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

March 9, 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................................. 2-3

V. Old Business ......................................................................... 4

1. 2019-12-010 – Ader Vindel agent for Pedro & Carolina Miranda .......... 5-17
   883 Castlewood Drive, Conway, SC (Council Member Vaught)

VI. New Business

February Variances ..................................................................... 18

1. 2020-01-001 – Edward & Donna Goodrich ................................. 19-33
   353 Skyland Pines Drive, Myrtle Beach, SC (Council Member Loftus)

2. 2020-01-002 – Kimberly Warnick & Thomas Thorn II .................. 34-46
   4147 Rosebud Lane, Myrtle Beach, SC (Council Member Crawford)

3. 2020-01-003 – Sandra Jones & Lee Edge ................................. 47-58
   236 Little River Neck Road, N. Myrtle Beach, SC (Council Member Worley)
4. **2020-01-004 – Tim Alexander, agent for Daniel E. & Gloria Smith**
   24 Mansion Ct., Murrells Inlet, SC (Council Member Servant)
   59-76

5. **2020-01-005 – Joseph W. Fedourich, Fedo Enterprises LLC**
   3750 Cypress Dr., Little River, SC (Council Member Worley)
   77-86

**March Variances**

6. **2020-02-001 - Leon Dale Green agent for Lecannason Jackson**
   988 Cedar Branch Road, Loris, SC (Council Member Prince)
   87-96

7. **2020-02-002 - Venture Engineering, Steve Powell agent for Pamela Dawn Squires**
   3290 Hwy 319, Conway, SC (Council Member Bellamy)
   97-106

8. **2020-02-003 - Michael A. Green Jr. agent for George Martin Graham & Stephanie Green**
   889 Crystal Waterway, Myrtle Beach, SC (Council Member Howard)
   107-119

9. **2020-02-004 - DDC Engineers Inc. agent for Bay Tree Apartment SC LLC**
   Located off Hwy 9 and Water Grand Blvd, Little River, SC
   (Council Member Prince)
   120-136

10. **2020-02-005 - Gaither Thompson II agent for Native Homes LLC**
    3835 Holmestown Road, Myrtle Beach, SC (Council Member Servant)
    137-147

11. **2020-02-007 - Colby Rowe - Rowe Ventures Inc**
    896 Waterton Avenue, Myrtle Beach (council Member Howard)
    148-159

**Special Exception**

1. **2020-02-006 - Nick Multi, Harry Matarazzo, Chris Boyer agents for Craig & Katie Dierksheide (LE) ETAL**
   3505 Highway 544 Conway (Council Member Vaught)
   160-172

**VII. Adjourn**
Communications
Minutes
The Horry County Zoning Board of Appeals held its scheduled meeting on Monday, February 10, 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: Michael Fowler, Mark Gouhin, Robert Page, and William Livingston.

Board Members Absent: Marion Shaw, John Brown, Drew Parks, Johnny Brown, and Kevin Doolittle.

Staff present: Pam Thompkins, Marnie Leonard, John Danford, Charles Suggs, David Jordan, and Jordan Todd.

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.

Michael Fowler, Vice Chairman cancelled the meeting at 5:50 p.m. There was not a valid quorum for voting purposes.
Old Business
Case # 2019-12-010
VARIANCE REVIEW SHEET

Property Information

<table>
<thead>
<tr>
<th>Variance Request #</th>
<th>2019-12-010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant</td>
<td>Ader Vindel agent,</td>
</tr>
<tr>
<td>Parcel Identification (PIN) #</td>
<td>400-09-04-0046</td>
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<tr>
<td>Site Location</td>
<td>883 Castlewood Dr. Conway, SC 29526</td>
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<tr>
<td>Property Owner</td>
<td>Pedro &amp; Carolina Miranda</td>
</tr>
<tr>
<td>County Council District #</td>
<td>8 - Vaught</td>
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Zoning Information

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>SF10</th>
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<tbody>
<tr>
<td>Parcel Size</td>
<td>14,230 sq. ft.</td>
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<tr>
<td>Proposed Use</td>
<td>Residential</td>
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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.

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Requested</th>
<th>Variance Needed</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Left Side Setback</td>
<td>10'</td>
<td>5.5'</td>
<td>4.5'</td>
</tr>
</tbody>
</table>

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.
010 In rear
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
PVS1- Fraud and Claims Management
Applicant Submittal
ZONING BOARD OF APPEALS APPLICATION

Date Filed: 12/5/19  Request #: 2019-12-010  Energy #: 47738

1. Complete the application in its entirety (incomplete applications will not be processed);
2. If this is a commercial project a signed review sheet by the plan reviewer must be included with this application.
3. If a setback or dimensional variance is requested, an accurate, legible plot plan prepared by a registered architect, engineer, or surveyor, showing property dimensions and locations of all existing and proposed structures must be provided;
4. The property owner(s) as listed on the current tax records at the time of submittal must sign this application. In addition, if the property is located within a subdivision with a legal and active Home Owners Association (HOA), approval of the HOA must be provided with the application.

APPLICANT: Rigoberto Paredes (845) 424-3851
PROPERTY ADDRESS: 1083 Castlemad Dr., Concord, Ca 94520
PIN: 4003034446  TMS: 1612560014
ACREAGE: 0  ZONING DISTRICT: 10x (District C5-10)
SUBDIVISION: Castlemad phase 1, lot 01  PROJECT: Shannon Building

PROPERTY OWNER(S) NAME(S): Pedro Miranda, Carolina Miranda
Address: 3334 Genodar Ct., Rodeo, CA 94572
Telephone: (H) (W)  (E-MAIL)

PROPERTY OWNER(S) SIGNATURE:  DATE

DESIGNATION OF AGENT (If the Property Owner Wishes To Appoint an Agent to Represent Him or Herself)
Agents Name: Adam Vindel
Address: 9641 Breezewood Blvd
Telephone: (H) (W)  (E-MAIL)

I hereby appoint the person(s) listed above as agent to act on my behalf for the purpose of filing such application for a variance as to the shall deem necessary and proper.

PROPERTY OWNER(S) SIGNATURE

PLANNING AND ZONING DEPARTMENT USE ONLY

Property Owner(s) Have Signed: 
Have HOA Approval (If Applicable): Y
Commercial Review Sheet (If applicable): 

Signature of Zoning Administrator/Asst. Z.A./Deputy Planning Director: 
Date: 12/5/19
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

<table>
<thead>
<tr>
<th>Required Front Setback:</th>
<th>Requested Front Setback:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Required Side Setback:</td>
<td>Requested Side Setback:</td>
</tr>
<tr>
<td>10</td>
<td>5.5</td>
</tr>
<tr>
<td>Required Rear Setback:</td>
<td>Requested Rear Setback:</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Required Bldg. Separation:</td>
<td>Requested Bldg. Separation:</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Required Minimum Lot Width:</td>
<td>Requested Min Lot Width:</td>
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<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Required Min Lot Width/Bldg Site:</td>
<td>Requested Min Lot Width/Bldg Site:</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Required Max Height of Structure:</td>
<td>Requested Max Height of Structure:</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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 can’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.

Applicant's Signature

Date 11/29/19
Castlewood Ph. 1 final plat
New Business
Case # 2020-01-001
VARIANCE REVIEW SHEET

Property Information

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<thead>
<tr>
<th>Variance Request #</th>
<th>2020-01-001</th>
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<tbody>
<tr>
<td>Applicant</td>
<td>Edward &amp; Donna Goodrich</td>
</tr>
<tr>
<td>Parcel Identification (PIN) #</td>
<td>457-08-03-0016</td>
</tr>
<tr>
<td>Site Location</td>
<td>353 Skyland Pines Dr, Myrtle Beach</td>
</tr>
<tr>
<td>Property Owner</td>
<td>Edward &amp; Donna Goodrich</td>
</tr>
<tr>
<td>County Council District #</td>
<td>4 - Loftus</td>
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</tbody>
</table>

Zoning Information

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>PUD</th>
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<tr>
<td>Parcel Size</td>
<td>5,103 sq. ft.</td>
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<tr>
<td>Proposed Use</td>
<td>Residential</td>
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</table>

Requested Variance(s)

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

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Requested</th>
<th>Variance Needed</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rear Setbacks</td>
<td>25'</td>
<td>17'</td>
<td>8'</td>
</tr>
</tbody>
</table>

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.
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.
001 Drainage easement to the rear
Applicant Submittal
ZONING BOARD OF APPEALS APPLICATION

Date Filed 12/19/19  Request # 2020-01-00  Energov # VAR-12-19-047854

1. Complete the application in its entirety (incomplete applications will not be processed);
2. If this is a commercial project a signed review sheet by the plans reviewer must be included with this application;
3. If a setback or dimensional variance is requested, an accurate, legible plot plan prepared by a registered architect, engineer, or surveyor, showing property dimensions and locations of all existing and proposed structures must be provided;
4. The property owner(s) as listed on the current tax records at the time of submittal must sign this application. In addition, if the property is located within a subdivision with a legal and active Home Owners Association (HOA), approval of the HOA must be provided with the application.

APPLICANT: EDWARD + DANA Goudsrich
PROPERTY ADDRESS: 353 Sandunes Dr Myrtle Beach Sc 29579
PIN: 457-08-03-0016  TMS: 190-00-02-049
ACREAGE: 0.12  ZONING DISTRICT: PUD
SUBDIVISION: BRIGHTON WOODS PH II PROJECT: VICTORIA STATION PUD

PROPERTY OWNER(S) NAME(S)

Address:
Telephone: (H) 739-03-02 (W) (E-MAIL) aarizos@outmail.com
X

PROPERTY OWNER(S) SIGNATURE (If LLC or Corp Please Provide Authorization)  DATE

DESIGNATION OF AGENT (If the Property Owner Wishes To Appoint an Agent to Represent Him or Herself)

Agents Name: ________________________________
Address: ___________________________________
Telephone: (H) ____________________ (W) ________ (E-MAIL) ________________________________

I hereby appoint the person(s) listed above as agent to act on my behalf for the purpose of filing such application for a variance as he/she shall deem necessary and proper.

