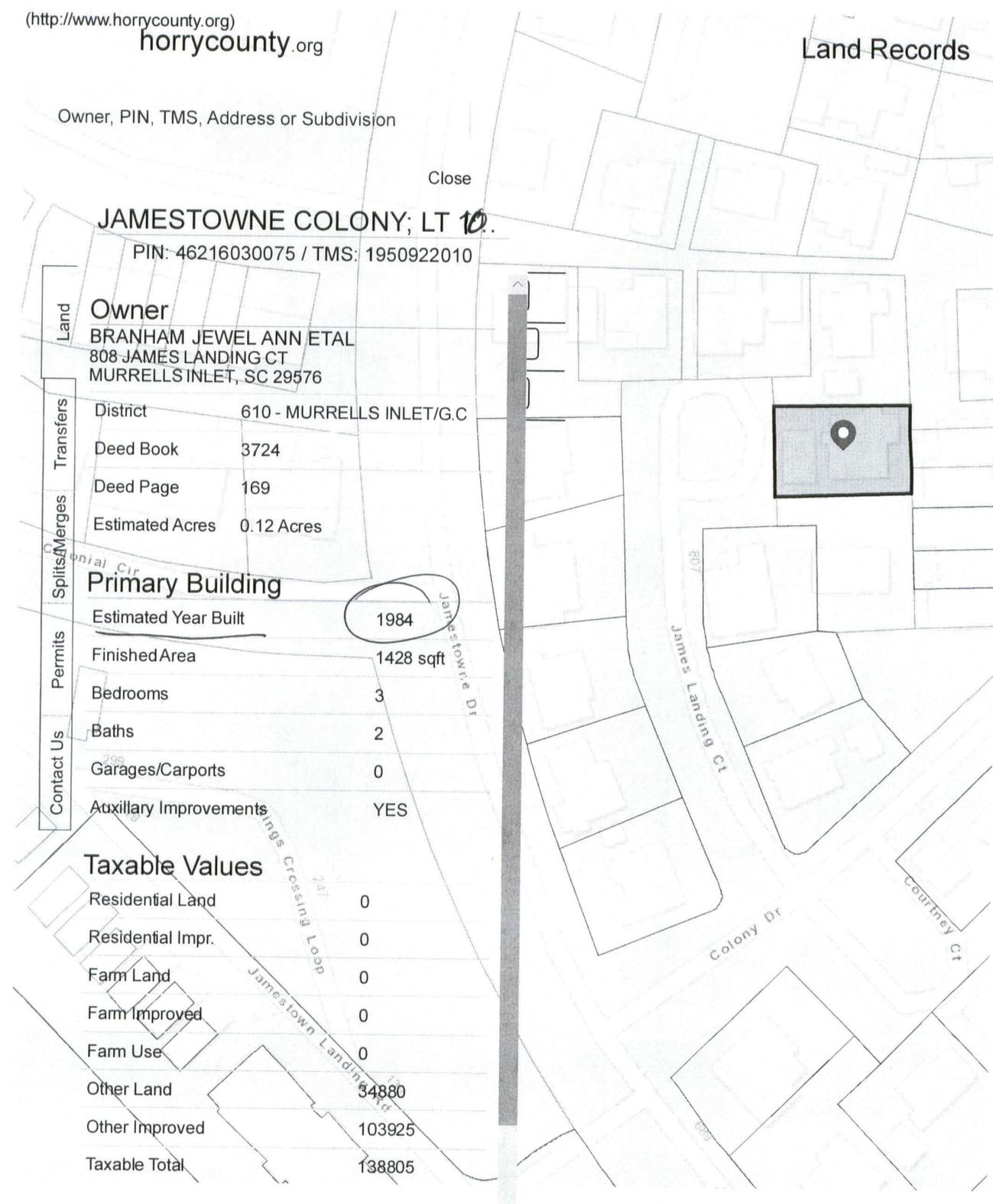
Estimated Year Built **1984**
 Finished Area 1428 sqft
 Bedrooms 3
 Baths 2
 Garages/Carports 0
 Auxillary Improvements YES

Taxable Values

Residential Land 0
 Residential Impr. 0
 Farm Land 0
 Farm Improved 0
 Farm Use 0
 Other Land 34880
 Other Improved 103925
 Taxable Total 138805

Market Values

Residential Land 0
 Residential Bldg. 0



Built in 1984



Owner, PIN, TMS, Address or Subdivision



Close X

JAMESTOWNE COLONY; LT 6 ...