X ________________________________  DATE

PROPERTY OWNER(S) SIGNATURE

PLANNING AND ZONING DEPARTMENT USE ONLY

Haye Survey: Y N Property Owner(s) Have Signed: ________________________________  DATE
Have Business License (If Applicable) Y N Have HOA Approval (if Applicable) Y N
County Council District 4 - Lawton Commercial Review sheet (if applicable) N

Signature of Zoning Administrator/Asst. Z.A./Deputy Planning Director 12/19/19
VARIANCE REQUEST

Applicant hereby appeals for a variance from the requirements of the following provisions of the Zoning Ordinance:

<table>
<thead>
<tr>
<th>Article(s)</th>
<th>Section(s)</th>
</tr>
</thead>
</table>

Description of Request: **12 x 13 SCREEN ROOM ATTACHED TO HOUSE**

<table>
<thead>
<tr>
<th>Required Front Setback:</th>
<th>20'</th>
<th>Requested Front Setback:</th>
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</thead>
<tbody>
<tr>
<td>Required Side Setback:</td>
<td>7'5&quot;</td>
<td>Requested Side Setback:</td>
</tr>
<tr>
<td>Required Rear Setback:</td>
<td>25' PDD Buffer + Drainage easement</td>
<td>Requested Rear Setback: 17'</td>
</tr>
<tr>
<td>Required Bldg. Separation:</td>
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<td>Requested Bldg. Separation:</td>
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<td>Required Minimum Lot Width:</td>
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<td>Requested Min Lot Width:</td>
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<tr>
<td>Required Min Lot Width/Bldg Site:</td>
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</tr>
<tr>
<td>Required Max Height of Structure:</td>
<td></td>
<td>Requested Max Height of Structure:</td>
</tr>
</tbody>
</table>

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. The type of property Screen Room will be 12' PDD. Home, nearly 13' to property line. My home is only one on screen film 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.

Applicant Signature

Date: 12-19-19
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 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
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,

Eric Hasara

Eric Hasara | Storm Water Project Manager / CEA 1
Horry County Government
Storm Water Department
4401 Privets Rd, Conway, South Carolina 29526
Tel 843.915.6958 | Fax 843.365.2170 | Hasarae@horrycounty.org
Website: StormWater.HorryCounty.org
Case # 2020-01-002
VARIANCE REVIEW SHEET

Property Information

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<th>Variance Request #</th>
<th>2020-01-002</th>
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<table>
<thead>
<tr>
<th>Applicant</th>
<th>Kimberly Warnick &amp; Thomas Thorn II</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parcel Identification (PIN) #</td>
<td>428-16-03-0027</td>
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<tr>
<td>Site Location</td>
<td>4147 Rose Bud Lane, Myrtle Beach</td>
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<tr>
<td>Property Owner</td>
<td>Kimberly Warnick &amp; Thomas Thorn II</td>
</tr>
<tr>
<td>County Council District #</td>
<td>6 - Crawford</td>
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</table>

Zoning Information

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>MSF 20</th>
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<tbody>
<tr>
<td>Parcel Size</td>
<td>16,935 sq. ft.</td>
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<tr>
<td>Proposed Use</td>
<td>Residential</td>
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</table>

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.

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Requested</th>
<th>Variance Needed</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front Setbacks (Rose Bud Ln)</td>
<td>30'</td>
<td>15'</td>
<td>15'</td>
</tr>
<tr>
<td>Rear Setback (Sunlight Dr)</td>
<td>30'</td>
<td>15'</td>
<td>15'</td>
</tr>
</tbody>
</table>

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.
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.
Applicant Submittal
ZONING BOARD OF APPEALS APPLICATION

Date Filed: 12/23/19  Request #: 2020-01-002  Energov #: YAR-12-19-47878

1. Complete the application in its entirety (incomplete applications will not be processed);
2. If this is a commercial project a signed review sheet by the plans reviewer must be included with this application.
3. If a setback or dimensional variance is requested, an accurate, legible plot plan prepared by a registered architect, engineer, or surveyor, showing property dimensions and locations of all existing and proposed structures must be provided;
4. The property owner(s) as listed on the current tax records at the time of submittal must sign this application. In addition, if the property is located within a subdivision with a legal and active Home Owners Association (HOA), approval of the HOA must be provided with the application.

APPLICANT: Kimberly L. Warnick & Thomas Allen Thor

PROPERTY ADDRESS: 4147 Rosewood Lane Myrtle Beach SC 29588

PIN: 42816030027 TMS: 179-00-02-070

ACREAGE: 0.39 ZONING DISTRICT: MSF 20

SUBDIVISION: None PROJECT:

PROPERTY OWNER(S) NAME(S): Kimberly Lynn Warnick & Thomas Allen Thor

Address: 7828 Hunters Horn Lane Myrtle Beach SC 29588

Telephone: (H) 843-485-2654 (W) 843-303-5520 (E-MAIL) tathanthon@hotmail.com

X Kimberly Lynn Warnick 12-20-19

X 12-20-19

PROPERTY OWNER(S) SIGNATURE (If LLC or Corp Please Provide Authorization) DATE

DESIGNATION OF AGENT (If the Property Owner Wishes To Appoint an Agent to Represent Him or Herself)

Agents Name: ________________________________

Address: _____________________________________

Telephone: (H) ____________________ (W) _______ (E-MAIL) ___________________________

I hereby appoint the person(s) listed above as agent to act on my behalf for the purpose of filing such application for a variance as he/she shall deem necessary and proper.

X ___________________________________________ DATE

PROPERTY OWNER(S) SIGNATURE

PLANNING AND ZONING DEPARTMENT USE ONLY

Have Survey: "Y" N Property Owner(s) Have Signed: "Y" N
Have Business License (If Applicable) "Y" N Have HOA Approval (If Applicable) "Y" N
County Council District 8-0000000000 Commercial Review sheet (if applicable) "Y" N

Signature of Zoning Administrator/Asst. Z.A./Deputy Planning Director 12/23/2019
VARIANCE REQUEST

Applicant hereby appeals for a variance from the requirements of the following provisions of the Zoning Ordinance:

<table>
<thead>
<tr>
<th>Article(s)</th>
<th>Section(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Required Front Setback: 30'</th>
<th>Requested Front Setback: 15' [See Plot Plan]</th>
</tr>
</thead>
<tbody>
<tr>
<td>Required Side Setback: 15'</td>
<td>Requested Side Setback: 15'</td>
</tr>
<tr>
<td>Required Rear Setback: 25'</td>
<td>Requested Rear Setback: 15'</td>
</tr>
<tr>
<td>Required Bldg. Separation:</td>
<td>Requested Bldg. Separation: NA</td>
</tr>
<tr>
<td>Required Minimum Lot Width:</td>
<td>Requested Min Lot Width:</td>
</tr>
<tr>
<td>Required Min Lot Width/Bldg Site:</td>
<td>Requested Min Lot Width/Bldg Site:</td>
</tr>
<tr>
<td>Required Max Height of Structure:</td>
<td>Requested Max Height of Structure:</td>
</tr>
</tbody>
</table>

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

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 Warnick**  
Applications 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
Site Plan
Case # 2020-01-003
Property Information

<table>
<thead>
<tr>
<th>Variance Request #</th>
<th>2020-01-003</th>
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</thead>
<tbody>
<tr>
<td>Applicant</td>
<td>Lee Edge</td>
</tr>
<tr>
<td>Parcel Identification (PIN) #</td>
<td>351-06-02-0024</td>
</tr>
<tr>
<td>Site Location</td>
<td>236 Little River Neck Rd, N. Myrtle Beach</td>
</tr>
<tr>
<td>Property Owner</td>
<td>Sandra Jones &amp; Lee Edge</td>
</tr>
<tr>
<td>County Council District #</td>
<td>1 - Worley</td>
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</table>

Zoning Information

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>SF 10</th>
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<tbody>
<tr>
<td>Parcel Size</td>
<td>17,926 sq. ft.</td>
</tr>
<tr>
<td>Proposed Use</td>
<td>Residential</td>
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</table>

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.

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Requested</th>
<th>Variance Needed</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot 1 - Front Setbacks</td>
<td>12.5'</td>
<td>3.1'</td>
<td>9.4'</td>
</tr>
<tr>
<td>Lot 1 - Left Side Setbacks</td>
<td>10'</td>
<td>9.5'</td>
<td>0.5'</td>
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<tr>
<td>Lot 1 - Minimum Lot Size Requirement</td>
<td>10,000 sq. ft.</td>
<td>7,827 sq. ft.</td>
<td>2,173 sq. ft.</td>
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<tr>
<td>Lot 2 - Street Frontage</td>
<td>50'</td>
<td>27'</td>
<td>23'</td>
</tr>
<tr>
<td>Lot 2 - Right Side Setback</td>
<td>10'</td>
<td>9.5'</td>
<td>0.5'</td>
</tr>
</tbody>
</table>

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 relocated 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.
003 Distance between structures
003 Site from Electrical Easement in the rear
Applicant
Submittal
ZONING BOARD OF APPEALS APPLICATION

Date Filed 12/10 Request # 2020-01-003 Energov # VAR-01-20 47923

1. Complete the application in its entirety (incomplete applications will not be processed);
2. If this is a commercial project a signed review sheet by the plans reviewer must be included with this application.
3. If a setback or dimensional variance is requested, an accurate, legible plot plan prepared by a registered architect, engineer, or surveyor, showing property dimensions and locations of all existing and proposed structures must be provided;
4. The property owner(s) as listed on the current tax records at the time of submittal must sign this application. In addition, if the property is located within a subdivision with a legal and active Home Owners Association (HOA), approval of the HOA must be provided with the application.

APPLICANT: Lee & Angela Edge

PROPERTY ADDRESS: 4694 Hwy 236 Little River Neck Rd

PIN: 354-06-02-0024 TMS: 131-14-10-000

ACREAGE: 4 ZONING DISTRICT: SF10

SUBDIVISION: PROJECT:

PROPERTY OWNER(S) NAME(S) Sandra Jones & Lee O Edge

Address: 4698 Hwy 236 Little River Neck Rd. NMB Sc 29582

Telephone: (H) (W) (E-MAIL)

PROPERTY OWNER(S) SIGNATURE (If LLC or Corp Please Provide Authorization) 8-11-19

DATE

DESIGNATION OF AGENT (If the Property Owner Wishes To Appoint an Agent to Represent Him or Herself)

Agents Name:

Address:

Telephone: (H) (W) (E-MAIL)

I hereby appoint the person(s) listed above as agent to act on my behalf for the purpose of filing such application for a variance as he/she shall deem necessary and proper.

PROPERTY OWNER(S) SIGNATURE 8-11-19

DATE

PLANNING AND ZONING DEPARTMENT USE ONLY

Have Survey: Y N Property Owner(s) Have Signed: Y N
Have Business License (If Applicable) Y N Have HOA Approval (If Applicable) Y N
County Council District 1 Commercial Review sheet (if applicable) Y N

Signature of Zoning Administrator/Asst. Z.A./Deputy Planning Director 1/2/2020

Date
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.