PIN: 47001020021 / TMS: 1950921006



Owner

JACKSON BRIAN K ETAL
712 COURTNEY CT
MURRELLS INLET, SC 29576

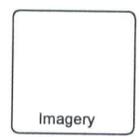
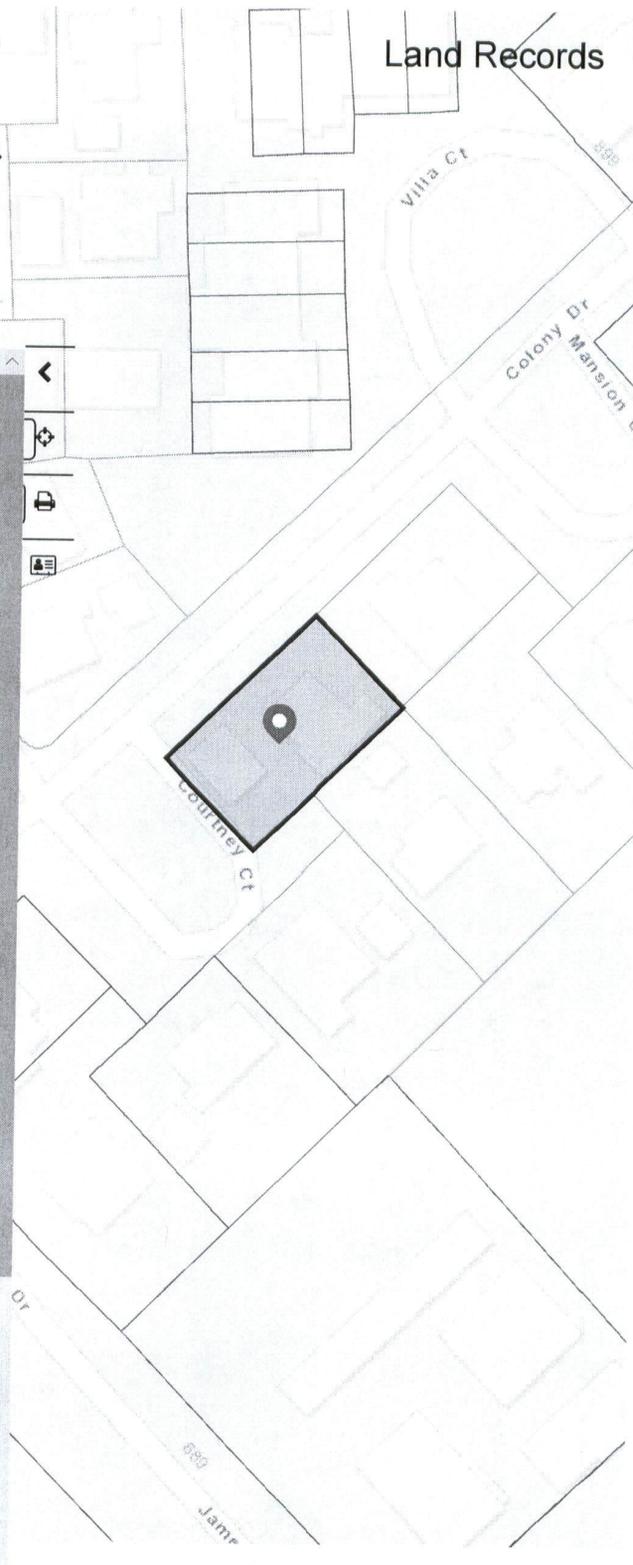
| | |
|-----------------|--------------------------|
| District | 610 - MURRELLS INLET/G.C |
| Deed Book | 4178 |
| Deed Page | 1927 |
| Estimated Acres | 0.16 Acres |

Primary Building

| | |
|------------------------|-----------|
| Estimated Year Built | 1984 |
| Finished Area | 1302 sqft |
| Bedrooms | 2 |
| Baths | 2 |
| Garages/Carports | 0 |
| Auxillary Improvements | YES |