<table>
<thead>
<tr>
<th>Required Front Setback:</th>
<th>25'</th>
<th>Requested Front Setback:</th>
<th>3.1 (Lot 1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Required Side Setback:</td>
<td>10'/25'</td>
<td>Requested Side Setback:</td>
<td>9.5 (Lot 1) + 6.0' (Lot 2)</td>
</tr>
<tr>
<td>Required Rear Setback:</td>
<td>15'</td>
<td>Requested Rear Setback:</td>
<td>9.5 (Lot 1)</td>
</tr>
<tr>
<td>Required Bldg. Separation:</td>
<td>25'</td>
<td>Requested Bldg. Separation:</td>
<td>2.5 (Lot 1) + 6.7 (Lot 1)</td>
</tr>
<tr>
<td>Required Minimum Lot Width:</td>
<td></td>
<td>Requested Min Lot Width:</td>
<td></td>
</tr>
<tr>
<td>Required Min Lot Width/Bldg Site:</td>
<td></td>
<td>Requested Min Lot Width/Bldg Site:</td>
<td></td>
</tr>
<tr>
<td>Required Max Height of Structure:</td>
<td>Min Lot Size 10,000 sf</td>
<td>Requested Max Height of Structure:</td>
<td>7827 sf</td>
</tr>
</tbody>
</table>

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 live. 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.

Applicant's Signature ____________________________ Date 1-2-20
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.

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Requested</th>
<th>Variance Needed</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front Setback (Mansion Ct.)</td>
<td>25'</td>
<td>15.7'</td>
<td>9.3'</td>
</tr>
</tbody>
</table>

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.
Applicant Submittal
ZONING BOARD OF APPEALS APPLICATION

Date Filed 1-6-2020 Request #: 2020-61-664 Energov #: VAR-01-20-047953

1. Complete the application in its entirety (incomplete applications will not be processed);
2. If this is a commercial project a signed review sheet by the plans reviewer must be included with this application;
3. If a setback or dimensional variance is requested, an accurate, legible plot plan prepared by a registered architect, engineer, or surveyor, showing property dimensions and locations of all existing and proposed structures must be provided;
4. The property owner(s) as listed on the current tax records at the time of submittal must sign this application. In addition, if the property is located within a subdivision with a legal and active Home Owners Association (HOA), approval of the HOA must be provided with the application.

APPLICANT: DANIEL E. SMITH & GLORIA S. SMITH
PROPERTY ADDRESS: 724 MANSION CT, MURRELLS INLET, SC 29576
PIN: 46216030096 TMS: 1950921012
ACREAGE: 0.15 ACRES ZONING DISTRICT: GR
SUBDIVISION: JAMESTOWN COLONY PROJECT: JAMESTOWN COLONY

PROPERTY OWNER(S) NAME(S): DANIEL E. SMITH & GLORIA S. SMITH
Address: 724 MANSION CT
Telephone: (H) 843-651-4457 (W) (E-MAIL) x
x

PROPERTY OWNER(S) SIGNATURE (If LLC or Corp Please Provide Authorization) DATE: 1-2-2020

DESIGNATION OF AGENT (If the Property Owner Wishes To Appoint an Agent to Represent Him or Herself)

Agents Name: TIM ALEXANDER
Address: 738 ASHLEY CT MURRELLS INLET, SC 29576
Telephone: (H) 843-255-6386 (W) 843-997-0133 (E-MAIL) alexanderrealty@com
x

PROPERTY OWNER(S) SIGNATURE DATE: 1-2-2020

PLANNING AND ZONING DEPARTMENT USE ONLY

Have Survey: Y N Property Owner(s) Have Signed: Y N
Have Business License (If Applicable) Y N Have HOA Approval (if Applicable) Y N
County Council District G-Servant Commercial Review sheet (if applicable) Y N

Signature of Zoning Administrator/Asst. Z.A./Deputy Planning Director 1-6-2020 Date
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' Requested Front Setback: 15.7'
Required Side Setback: 5' + side of 6' Requested Side Setback: ___________________________
Required Rear Setback: 0' Requested Rear Setback: ___________________________
Required Bldg. Separation: ___________________________
Required Minimum Lot Width: ___________________________
Required Min Lot Width/Bldg Site: ___________________________
Required Max Height of Structure: ___________________________
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.
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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 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 ___________________________ Date 1-2-2020
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

[Signatures]

1/2/2020 | 5:23 PM EST

Jeremy Albright, President

[Signatures]

1/2/2020 | 5:34 PM EST

Dave Marcus, Vice President

[Signatures]

1/2/2020 | 5:38 PM EST

Aaron Racicot, Member

Jamestowne Colony HOA
850 Colony Drive
Garden City, SC 2956
Built in 1984
VARIANCE REVIEW SHEET

Property Information

<table>
<thead>
<tr>
<th>Variance Request #</th>
<th>2020-01-005</th>
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<tbody>
<tr>
<td>Applicant</td>
<td>Joseph W. Fedourich, Fedo Enterprises LLC</td>
</tr>
<tr>
<td>Parcel Identification (PIN) #</td>
<td>306-14-03-0006</td>
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<tr>
<td>Site Location</td>
<td>3750 Cypress Dr., Little River</td>
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<tr>
<td>Property Owner</td>
<td>Fedo Enterprises LLC</td>
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<tr>
<td>County Council District #</td>
<td>1 - Worley</td>
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Zoning Information

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<tr>
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<td>43,948 sq. ft.</td>
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<tr>
<td>Proposed Use</td>
<td>Residential</td>
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</table>

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.

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Requested</th>
<th>Variance Needed</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Width at Bldg site - Lot 30 - A - 2</td>
<td>90'</td>
<td>87.94'</td>
<td>2.06'</td>
</tr>
</tbody>
</table>

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.
Applicant Submittal
ZONING BOARD OF APPEALS APPLICATION

Date Filed ___________________ Request # 2020-01-005 Energov # 48004

1. Complete the application in its entirety (incomplete applications will not be processed);
2. If this is a commercial project a signed review sheet by the plans reviewer must be included with this application.
3. If a setback or dimensional variance is requested, an accurate, legible plot plan prepared by a registered architect, engineer, or surveyor, showing property dimensions and locations of all existing and proposed structures must be provided;
4. The property owner(s) as listed on the current tax records at the time of submittal must sign this application. In addition, if the property is located within a subdivision with a legal and active Home Owners Association (HOA), approval of the HOA must be provided with the application.

APPLICANT: Joseph W. Fedorich
PROPERTY ADDRESS: Lot 30A 182 3750 Cypress Dr. Little River
PIN: 30A-182-8 S TMS: 306-14-03-0006
ACREAGE: __________ ZONING DISTRICT: CFA
SUBDIVISION: Cypress Lakes PROJECT: __________

PROPERTY OWNER(S) NAME(S): Fedo Enterprises LLC
Address: 381 Vermillion Dr. Little River, SC 29566
Telephone: (H) 843-397-5757 (W) (E-MAIL)

PROPERTY OWNER(S) SIGNATURE (If LLC or Corp Please Provide Authorization) DATE

DESIGNATION OF AGENT (If the Property Owner Wishes To Appoint an Agent to Represent Him or Herself)

Agents Name: ____________________________________________
Address: ________________________________________________
Telephone: (H) ________________________________________ (W) (E-MAIL)

I hereby appoint the person(s) listed above as agent to act on my behalf for the purpose of filing such application for a variance as he/she shall deem necessary and proper.

PROPERTY OWNER(S) SIGNATURE DATE

PLANNING AND ZONING DEPARTMENT USE ONLY

Have Survey: Y N Property Owner(s) Have Signed: Y N
Have Business License (If Applicable) Y N Have HOA Approval (if Applicable) Y N
County Council District: __________________________________________
Commercial Review sheet (if applicable) Y N

Signature of Zoning Administrator/Asst. Z.A./Deputy Planning Director Date

1/9/2020
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 Minimum Lot Width: 90'  Requested Min Lot Width: 87.94'

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 properties are adjacent to 1/2 acre lots that have been pre-approved and have been sold accordingly

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.
Case # 2020-02-001
VARIANCE REVIEW SHEET

Property Information

<table>
<thead>
<tr>
<th>Variance Request #</th>
<th>2020-02-001</th>
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</thead>
<tbody>
<tr>
<td>Applicant</td>
<td>Leon Dale Green, agent for Leeannason Jackson</td>
</tr>
<tr>
<td>Parcel Identification (PIN) #</td>
<td>222-08-02-0002</td>
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<tr>
<td>Site Location</td>
<td>988 Cedar Branch Rd, Loris, SC 29569</td>
</tr>
<tr>
<td>Property Owner</td>
<td>Leeannason Jackson</td>
</tr>
<tr>
<td>County Council District #</td>
<td>9-Prince</td>
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Zoning Information

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>FA</th>
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<tr>
<td>Parcel Size</td>
<td>36,936 sq. ft.</td>
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<tr>
<td>Proposed Use</td>
<td>Residential</td>
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Requested Variance(s)

The applicant is requesting a variance from Article VII, Section 702 and Article VIII regarding minimum lot size requirements in the Forest Agricultural (FA).

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Requested</th>
<th>Variance Needed</th>
<th>Percentage</th>
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</thead>
<tbody>
<tr>
<td>Required min. lot size for Lots C &amp; D</td>
<td>21,780 sq. ft.</td>
<td>18,468 sq. ft.</td>
<td>3,312 sq. ft.</td>
</tr>
</tbody>
</table>

Background/Site Conditions

The applicants are requesting to subdivide this lot into two lots. The mobile home shown has been permitted under Permit# 98713 and completed in June 2019. The 25' x 12' (300 sq. ft.) storage building has not been permitted and is located forward of the principal structure. The applicant has states he will permit and move the storage building to the other side of the mobile home meeting all zoning requirements. The FA zoning districts requires a minimum lot size of 1/2 acre or 21,780 sq. ft. for residential lots. Proposed Lots C & D are 18,468 sq. ft. in size for a variance of 3,312 sq. ft. for each lot.