Taxable Values

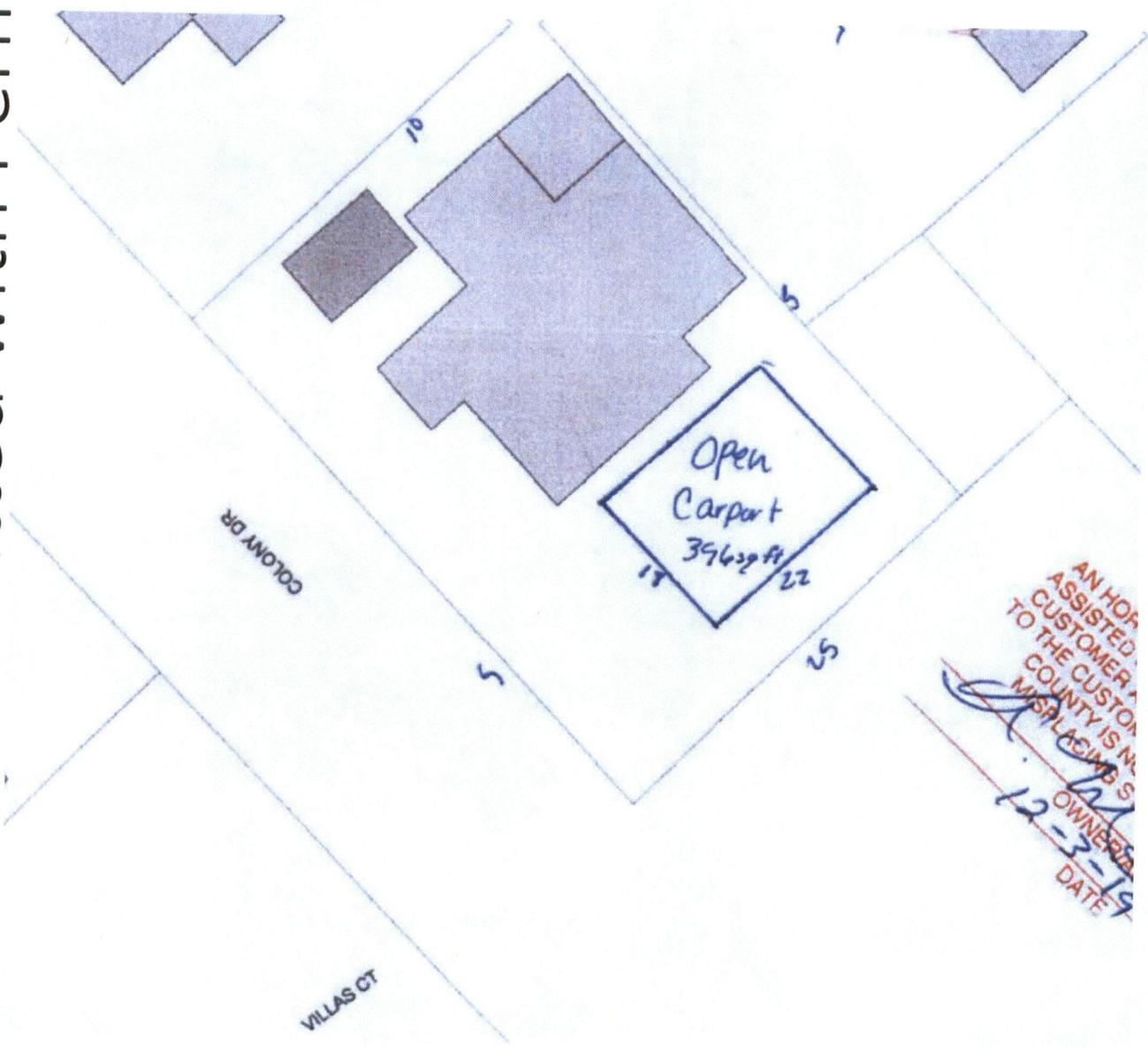
| | |
|-------------------|-------|
| Residential Land | 65490 |
| Residential Impr. | 97523 |
| Farm Land | 0 |
| Farm Improved | 0 |
| Farm Use | 0 |



Built 1984

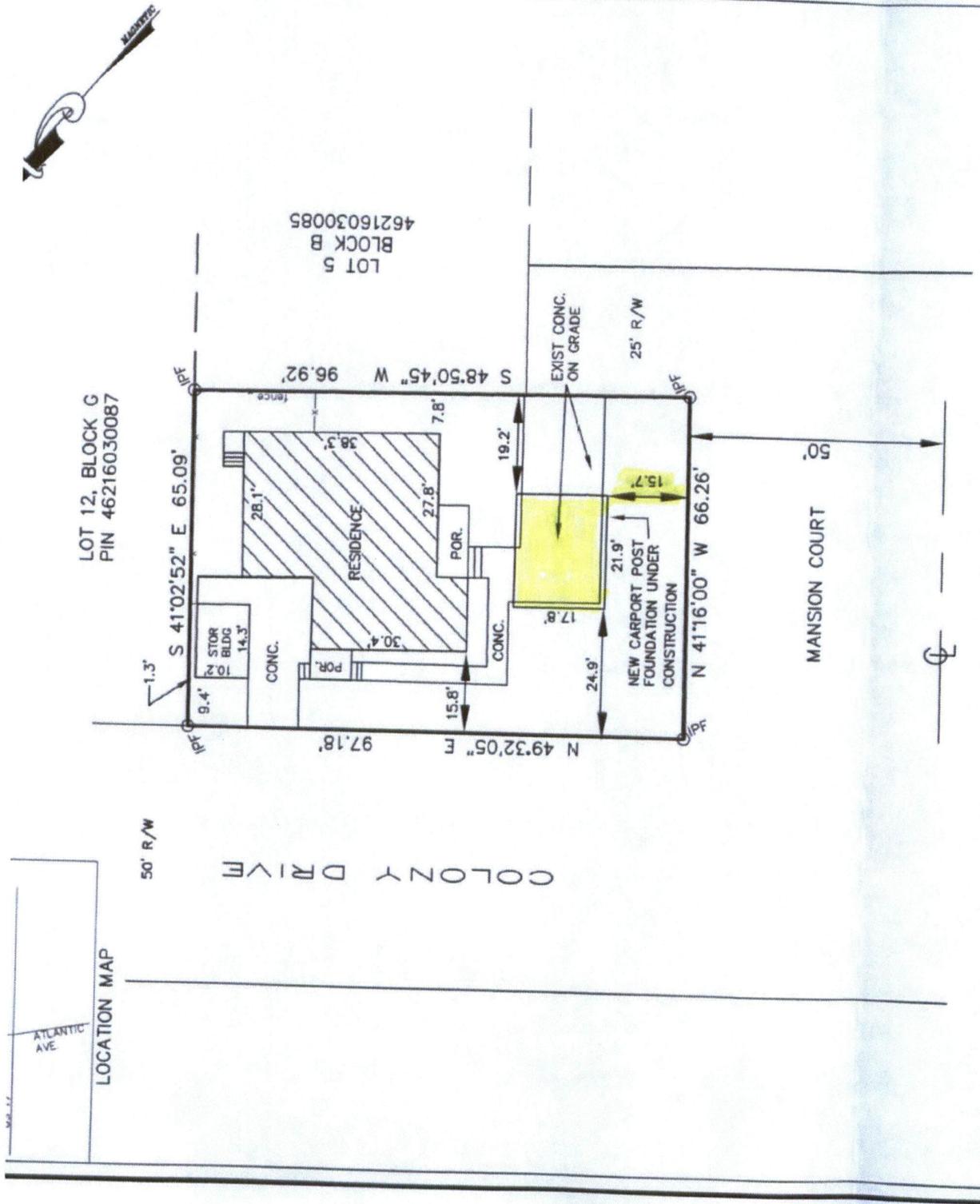


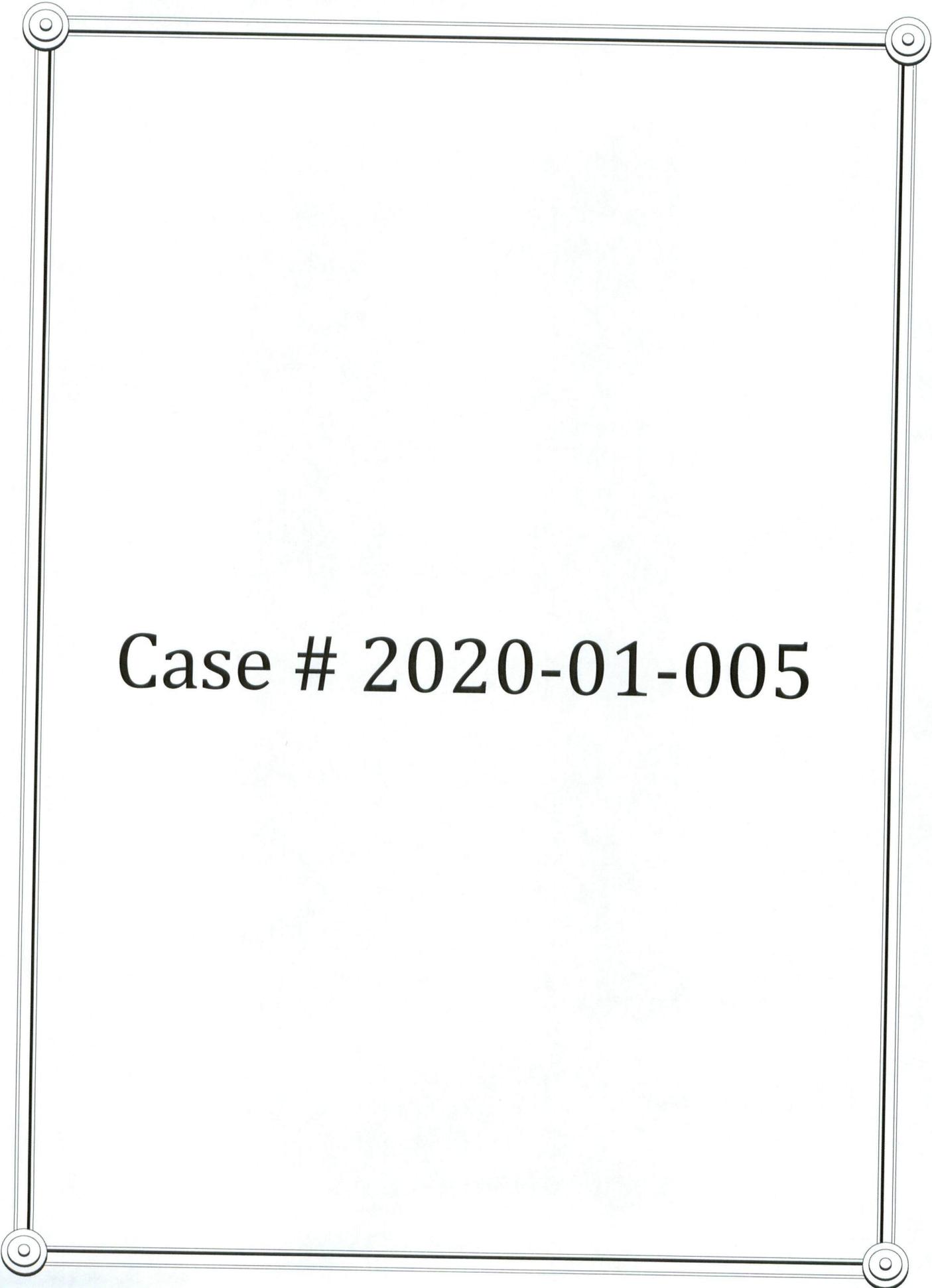
Site Plan submitted with Permit



AN HOUR ASSISTED CUSTOMER SERVICE TO THE CUSTOMER MISPLACED CONFIDENCE
[Signature]
12-3-19
OWNER'S DATE

Site Plan





Case # 2020-01-005

VARIANCE REVIEW SHEET

Property Information

| | |
|-------------------------------|---|
| Variance Request # | 2020-01-005 |
| Applicant | Joseph W. Fedourich, Fedo Enterprises LLC |
| Parcel Identification (PIN) # | 306-14-03-0006 |
| Site Location | 3750 Cypress Dr., Little River |
| Property Owner | Fedo Enterprises LLC |
| County Council District # | 1 - Worley |

Zoning Information

| | |
|-----------------|----------------|
| Zoning District | CFA |
| Parcel Size | 43,948 sq. ft. |
| Proposed Use | Residential |

Requested Variance(s)

The applicant is requesting a variance from Article VII, Section 703 and Article VIII regarding the minimum lot width at building site requirements in the Commercial Forest Agriculture (CFA) zoning district.

| | Requirement | Requested | Variance Needed | Percentage |
|---|-------------|-----------|-----------------|------------|
| Minimum Lot Width at Bldg site - Lot 30 - A - 2 | 90' | 87.94' | 2.06 | 2% |

Background/Site Conditions

The applicant is requesting to subdivide his property into two lots. Each lot meets the lot size requirement for subdivision. However, Lot 30-A-2 does not meet the minimum lot width at building site. The lot is 87.94' instead of the required 90' for a variance of 2.06'. The applicant requested a rezoning in July 2017 to SF10 so he could split his property into 10,000 sq. ft. lots. The rezoning was denied.

Ordinance and Analysis

Before a variance can be granted, the Board must first find that the strict application of the provisions of the ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the Board makes and explains in writing the following five findings:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property; (Is this request special?)

There are none.

2. These conditions do not generally apply to other property in the vicinity; (Is this request unique?)

These conditions apply to all lots in CFA.

3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.

Application of the ordinance prevents staff from approving the requested subdivision.