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?)**
   
   This condition applies to all residential lots within the FA 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 subdivision plat not meeting the required lot size.
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. The 300 sq. ft. storage building will need to be moved and permitted to meet all zoning requirements and cannot be used as an accessory dwelling unit.
Applicant Submittal
ZONING BOARD OF APPEALS APPLICATION

Date Filed 1/17/2020 Request #2020-02-001 Energov # VAR-01-20-48084

1. Complete the application in its entirety (Incomplete applications will not be processed);
2. If this is a commercial project a signed review sheet by the plans reviewer must be included with this application.
3. If a setback or dimensional variance is requested, an accurate, legible plot plan prepared by a registered architect, engineer, or surveyor, showing property dimensions and locations of all existing and proposed structures must be provided;
4. The property owner(s) as listed on the current tax records at the time of submittal must sign this application. In addition, if the property is located within a subdivision with a legal and active Home Owners Association (HOA), approval of the HOA must be provided with the application.

APPLICANT: Leeannnson Jackson

PROPERTY ADDRESS: 288 Cedar Branch Rd Loris, SC 29569

PIN: 222-0802000A TMS: __________

ACREAGE: .86 36,991 Sqft ZONING DISTRICT: 1 F-A

SUBDIVISION: __________ PROJECT: __________

PROPERTY OWNER(S) NAME(S): Leeannnson Jackson

Address: 288 Cedar Branch Rd Loris, SC 29569

Telephone: (H) 843-465-8239(W) (E-MAIL) __________

PROPERTY OWNER(S) SIGNATURE (If LLC or Corp Please Provide Authorization) 1-17-2020

DESIGNATION OF AGENT (If the Property Owner Wishes To Appoint an Agent to Represent Him or Herself)

Agents Name: Leon Dale Green

Address: 288 Cedar Branch Rd Loris, SC 29569

Telephone: (H) 843-911-6222(W) (E-MAIL) __________

I hereby appoint the person(s) listed above as agent to act on my behalf for the purpose of filing such application for a variance as he/she shall deem necessary and proper.

PROPERTY OWNER(S) SIGNATURE 1-17-2020

PLANNING AND ZONING DEPARTMENT USE ONLY

Have Survey: Y N Property Owner(s) Have Signed: Y N

Have Business License (If Applicable) Y N Have HOA Approval (if Applicable) Y N

County Council District: 9- Prince Commercial Review sheet (if applicable) Y N

Signature of Zoning Administrator/Asst. Z.A./Deputy Planning Director 1/17/2020
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 a variance on the minimum lot size requirements. Lots C+D

<table>
<thead>
<tr>
<th>Required Front Setback:</th>
<th>Requested Front Setback:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Required Side Setback:</td>
<td>Requested Side Setback:</td>
</tr>
<tr>
<td>Required Rear Setback:</td>
<td>Requested Rear Setback:</td>
</tr>
<tr>
<td>Required Bldg. Separation:</td>
<td>Requested Bldg. Separation:</td>
</tr>
<tr>
<td>Required Minimum Lot Width:</td>
<td>Requested Min Lot Width:</td>
</tr>
<tr>
<td>Required Min Lot Width/Bldg Site:</td>
<td>Requested Min Lot Width/Bldg Site:</td>
</tr>
<tr>
<td>Required Max Height of Structure:</td>
<td>Requested Max Height of Structure:</td>
</tr>
</tbody>
</table>

Required Lot Size: 0.5 ac  
Requested Lot Size: 0.42 ac

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

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)

I want to add another mobile home.

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.

Applicant's Signature  
Date: 1-17-2020
Site Plan

Storage Bldg. to be moved to other side or rear of MH - cannot be forward of home
VARIANCE REVIEW SHEET

Property Information

<table>
<thead>
<tr>
<th>Variance Request #</th>
<th>2020-02-002</th>
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<tbody>
<tr>
<td>Applicant</td>
<td>Steve Powell, agent</td>
</tr>
<tr>
<td>Parcel Identification (PIN) #</td>
<td>325-04-01-0017</td>
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<tr>
<td>Site Location</td>
<td>3290 Hwy 319, Conway</td>
</tr>
<tr>
<td>Property Owner</td>
<td>Pamela Dawn Squires</td>
</tr>
<tr>
<td>County Council District #</td>
<td>7 - Bellamy</td>
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Zoning Information

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<tr>
<th>Zoning District</th>
<th>PR1</th>
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<tr>
<td>Parcel Size</td>
<td>29,596 sq. ft.</td>
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<tr>
<td>Proposed Use</td>
<td>Commercial Daycare</td>
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</table>

Requested Variance(s)

The applicant is requesting a variance regarding Article V, Section 527.2 E 4 and 527.3 of the Landscape buffer & tree protection ordinance.

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Requested</th>
<th>Variance Needed</th>
<th>Percentage</th>
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</thead>
<tbody>
<tr>
<td>Art. V Section 527.3 Right Side Landscape Buffer width</td>
<td>15'</td>
<td>12'</td>
<td>3'</td>
</tr>
<tr>
<td>Right Side Landscape Buffer evergreen shrubs</td>
<td>38</td>
<td>29</td>
<td>9</td>
</tr>
<tr>
<td>Art. V Section 527.2 E 4 Right Side foundation strip</td>
<td>5'</td>
<td>0'</td>
<td>5'</td>
</tr>
<tr>
<td>Right Side foundation strip evergreen shrubs</td>
<td>6</td>
<td>0</td>
<td>6</td>
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</tbody>
</table>

Background/Site Conditions

The property owner is in the process of converting this single family home into a commercial daycare. The parcel was rezoned on November 19, 2019 from Residential (SF20) to Office Professional (PR1). The applicant is requesting the following variances. The right side landscape buffer width is required to be 15' the proposed buffer width is 12' for a variance of 3'. The right side landscape buffer requires 38 evergreen shrubs they are proposing 29 shrubs for a variance of 9 shrubs. The right side foundation strip is required to be 5' with 6 evergreen shrubs. The applicant is requesting a variance on these requirements because the drive isle and the required handicap ramp is located on this side of the building.

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.
VARIANCE REVIEW SHEET

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

These requirements apply to all commercial uses not located within an overlay zone.

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 commercial daycare not meeting the requirements of the landscape ordinance.

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.
Applicant Submittal
ZONING BOARD OF APPEALS APPLICATION

Date Filed: 01.22.2020 Request #: 2020-02-002 Energov #: VAR-01-20-048193

1. Complete the application in its entirety (incomplete applications will not be processed);
2. If this is a commercial project a signed review sheet by the plans reviewer must be included with this application.
3. If a setback or dimensional variance is requested, an accurate, legible plot plan prepared by a registered architect, engineer, or surveyor, showing property dimensions and locations of all existing and proposed structures must be provided;
4. The property owner(s) as listed on the current tax records at the time of submittal must sign this application. In addition, if the property is located within a subdivision with a legal and active Home Owners Association (HOA), approval of the HOA must be provided with the application.

APPLICANT: Steve Powell (Venture Engineering)

PROPERTY ADDRESS: SC Hwy 319, Conway, SC

PIN: 32504010017 TMS: 1100005005

ACREAGE: 0.65 29.594 ZONING DISTRICT: SF-20 PR-1

SUBDIVISION: PROJECT:

PROPERTY OWNER(S) NAME (S): Pamela Dawn Sevres

Address: 3290 Hwy 319, Conway, SC 29526

Telephone: (H) (W) (E-MAIL) pamela@sevres720@gmail.com

X

X

PROPERTY OWNER(S) SIGNATURE (If LLC or Corp Please Provide Authorization) DATE

DESIGNATION OF AGENT (If the Property Owner Wishes To Appoint an Agent to Represent Him or Herself)

Agents Name: Steve Powell (Venture Engineering)

Address: 209 Hwy 544, Conway, SC 29526

Telephone: (H) (W) (E-MAIL) spowell@sevres720@gmail.com

I hereby appoint the person(s) listed above as agent to act on my behalf for the purpose of filing such application for a variance as he/she shall deem necessary and proper.

X

PROPERTY OWNER(S) SIGNATURE DATE

PLANNING AND ZONING DEPARTMENT USE ONLY

Have Survey: Y N Property Owner(s) Have Signed: Y N
Have Business License (If Applicable) Y N Have HOA Approval (if Applicable) Y N
County Council District Bellamy Commercial Review sheet (if applicable) Y N

Signature of Zoning Administrator/Asst. Z.A./Deputy Planning Director Date

1/28/2020
VARIANCE REQUEST

Applicant hereby appeals for a variance from the requirements of the following provisions of the Zoning Ordinance:
Article(s)  Y - General provisions  Section(s) 627 - Landscape buffer & tree protection

Description of Request: Foundation plantings along the right side of the building are not possible due to the required drive & handicap access. A 15'-0" landscape buffer is not possible due to the mandatory 20'-0" drive aisle.

<table>
<thead>
<tr>
<th>Required Front Setback:</th>
<th>Requested Front Setback:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Required Side Setback:</td>
<td>Requested Side Setback:</td>
</tr>
<tr>
<td>Required Rear Setback:</td>
<td>Requested Rear Setback:</td>
</tr>
<tr>
<td>Required Bldg. Separation:</td>
<td>Requested Bldg. Separation:</td>
</tr>
<tr>
<td>Required Minimum Lot Width:</td>
<td>Requested Min Lot Width:</td>
</tr>
<tr>
<td>Required Min Lot Width/Bldg Site:</td>
<td>Requested Min Lot Width/Bldg Site:</td>
</tr>
<tr>
<td>Required Max Height of Structure:</td>
<td>Requested Max Height of Structure:</td>
</tr>
</tbody>
</table>

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

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)

Finding #2 & #3 most directly relate to our request. Without either of these variances a 20'-0" drive aisle would not be possible which would in turn eliminate an access to our proposed parking lot and make the project unviable. Either of these variances pose no detriment to the public good in terms of aesthetics or accessibility.

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.

Applicant Signature: ____________________________ Date: 1/28/2020
Case # 2020-02-003
VARIANCE REVIEW SHEET

Property Information

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<thead>
<tr>
<th>Variance Request #</th>
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<tr>
<td>Applicant</td>
<td>Michael A. Green Jr. agent for George Martin Graham &amp; Stephanie Green</td>
</tr>
<tr>
<td>Parcel Identification (PIN) #</td>
<td>420-07-04-0007</td>
</tr>
<tr>
<td>Site Location</td>
<td>889 Crystal Waterway, Myrtle Beach</td>
</tr>
<tr>
<td>Property Owner</td>
<td>George Martin Graham &amp; Stephanie Green</td>
</tr>
<tr>
<td>County Council District #</td>
<td>2 - Howard</td>
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Zoning Information

<table>
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<th>Zoning District</th>
<th>PDD</th>
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<tr>
<td>Parcel Size</td>
<td>5,647 sq. ft.</td>
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<tr>
<td>Proposed Use</td>
<td>Residential</td>
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</table>

Requested Variance(s)

The applicants are requesting a variance from the building separation requirements of the Waterway Palms PDD zoning district.