VARIANCE REVIEW SHEET

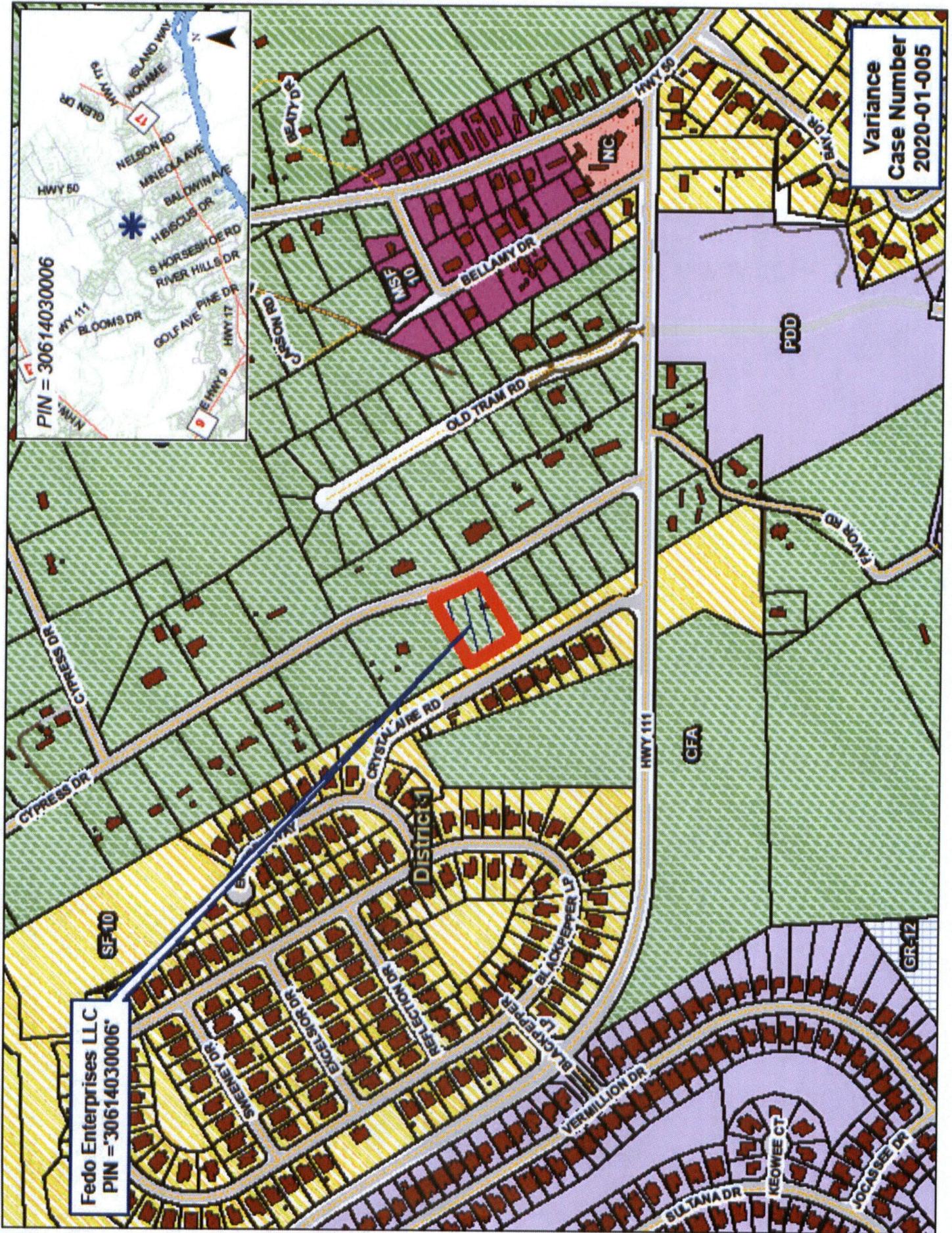
4. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance. (Does this request serve the public good, or harm neighbors?)