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Requested</th>
<th>Variance Needed</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Right Side Bldg Separation</td>
<td>12'</td>
<td>11.4'</td>
<td>0.6'</td>
</tr>
<tr>
<td>Left Side Bldg Separation</td>
<td>12'</td>
<td>11.5'</td>
<td>0.5'</td>
</tr>
</tbody>
</table>

Background/Site Conditions

This parcel is located within the Waterway Palms PDD. The PDD requires 5' side setbacks with a 12' separation between structures. The proposed building will be located 6' from the left side and 6.5' from the right side. The site plan shows the proposed structure located at 11.4' from the building on the right side (adjoining Lot 317) instead of 12' for a variance of 0.6' and 11.5' from the building on the left side (adjoining Lot 315) instead of 12' for a variance of 0.5'.

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 side setbacks for the homes built on adjoining Lots 315 and 317 were both at 5' requiring this lot to have 7' setbacks on both sides to meet the separation requirement.

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

These conditions apply to all properties within this PDD.

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 requirements of the PDD.
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 of approval from the Waterway Palms 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.
ATTACHMENT A

Summary of Buist Plantation Planned Development District (PDD) ORDINANCE # 126-03

HCPD Case # 03-10-004
TMS # 164-00-01-002 AND 173-00-01-071

The Planned Development District (PDD) for Buist Plantation (Jon G. Taylor, Jr., agent), includes the development of 339.26 +/- acres located on River Oaks Drive and the Atlantic Intracoastal Waterway in Horry County, South Carolina.

GENERAL PROVISIONS

1. Permitted Uses
   (a) Refer to remainder of Attachment A

2. Dimensional Standards
   (a) Refer to remainder of Attachment A.

3. Project density
   (a) 2000 residential dwelling units shall be allowed on the 297 +/- acres of upland acreage identified in Exhibit A – PDD Conceptual Plan as the residential portion of this development. Gross density = 2000 units/339.26 total acres = 5.90 dwelling units per acre.

4. Parking
   (a) Parallel parking on privately owned streets shall be permitted within the Type ‘A’ single family residential section of this development only.
   (b) The parking facility for the 6.1 acres of “recreational open space,” as depicted on Exhibit A – PDD Conceptual Plan, is herewith permitted to be constructed at 50% of the current Horry County Zoning Ordinance parking stall requirement for the recreational uses as described.
   (c) All other parking requirements shall be in accordance with the current version of the Horry County Zoning Ordinance.

SPECIAL PROVISIONS

1. Open Space Requirements
   (a) Open space shall be provided in accordance with Exhibit A – PDD Conceptual Plan.

2. Casino boats and other commercial ventures
   (a) The only commercial uses allowed for the marina will be those that directly support the use of the marina by residents of said project and like projects who are permitted to use the marina. Casino boats are prohibited from use.

Jon G. Taylor, Jr., agent for Landbank LLC, Buist Plantation PDD (03-10-004)
BUIST PLANTATION (03-10-004)
SUBMITTED 9-30-03 REVISED 11-06-03 REVISED 12-12-03 REVISED 1-13-04 REVISED 2-10-04

1. Proposed uses, acreage and percentage mixture in project.

<table>
<thead>
<tr>
<th>Proposed Use</th>
<th>Units</th>
<th>Acreage</th>
<th>% of Project Based on Land Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family *</td>
<td>848</td>
<td>230 AC.</td>
<td>68%</td>
</tr>
<tr>
<td>Multi-Family</td>
<td>460</td>
<td>34.3 AC.</td>
<td>10%</td>
</tr>
<tr>
<td>Mid-Rise 'A' Condos</td>
<td>340</td>
<td>15 AC.</td>
<td>4%</td>
</tr>
<tr>
<td>Mid-Rise 'B' Condos</td>
<td>352</td>
<td>18 AC.</td>
<td>5%</td>
</tr>
</tbody>
</table>

* Includes on-site sales center with signage, not including permanent entrance signage.

2. Proposed Dimensional Standards

<table>
<thead>
<tr>
<th>Proposed Use</th>
<th>Units</th>
<th>Lot Area (typical)</th>
<th>Tract Area</th>
<th>Density</th>
<th>Front</th>
<th>Side</th>
<th>Agg. Side</th>
<th>Rear</th>
<th>Corner Side</th>
<th>Height***</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family Type A *</td>
<td>398</td>
<td>5200 s.f.</td>
<td>82 AC.</td>
<td>4.9 U/Ac.</td>
<td>10 ft. min.</td>
<td>5 ft. min.</td>
<td>12 ft. min.</td>
<td>10 ft. min.</td>
<td>7.5 ft. min.</td>
<td>45' Max.</td>
</tr>
<tr>
<td>(40' X 130' min.)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single Family Type B *</td>
<td>82</td>
<td>8400 s.f.</td>
<td>27.5 AC.</td>
<td>3.0 U/Ac.</td>
<td>20 ft. min.</td>
<td>7.5 ft. min.</td>
<td>15 ft. min.</td>
<td>15 ft. min.</td>
<td>7.5 ft. min.</td>
<td>35' Max.</td>
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<tr>
<td>(70' x 120' min.)</td>
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<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single Family Type C *</td>
<td>368</td>
<td>7200 s.f.</td>
<td>120.5 AC.</td>
<td>3.1 U/Ac.</td>
<td>20 ft. min.</td>
<td>7.5 ft. min.</td>
<td>15 ft. min.</td>
<td>15 ft. min.</td>
<td>7.5 ft. min.</td>
<td>35' Max.</td>
</tr>
<tr>
<td>(60' x 120' min.)</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Main Clubhouse</td>
<td>1</td>
<td>6.1 AC</td>
<td></td>
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<td>Mid-Rise 'A' Condos **</td>
<td>340</td>
<td>n/a</td>
<td>15 AC.</td>
<td>22.7 U/Ac.</td>
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<tr>
<td>Mid-Rise 'B' Condos **</td>
<td>352</td>
<td>n/a</td>
<td>18 AC.</td>
<td>19.6 U/Ac.</td>
<td>n/a</td>
<td>n/a</td>
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<td>Multi-Family **</td>
<td>460</td>
<td>n/a</td>
<td>34.3 AC.</td>
<td>13.4 U/Ac.</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
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<td>50' Max</td>
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<tr>
<td>Total</td>
<td>2000</td>
<td>n/a</td>
<td>n/a</td>
<td>5.9 U/Ac.</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* Min. 12' separation between buildings in Type A and Min. 15' between buildings in Type B and C.

** Min. 20' separation between buildings.

*** For purposes of this application "Height" is defined as to the peak of the roof and/or the top of architectural detailing excluding chimney stacks.
Applicant Submittal
ZONING BOARD OF APPEALS APPLICATION

Date Filed: 1/30/2020  Request #2020-02-003 Enegov # Var-01-20-16225

1. Complete the application in its entirety (incomplete applications will not be processed);
2. If this is a commercial project a signed review sheet by the plans reviewer must be included with this application.
3. If a setback or dimensional variance is requested, an accurate, legible plot plan prepared by a registered architect, engineer, or surveyor, showing property dimensions and locations of all existing and proposed structures must be provided;
4. The property owner(s) as listed on the current tax records at the time of submittal must sign this application. In addition, if the property is located within a subdivision with a legal and active Home Owners Association (HOA), approval of the HOA must be provided with the application.

APPLICANT: George Martin Graham and Stephanie Green

PROPERTY ADDRESS: 889 Crystal Waterway, Myrtle Beach South Carolina Lot 316

PIN: 42007040007 TMS: 1732301301

ACREAGE: .13 5647.08

ZONING DISTRICT: 800 - Myrtle Beach PDD

SUBDIVISION: Waterway Palms PROJECT:

PROPERTY OWNER(S) NAME (S) George Martin Graham and Stephanie Green

Address: 7600 Nth Ocean Blvd. Unit 301 Myrtle Beach SC 29572

Telephone: (H) 843-602-1212 (W) 843-488-8964 (E-MAIL) sgreenc21@yahoo.com

PROPERTY OWNER(S) SIGNATURE (If LLC or Corp Please Provide Authorization) 1/30/2020

DESIGNATION OF AGENT (If the Property Owner Wishes To Appoint an Agent to Represent Him or Herself)

Agents Name: Michael A Green Jr

Address: 122 Uniaurora Drive

Telephone: (H) 843-282-3374 (W) (E-MAIL) mgreen22 contractors

I hereby appoint the person(s) listed above as agent to act on my behalf for the purpose of filing such application for a variance as he/she shall deem necessary and proper.

PROPERTY OWNER(S) SIGNATURE 01/24/2020

PLANNING AND ZONING DEPARTMENT USE ONLY

Have Survey: [ ] Y [ ] N Property Owner (s) Have Signed: [ ] Y [ ] N

Have Business License (If Applicable) [ ] Y [ ] N Have HOA Approval (if Applicable) [ ] Y [ ] N

County Council District: 7 - Howard Commercial Review sheet (if applicable) 1/30/2020

Signature of Zoning Administrator/Asst. Z.A./Deputy Planning Director

Date
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: House on both sides are on the 5' foot setback and allowing the 12' separation - looking for 11' separation on both sides.

Required Front Setback: 10' Requested Front Setback: 8'
Required Side Setback: 5' Requested Side Setback: 6'
Required Rear Setback: 10' Requested Rear Setback: 10'
Required Bldg. Separation: 12' Requested Bldg. Separation: 11'
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? Yes

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 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 ____________________________ Date 01/30/2020
January 29, 2020

George Martin and Stephanie Jackson
889 Crystal Waterway
Myrtle Beach SC 29579

Re: Waterway Palms Homeowners Association, Inc. and Lot 316
TCLF File Number 301-001

Dear Mr. Graham and Ms. Jackson:

This firm represents Waterway Palms Homeowners Association (the “Association”). It has been brought to our attention that you are seeking to construct a home on Lot 316 and Horry County has notified you that the home you are requesting to build may be located outside of the prescribed setback requirements. Further, it is our understanding that you have requested a variance to the setbacks through the Horry County Zoning Board of Appeals.

After review of the information provided, the Association consents to and will uphold the decision of the Horry County Zoning Board of Appeals with regards to the proposed home to be constructed on Lot 316 as presented to the Association.