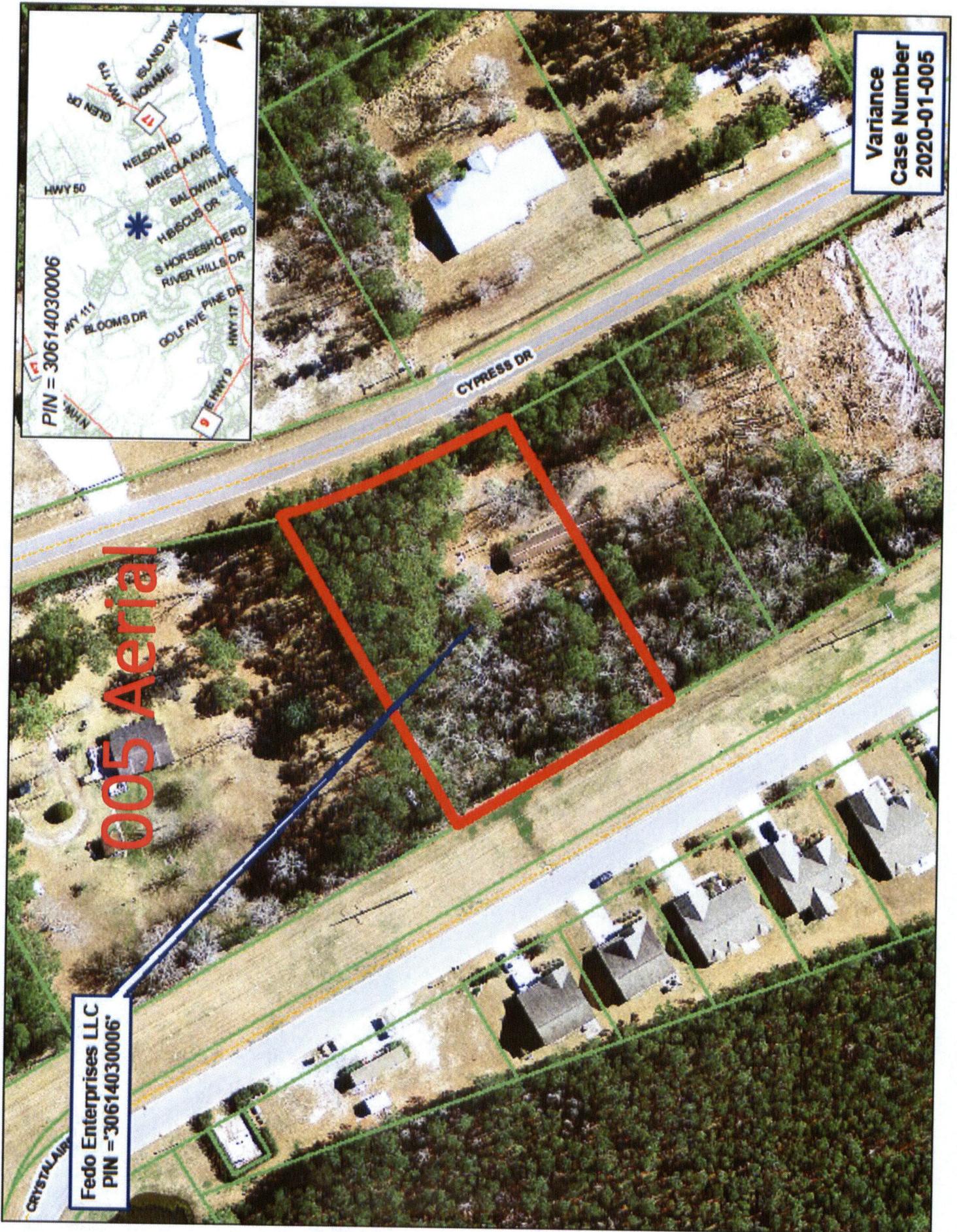
5. The board may not grant a variance, the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a nonconforming use of land or to change the zoning district boundaries shown on the official zoning map. The fact that property may be utilized more profitably, if a variance is granted, may not be considered grounds for a variance.

Proposed Order/Conditions

Should the Board decide that this variance request satisfies all five required factors and grants approval of the requested variance, Staff recommends the following conditions:

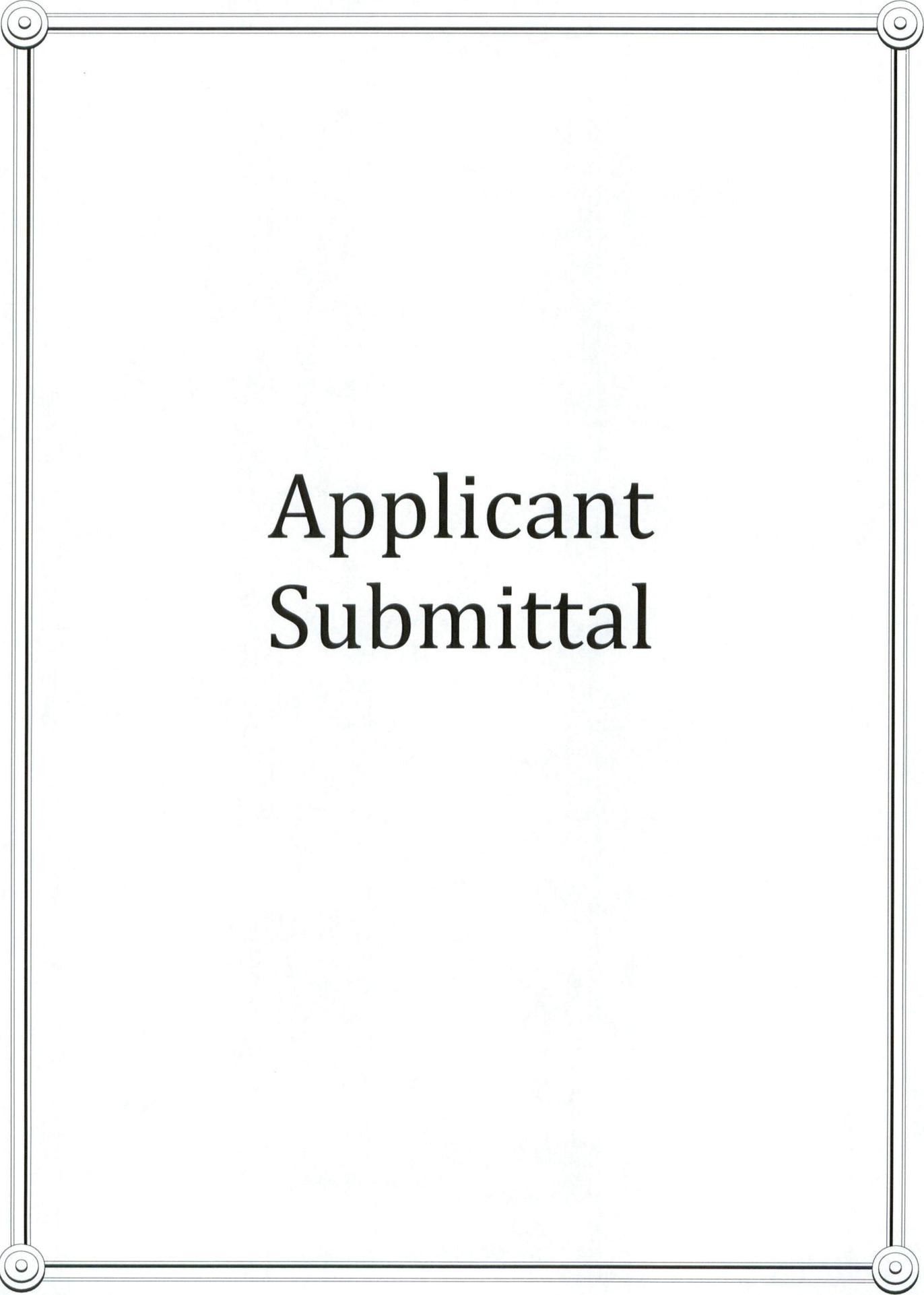
1. All required documents shall be submitted to the Horry County Code Enforcement Department for review and approval and required permits obtained.
2. All future buildings and building additions must conform to Horry County regulations.
3. All other applicable County requirements shall be met.





005 Site





Applicant Submittal

VARIANCE REQUEST

Applicant hereby appeals for a variance from the requirements of the following provisions of the Zoning Ordinance: Article(s) _____ Section(s) _____

Description of Request: Applicant is attempting to subdivide the parcel and one of the lots does not meet the minimum lot width at Bldg site.

Required Front Setback: _____ Requested Front Setback: _____
Required Side Setback: _____ Requested Side Setback: _____
Required Rear Setback: _____ Requested Rear Setback: _____
Required Bldg. Separation: _____ Requested Bldg. Separation: _____
Required Minimum Lot Width: 90' Requested Min Lot Width: 87.74'
Required Min Lot Width/Bldg Site: _____ Requested Min Lot Width/Bldg Site: _____
Required Max Height of Structure: _____ Requested Max Height of Structure: _____

Are there Restrictive Covenants on this property that prohibit or conflict with this request? Y (N)

A variance may be granted in an individual case of unnecessary hardship if the Board makes and explains in writing the finding as stated below:

- 1. There are extraordinary and exceptional conditions pertaining to the particular piece of property.
2. These conditions do not generally apply to other property in the vicinity.
3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.
4. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.
5. The Board may not grant a variance the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a nonconforming use of land, or change the zoning district boundaries shown on the official zoning map. The fact that property may be utilized more profitably, should a variance be granted, may not be considered grounds for a variance.

To the best of your ability please explain in detail how the aforementioned findings apply to your request: (may include attachments)

These property's are Adjacent to 1/2 Acre Lot's that have been pre-Approved AND have been sold according to

The following documents are submitted in support of this application: (an accurate legible plot plan prepared by a registered architect, engineer or surveyor showing property dimensions and locations of all existing and proposed structures may be required)

Applicant hereby certifies that the information provided in this application is correct and there are no covenants or deed restrictions in place that would prohibit this request.

Applicants Signature: [Signature] Date: 1-9-2020