Please feel free to contact my office with any questions you may have regarding this matter.

With warmest regards, I am

Sincerely yours,

[Signature]
Shaun W. Cranford

cc: Client
Case # 2020-02-004
VARIANCE REVIEW SHEET  
TREE PRESERVATION

**Property Information**

<table>
<thead>
<tr>
<th>Variance Request #</th>
<th>2020-02-004</th>
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</thead>
<tbody>
<tr>
<td>Applicant</td>
<td>DDC Engineers Inc, agent for Bay Tree Apartment SC LLC</td>
</tr>
<tr>
<td>Parcel Identification (PIN) #</td>
<td>313-00-00-0027</td>
</tr>
<tr>
<td>Site Location</td>
<td>Hwy 9 &amp; Water Grand Blvd, Little River</td>
</tr>
<tr>
<td>Property Owner</td>
<td>Bay Tree Apartment SC LLC</td>
</tr>
<tr>
<td>County Council District #</td>
<td>9 - Prince</td>
</tr>
</tbody>
</table>

**Zoning Information**

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>PDD</th>
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</thead>
<tbody>
<tr>
<td>Parcel Size (in acres)</td>
<td>25</td>
</tr>
<tr>
<td>Proposed Use</td>
<td>Multi-family</td>
</tr>
</tbody>
</table>

**Requested Variance(s)**

The applicant is requesting a variance from Article V, Section 527.4 regarding the removal of a live oak specimen tree in the River Grand PDD.

**Background/Site Conditions**

This property is part of the River Grand PDD which has been set aside for multi-family uses in the Master Plan. Phase 1 is proposing 10 multi-family buildings on this site. The applicant would like to remove a 27.8" live oak from this property. The live oak would require 17 replacement trees at 2.5" caliper. The approved PDD Ordinance #79-15 requires tree mitigation to be met by planting street trees as shown in Exhibit A. The applicant has provided an updated Exhibit A showing the additional 17 replacement trees at 2.5" caliper for a total of 340 street trees.

**Ordinance Requirements**

Article V, Section 527.4 states that it shall be unlawful to injure, participate in, authorize or cause the removal of any specimen live oaks 24" or greater. Authorization to do so shall require a variance from the HC Zoning Board of Appeals based on findings including, but not limited to:

a) Presentation of a safety hazard to pedestrian and/or vehicular traffic;
b) Presentation of a safety hazard to buildings, structures or utility infrastructures;
c) Removal being the only reasonable means by which to comply with certain governmental requirements;
d) Justification according to good urban forestry practices (i.e., to reduce competition among trees or to remove invasive exotic species);
e) Any tree confirmed in writing by a Certified Arborist as being structurally unsound, hazardous diseased, dead, or in a state of irreversible decline;
f) If tree retention and/or tree protection zone(s) prevents the minimum number of required parking spaces;
g) If the ingress/egress approved by the governing agency cannot reasonably be located to adequately accommodate the required root area of the Protected tree(s);
h) Other required utility infrastructures cannot reasonably be located to accommodate the Protected tree(s) (i.e., storm water systems, detention ponds, etc.);
i) The introduction of fill twelve (12) inches or greater to elevate the parcel above the required flood protection elevation;
j) A planned grade cut that would place the tree protection zone above four (4) feet above final grade;
k) Reasonable use of the property will be significantly impaired;

If approval to remove Live Oak specimen tree is given, the removed trees shall be replaced according to the provisions of these regulations. Individuals failing to obtain the proper tree permit shall be cited as provided for herein.
VARIANCE REVIEW SHEET
TREE PRESERVATION

Proposed Order/Conditions
Should the Board approve removal of the Live Oak specimen tree, Staff recommends the following conditions:

1. The removed tree shall be replaced according to the mitigation and planting requirements as outlined in the Zoning Ordinance and in the River Grand PDD Exhibit A.

2. All future buildings and building additions must conform to Horry County regulations.

3. All other applicable County requirements shall be met.
The tree in question is actually **27.8” tree by my calculations**. The measurements were 15”, 15”, & 18.  
27.8”/2.5” = 11.12 x 1.5 = 16.68

**17 Total replacement trees required.**
Live Oak Tree (triple) 15", 18" & 15"
Live Oak Tree (triple) 15”, 18” & 15”
The approved Conceptual plans and this ordinance provide for variations to requirements of the land development regulation access management standards.

Internal Access

The adoption of this ordinance approves up to the number of units/dwellings on a cul de sac as shown on the conceptual plans. Any shifts in density within the Planned Development which would increase the number of units within a phase of development accessing off a cul de sac will have to be reviewed by the Planning Commission as a design modification. For clarification, “Temporary” cul-de-sacs/turn-arounds/hammer-headers shown on construction plans shall void the need for design modification(s).

3. STORMWATER

(a) The stormwater system for this development shall be designed to meet all Horry County and SCDHEC-OCRM requirements with the additional provisions that:

1. Post-development peak discharge rates from the 25-year storm are reduced to no more than the 10-year predevelopment rates.
2. Post-development peak discharge rates from the 100-year storm will not exceed the 100-year pre-development rates.

(b) The development shall be required to assist in the maintenance of the ditch along the northern property line shared with Eagles Nest.

3. LANDSCAPING REQUIREMENTS

Landscaping shall meet or exceed the Horry County Zoning Ordinance.

Tree mitigation within this PDD will be met by planting street trees as shown in Exhibit A Tree Planting Exhibit. (See attached)

4. PDD BUFFER

(c) General PDD Buffer, except along Highway 9

1. 25’ PDD buffer shall be required at the perimeter of the PDD. No parking, roads (except for site access), utilities (except for connections), drainage swales or ditches (except existing and except for connections) or retention ponds (except existing) shall be allowed within this 25’ PDD buffer. Sidewalks, development identification signage, walking paths, landscaping, and berms and screen walls shall be allowed within the 25’ PDD buffer. The 25’ PDD buffer shall become the building setback, and shall not be cumulative with other setbacks.

2. With reference to the included land use plan/use the 50’ PDD undisturbed buffer shall only be required for a length of 9,530 feet on the northeastern boundary of the PDD, but shall not be cumulative with other setbacks. (See land use plan) In any areas where the existing plants within the buffer do not meet the minimum screening requirements of Section 527.3, then additional landscaping shall be added to bring the buffer into compliance.

(d) Commercial and/or multi-family development abutting PDD perimeter (except adjacent to Hwy 9)

1. 25’ PDD buffer shall be required. No parking, roads (except for site access), utilities (except for connections), drainage swales or ditches (except existing and except for connections), (existing ditches may be expanded to facilitate stormwater management). Retention ponds shall be allowed within this 25’ PDD buffer. The 25’ PDD Buffer shall become the building setback, and shall not be cumulative with other setbacks.
Applicant Submittal
ZONING BOARD OF APPEALS APPLICATION

Date Filed: Request # 2020-02-00-4 Energov # VAP-01-20-48227

1. Complete the application in its entirety (incomplete applications will not be processed);
2. If this is a commercial project a signed review sheet by the plans reviewer must be included with this application.
3. If a setback or dimensional variance is requested, an accurate, legible plot plan prepared by a registered architect, engineer, or surveyor, showing property dimensions and locations of all existing and proposed structures must be provided;
4. The property owner(s) as listed on the current tax records at the time of submittal must sign this application. In addition, if the property is located within a subdivision with a legal and active Home Owners Association (HOA), approval of the HOA must be provided with the application.

APPLICANT: DDC Engineers Inc
PROPERTY ADDRESS: Parcel MP2 of Bridgewater PDD (SC Hwy 9.4)
PIN: 313-00-00-0027 TMS: N/A
ACREAGE: ± 25.36 ZONING DISTRICT: PDD
SUBDIVISION: Bridgewater PROJECT: Bridgewater

PROPERTY OWNER(S) NAME (S) Bailey Apartment SC LLC
Address: 448 Viking Drive #220 Virginia Beach, VA 23452
Telephone: (H) N/A (W) N/A (E-MAIL) N/A

X
PROPERTY OWNER(S) SIGNATURE (If LLC or Corp Please Provide Authorization) DATE 1/29/2020

DESIGNATION OF AGENT (If the Property Owner Wishes To Appoint an Agent to Represent Him or Herself)
Agents Name: DDC Engineers Inc
Address: 240 Professional Drive Myrtle Beach, SC 29571
Telephone: (H) N/A (W) 843-442-3200 (E-MAIL) jk@landdesign.com

I hereby appoint the person(s) listed above as agent to act on my behalf for the purpose of filing such application for a variance as he/she shall deem necessary and proper.

X
PROPERTY OWNER(S) SIGNATURE DATE 1/29/2020

PLANNING AND ZONING DEPARTMENT USE ONLY

Have Survey: N Property Owner (s) Have Signed: N
Have Business License (If Applicable) N Have HOA Approval (If Applicable) N
County Council District 9 - Prince Commercial Review sheet (If applicable) Y

Signature of Zoning Administrator/Asst. Z.A./Deputy Planning Director 1/30/2020
VARIANCE REQUEST

Applicant hereby appeals for a variance from the requirements of the following provisions of the Zoning Ordinance:

Article(s): General Provisions Section(s): 527.4 -Tree Preservation

Description of Request: The applicant is requesting approval to remove one specimen live oak (24.86") and is prepared to mitigate for its removal. 27.8"

<table>
<thead>
<tr>
<th>Required Front Setback:</th>
<th>Requested Front Setback:</th>
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</thead>
<tbody>
<tr>
<td>Required Side Setback:</td>
<td>Requested Side Setback:</td>
</tr>
<tr>
<td>Required Rear Setback:</td>
<td>Requested Rear Setback:</td>
</tr>
<tr>
<td>Required Bldg. Separation:</td>
<td>Requested Bldg. Separation:</td>
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<tr>
<td>Required Minimum Lot Width:</td>
<td>Requested Min Lot Width:</td>
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<td>Required Min Lot Width/Bldg Site:</td>
<td>Requested Min Lot Width/Bldg Site:</td>
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<tr>
<td>Required Max Height of Structure:</td>
<td>Requested Max Height of Structure:</td>
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</tbody>
</table>

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)

(Please see attached third sheet)

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: 12/14/2020
VARIANCE REQUEST - Specimen Tree Removal

This particular parcel is zoned for multi-family development. Multi-family buildings are, by design, significantly large and require mass grading, parking areas, multiple stormwater and utility connections, all of which have a great impact on the surrounding land. The applicant has made an extensive effort to save many other existing oak and live oak trees, including quite a few specimen live oaks. Plant material, including canopy trees, will be installed around the parcel perimeter, as well as within the parking areas and around each building. Therefore, the applicant believes that the character of this site, as well as the surrounding land uses, is not compromised with this request.
Exhibit A – Adding 17 additional trees
Case # 2020-02-005
VARIANCE REVIEW SHEET

Property Information

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<td>Gaither Thompson II agent for Native Homes LLC</td>
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<td>Site Location</td>
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<td>Property Owner</td>
<td>Native Homes LLC</td>
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<td>County Council District #</td>
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Zoning Information

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<td>29,387 Sq. Ft</td>
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Proposed Use | Residential |

Requested Variance(s)

The applicants are requesting variances from Article VII, Section 706 and Article VIII regarding the setback requirements in the Residential (MSF10) zoning district.

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Requested</th>
<th>Variance Needed</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Right Corner Side Setback (Double Frontage)</td>
<td>13.9'</td>
<td>11.1</td>
<td>44%</td>
</tr>
</tbody>
</table>

Background/Site Conditions

The applicant wants to subdivide the property into 2 lots to allow an additional home on the property. The establishment of a 30' shared private driveway is required as part of the subdivision of the property to provide access to the rear lot. Article VIII, Footnote 11 states "When a shared private driveway easement is utilized for access, the required setback shall be measured from the easement line." The establishment of the shared private driveway makes this property a corner lot. Article V, Section 513 requires corner lots adjacent to a collector or arterial street to meet the front yard setbacks from both streets. The property is located off Holmestown Rd. which is a Major Arterial street. The existing modular home is located 13.9' from the right corner side instead of the required 25' for a variance of 11.1'. Also, Art. V, Section 510 states no lot shall be created which does not have at least 50' of frontage; lots fronting on cul-de-sac may have a minimum of 25' frontage. The applicant will need to provide a 25' cul-de-sac for lot 2.

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 MSF10 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.
**VARIANCE REVIEW SHEET**

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

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. Must provide a 25' cul-de-sac for Lot 2 to meet the lot frontage requirement of Art V Section 510.
005 Proposed driveway to the rear
Applicant Submittal
ZONING BOARD OF APPEALS APPLICATION

Date Filed 2/3/2020 Request #2020-02-005 Energov # VAR-02-20-048246

1. Complete the application in its entirety (incomplete applications will not be processed);
2. If this is a commercial project a signed review sheet by the plans reviewer must be included with this application.
3. If a setback or dimensional variance is requested, an accurate, legible plot plan prepared by a registered architect, engineer, or surveyor, showing property dimensions and locations of all existing and proposed structures must be provided;
4. The property owner(s) as listed on the current tax records at the time of submittal must sign this application. In addition, if the property is located within a subdivision with a legal and active Home Owners Association (HOA), approval of the HOA must be provided with the application.

APPLICANT: Native Homes, LLC
PROPERTY ADDRESS: 3835 Holmes Twn Road Myrtle Beach SC 29588
PIN: 458 09 01 0023 TMS: 19000003099
ACREAGE: 60 29.397708 ZONING DISTRICT: MSF 10
SUBDIVISION: PROJECT:

PROPERTY OWNER(S) NAME: Bentley Thompson / Gaither Thompson
Address: 3306 Gaither Court MBSC 29588
Telephone: (H) (W) 843 215 5795 (E-MAIL) bent2727@aol.com

PROPERTY OWNER(S) SIGNATURE (If LLC or Corp Please Provide Authorization) DATE

DESIGNATION OF AGENT (If the Property Owner Wishes To Appoint an Agent to Represent Him or Herself)

Agents Name: Gaither B Thompson II
Address: 3306 Gaither Court MBSC 29588
Telephone: (H) (W) 843 222 8550 (E-MAIL)

I hereby appoint the person(s) listed above as agent to act on my behalf for the purpose of filing such application for a variance as he/she shall deem necessary and proper.

PROPERTY OWNER(S) SIGNATURE DATE

PLANNING AND ZONING DEPARTMENT USE ONLY

Have Survey: Y N Property Owner (s) Have Signed: Y N
Have Business License (If Applicable) Y N Have HOA Approval (if Applicable) Y N
County Council District Servant Commercial Review sheet (if applicable) Y N

Signature of Zoning Administrator/Asst. Z.A./Deputy Planning Director Date

2/3/2020
VARIANCE REQUEST

Applicant hereby appeals for a variance from the requirements of the following provisions of the Zoning Ordinance:

Description of Request: County requires 25' side setback from private driveway easement we only have 13.9'...

<table>
<thead>
<tr>
<th>Required Front Setback:</th>
<th>25'</th>
<th>Requested Front Setback:</th>
<th>13.9'</th>
</tr>
</thead>
<tbody>
<tr>
<td>Required Side Setback:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Required Rear Setback:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Required Bldg. Separation:</td>
<td></td>
<td>Requested Bldg. Separation:</td>
<td></td>
</tr>
<tr>
<td>Required Minimum Lot Width:</td>
<td></td>
<td>Requested Min Lot Width:</td>
<td></td>
</tr>
<tr>
<td>Required Min Lot Width/Bldg Site:</td>
<td></td>
<td>Requested Min Lot Width/Bldg Site:</td>
<td></td>
</tr>
<tr>
<td>Required Max Height of Structure:</td>
<td></td>
<td>Requested Max Height of Structure:</td>
<td></td>
</tr>
</tbody>
</table>

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

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

To add more notes here.

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.

Applicant's Signature

Date: 1/30/20
Case # 2020-02-007
VARIANCE REVIEW SHEET

Property Information

<table>
<thead>
<tr>
<th>Variance Request #</th>
<th>2020-02-007</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant</td>
<td>Colby Rowe - Rowe Ventures Inc.</td>
</tr>
<tr>
<td>Parcel Identification (PIN) #</td>
<td>419-12-03-0037</td>
</tr>
<tr>
<td>Site Location</td>
<td>896 Waterton Avenue Myrtle Beach</td>
</tr>
<tr>
<td>Property Owner</td>
<td>Colby Rowe - Rowe Ventures Inc.</td>
</tr>
<tr>
<td>County Council District #</td>
<td>2 - Howard</td>
</tr>
</tbody>
</table>

Zoning Information

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>PUD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parcel Size (in acres)</td>
<td>12,023 Sq. Ft.</td>
</tr>
<tr>
<td>Proposed Use</td>
<td>Single Family</td>
</tr>
</tbody>
</table>

Requested Variance(s)

The applicant is requesting a height variance in the Carolina Waterway Plantation PUD zoning district, located at 896 Waterton Avenue, Myrtle Beach.

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Requested</th>
<th>Variance Needed</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Max height of structure</td>
<td>35'</td>
<td>39' 5.25&quot;</td>
<td>4' 5.25&quot;</td>
</tr>
</tbody>
</table>

Background/Site Conditions

This parcel is located within the Carolina Waterway Plantation PUD. The applicant is constructing a single family home under permit #105159. The zoning compliance issued with the permit stated the max height of the structure was 35'. Code Enforcement issued a stop work order on Feb. 10, 2020 stating the structure appears to exceed the 35' height requirement. After review it was determined that the mean roof height of the structure is 39' 5.25" in height instead of the required 35' for a variance of 4' 5.25".

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 this PUD.

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 structure exceeding the maximum height allowed in the PUD.
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?)

Applicant has submitted a letter giving final approval of the structure by Carolina Waterway Plantation ARC.

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.
007 Site from front
Applicant
Submittal
ZONING BOARD OF APPEALS APPLICATION

Date Filed: 2/1/2020 Request #: 2020-02-007 Energov #: VAR-02-20-048363

1. Complete the application in its entirety (incomplete applications will not be processed);
2. If this is a commercial project a signed review sheet by the plans reviewer must be included with this application.
3. If a setback or dimensional variance is requested, an accurate, legible plot plan prepared by a registered architect, engineer, or surveyor, showing property dimensions and locations of all existing and proposed structures must be provided;
4. The property owner(s) as listed on the current tax records at the time of submittal must sign this application. In addition, if the property is located within a subdivision with a legal and active Home Owners Association (HOA), approval of the HOA must be provided with the application.

APPLICANT: Colby Rowe

PROPERTY ADDRESS: 896 Waterton Ave Myrtle Beach SC 29579

PIN: 41912030037 TMS: 173-21-01-055

ACREAGE: 26 ZONING DISTRICT: 800 PUD

SUBDIVISION: Carolina Waterway PROJECT: Carolina Waterway Lot 49

PROPERTY OWNER(S) NAME(S): Rowe Ventures Inc, Colby Rowe

Address: 385 Harbour View Drive Myrtle Beach SC 29579

Telephone: (H) 843-251-1747 (W) 843-602-5690 (E-MAIL) colby@rowventures.com

X ___________________________ ___________________________ 2/11/20

X ___________________________ 2/11/2020

PROPERTY OWNER(S) SIGNATURE (If LLC or Corp Please Provide Authorization) DATE

DESIGNATION OF AGENT (If the Property Owner Wishes To Appoint an Agent to Represent Him or Herself)

Agents Name: ___________________________

Address: ___________________________

Telephone: (H) ___________________________ (W) ___________________________ (E-MAIL) ___________________________

I hereby appoint the person(s) listed above as agent to act on my behalf for the purpose of filing such application for a variance as he/she shall deem necessary and proper.

X ___________________________ DATE

PROPERTY OWNER(S) SIGNATURE

PLANNING AND ZONING DEPARTMENT USE ONLY

Have Survey: Y N Property Owner(s) Have Signed: Y N
Have Business License (If Applicable) Y N Have HOA Approval (if Applicable) Y N
County Council District: 2 - Howard Commercial Review sheet (if applicable) ___________________________ 2-11-2020

Signature of Zoning Administrator/Asst. Z.A./Deputy Planning Director: ________________ Date: ___________________________
VARIANCE REQUEST

Applicant hereby appeals for a variance from the requirements of the following provisions of the Zoning Ordinance:

Article(s) ___________ Section(s) ___________

I'm not sure. There is no ordinance that exists.

Description of Request: I applied for a building permit on November 12, 2019. I was approved on November 20, 2019. I designed a house that was under the 45' height requirement. Almost 3 months and $245,000 later I was given a stop work order because my approved plans exceeded the mean height limit. The county told me I had to request a variance for their mistake. I was told the max height was approved.

Required Front Setback: ___________ Requested Front Setback: ___________

Required Side Setback: ___________ Requested Side Setback: ___________

Required Rear Setback: ___________ Requested Rear Setback: ___________


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: 45' Requested Max Height of Structure: 43'10"

Required Mean Height of Structure: 35' Requested Mean Height of Structure: 39.5'

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)

1. I was given zoning and building department approval on my submitted plan design. The building height was circled in red on my approved plans and a building officials stamp and signature are on the same page. I framed the house according to the approved plans. I did not deviate from the approved plans. 2. I have built several similar homes on this same exact street which also exceeded the 35' mean height which were also approved and given a certificate of occupancy. There are several homes in this district that exceed the 35' mean height requirement. I built a house at 842 Waterton that the building department met with me and confirmed that it exceeded the 35' height requirement. I have spent $245,000 on building this house so far that I cannot get back if this variance is denied. I did everything I was supposed to do and I did not intentionally exceed the mean height requirement. I was unaware of the mean height requirement until I was given a stop work order.

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.

Applicant's Signature

Date 2/11/20
Carolina Waterway Plantation ARC  
P.O. Box 9000  
Myrtle Beach, SC 29578 9000  

Submittal Notification

11/21/2019

Rowe Ventures, Inc.  
385 Harbour View Drive  
Myrtle Beach SC 29579

RE: Lot 049, 896 Waterton Avenue

Your final review is complete and has been approved by the architect/ARC.

If you haven't done so already you MUST submit your bond check before construction begins. The total bond due is $7,500. A $1000 of this is a non-refundable Road Impact fee. At the end of construction and upon final approval, a potential refundable amount of $6,500 may be returned after the build and final inspection. Checks must be made out to CWP HOA and delivered to the LITUS* To Let office.

Also you will need to make arrangements get the stamped approved plans before construction begins.
You may call Steve Siegfried at (609) 214-6486 to arrange to pick up your approved plans. Please disregard if you have already picked them up.

Your construction code for the back gate will be #1121. Please make sure to give this to your builder.

Please be aware that all future changes require submittal of a change request to the ARC for review and ARC approval prior to any changes being made. Any changes that are made without such request and ARC approval will result in fines.

Please make sure that all contractors on the work site are aware of the ARC rules and regulations which are in the ARC guidelines. Violations of the rules and regulations will result in fines against the bond money.

While moving through the construction process, please make sure to follow all ARC guidelines provided in the Carolina Waterway Plantation ARC Master Guidelines and Application packet.

On Behalf of the CWP ARC,

Kristi Thompson  
Property Manager, LITUS* To Let  
Kthompson@litustolet.com  
843-448-9000 ext. 125  
843-626-0101- Fax

cc: Owner HOA File
Case # 2020-02-006
## Property Information

<table>
<thead>
<tr>
<th>Special Exception Request #</th>
<th>2020-02-006</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant</td>
<td>Nick Muti, Harry Matarazzo, Chris Boyer, agents</td>
</tr>
<tr>
<td>Parcel Identification (PIN) #</td>
<td>382-04-03-0120</td>
</tr>
<tr>
<td>Site Location</td>
<td>3505 Highway 544 Conway, SC 29526</td>
</tr>
<tr>
<td>Property Owner</td>
<td>Craig &amp; Katie Dierksheide (LE) ETAL</td>
</tr>
<tr>
<td>County Council District #</td>
<td>8 - Vaught</td>
</tr>
</tbody>
</table>

## Zoning Information

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>HC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parcel Size (in acres)</td>
<td>24,672 Sq. Ft.</td>
</tr>
<tr>
<td>Proposed Use</td>
<td>Restaurant/Bar</td>
</tr>
</tbody>
</table>

## Distance from Residential

Abutting parcel to the right is zoned General Residential (GR) which is the Coastal Villas Apartments.

## Requested Special Exception

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.

## Background/Site Conditions

The applicants are proposing to open Daytona's Bar & Grill at this location. This was formerly the Big Kahunas Bar & Grill which closed in June 2018. Coastal Villas Apartments abuts this parcel on the right. The proposed hours of operation are Monday thru Saturday 4:00 PM until 12 Midnight. The applicant states the back patio will be used for a lounging area with no outdoor dining. Zoning will not allow outdoor activates such as games, live or recorded music because they are located adjacent to a residentially zoned parcel.

## Ordinance and Analysis

Article V, Section 534 (B) of the Zoning Ordinance states: Owing to their potential negative impact on the community, the following uses may be approved as special exceptions by the Board of Zoning Appeals: bar, restaurant, nightclub or business establishment meeting the definition of a bar is subject to the following conditions:

1. That the special exception complies with all applicable development standards, including off-street parking and dimensional requirements.

   The site was built in 1988 and met development standards at that time.

2. That the special exception will be in substantial harmony with the area in which it is to be located.

   The parcel is located on a major commercial corridor.

3. That the special exception will not be injurious to adjoining properties.

   There is a mixture of commercial and residential uses in this area.
4. That the special exception will contribute to the economic vitality and promote the general welfare of the community.

There has been a restaurant/bar in this location since 2004.

5. That the special exception will not discourage or negate the use of surrounding property for use(s) permitted by right.

The use is allowed in the Highway Commercial zoning district.

6. In granting a special exception, the Board of Zoning Appeals may impose such reasonable and additional stipulations, conditions or safeguards as, in its judgment, will enhance the citing or reduce any negative impacts of the proposed special exception.

Proposed Order/Conditions

Should the Board find that the special exception request for Daytona’s Bar & Grill 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 - 4:00 PM until 12:00 Midnight, Monday thru Saturday;
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 outdoor dining;
13. No sweepstakes and/or internet gaming permitted at any time.
Applicant Submittal
ZONING BOARD OF APPEALS APPLICATION

Date Filed: 2-3-20  Request #: 2020-02-006  Energov #: SE-02-20-48264

1. Complete the application in its entirety (incomplete applications will not be processed);
2. If a setback or dimensional variance is requested, an accurate, legible plot plan prepared by a registered architect, engineer, or surveyor, showing property dimensions and locations of all existing and proposed structures must be provided;
3. The property owner(s) as listed on the current tax records at the time of submittal must sign this application. In addition, if the property is located within a subdivision with a legal and active Home Owners Association (HOA), approval of the HOA must be provided with the application.

APPLICANT:  Dayton Management

PROPERTY ADDRESS:  3505 Highway 544 Conway, SC 29526

PIN:  382-84-03-6120  TMS#:  150-00-07-148

Acreage:.56  Zoning District:  H-C

Subdivision:  -  Project:  -

PROPERTY OWNER(S) NAME(S):  Craig Dierksheide

Address:  3773 Bentley Ct. Murrell Beach, SC 29577
Telephone: (H)  843-457-0000 (W)  843-457-0000 (E-MAIL) craig@65REM.com

X  10/23/19

PROPERTY OWNER(S) SIGNATURE (If LLC or Corp Please Provide Authorization)  DATE

DESIGNATION OF AGENT (If the Property Owner Wishes To Appoint an Agent to Represent Him or Herself)

Agents Name:  Nicki Muti, Harry Matarazzo, Chris Boyer

Address:  3505 Hwy 544
Telephone: (H)  843-740-4919 (W)  843-385-4395 (E-MAIL) Daytons Management

I hereby appoint the person(s) listed above as agent to act on my behalf for the purpose of filing such application for a variance as he/she shall deem necessary and proper.

X  2/3/20

PROPERTY OWNER(S) SIGNATURE  DATE

PLANNING AND ZONING DEPARTMENT USE ONLY

Have Survey:  Y  Property Owner(s) Have Signed:  Y
Have Business License (If Applicable):  Y  Have HOA Approval (If Applicable):  N
County Council District:  8 - Vaughn

Signature of Zoning Administrator/Asst. Z.A./Deputy Planning Director

Date  2/3/20
SPECIAL EXCEPTION REQUEST

Owing to their potential negative impact on the community, the following uses may be approved as a special exception by the Board of Zoning Appeals.

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

Please check the one that applies to your request: (see attachments for conditions on each use)

- On-Premises Consumption of Alcohol
- Bed & Breakfast Establishment
- Outpatient Treatment Facility
- Casino Boat
- Community Storage Lots for Recreation Equipment and Boats

Name of Business: Dayton's

Type of Business: Bar and Grill

Hours of Operation: 4pm (AM/PM) until 12 am (AM/PM)

Days of the Week: Monday – Saturday

*If this is a Restaurant/Bar please include a copy of your menu and a floor plan.

The Board of Zoning Appeals shall consider the following criteria for special exceptions:
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
5. Orientation or spacing of improvements or buildings.

To the best of your ability explain how the aforementioned apply to your request (may include attachments):
1. Traffic impact will be minimal due to our hours of operation.
2. Vehicle and pedestrian safety will be controlled by trained security employed by us after closing.
3. N/A no adjoining properties.
4. There will be no aesthetic changes to the building.
5. No improvements being made.

Special exception approvals are subject to conditional requirements as stated in the applicable section of the Zoning Ordinance. In granting a special exception, the Board of Zoning Appeals may impose such reasonable and additional stipulations, conditions or safeguards as, in its judgment, will enhance the siting of the proposed special exception.

Applicant/Agent 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.

Applicant/Agent’s Signature

(If in LLC or Corp. name please provide authorization to sign)

Date
Hello Pam sorry we missed you today. The back patio area will not have any food or alcohol served on it. It will just be used as a lounging area.

On Tue, Feb 18, 2020 at 3:01 PM Thompkins, Pam <Thompkp@horrycounty.org> wrote:

Mr. Muti,

I was at your location today posting for the special exception request that will be presented at the Zoning Board meeting on March 9th. I noticed that you have an area on the rear of your building with picnic tables. Are you serving food and alcohol in that area? If you are, you will need to request to have outdoor dining.

Please advise.

Pam Thompkins | Zoning Administrator
Horry County Government
Planning and Zoning
1301 2nd Avenue, Suite 1D09, Conway, South Carolina 29526
Tel: (843) 915-8732 | Fax: (843) 915-6340 | thompkp@horrycounty.org
www.horrycounty.org

Follow us on Facebook and sign-up for Email updates. You can also download our HCConnect app for Apple and Android to stay up-to-date on rezoning cases.
# Menu

## Food Options
- Chicken Tenders
- Chicken Wings
- Fried Mac and cheese sandwich
- Nachos
- Fried Grilled cheese sandwich
- Onion Rings
- French Fries
- Fried Pickles

## Sauce Options
- Ranch
- Blue cheese
- Hot
- Medium
- Mild
- BBQ
- Garlic Parm
- Hot Garlic Parm