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, Senior Planner
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

April 13, 2020

I. Call to Order – 5:30 p.m.

II. Invocation/Pledge of Allegiance

III. Communications ................................................................. 1

IV. Minutes

March 9, 2020 – Regular Meeting Minutes...................................... 2-11

V. Old Business ........................................................................... 12

1. 2019-12-010 – Ader Vindel agent for Pedro & Carolina Miranda ....... 13-25
   883 Castlewood Drive, Conway, SC (Council Member Vaught)

VI. New Business

Variances

1. 2020-03-001 – Glen A. Jordan, agent for Lora J. Merritt.................. 26-35
   5470 Hendricks Shortcut Rd, Conway (Council Member Allen)

2. 2020-03-002 – Davis Inabnit, agent for Thompkins Investments.......... 36-45
   Myrtle Beach, SC (Council Member Crawford)

3. 2020-03-003 – Mike Kinsey, Carolina Home Exteriors, agent for James
   & Mary Ellen Tomb ................................................................. 46-61
   7935 Leeward Ln, Murrells Inlet (Council Member Loftus)
4. **2020-03-004 – Kenneth Moss, agent for Levi Bruce Robertson** …………….62-74  
   4309 Woodrow Shelley Dr., Little River (Council Member Worley)

5. **2020-03-005 – Elissa Wood, Woodle Investments Co** …………………..75-84  
   131 Gateway Rd, Myrtle Beach (Council Member Howard)

**Special Exception**

1. **2020-03-006 – Plantation Lakes HOA** …….**DEFERRED**…………………85-87  
   Carolina Forest Blvd & Shoreward Dr, Myrtle Beach (Council Member DiSabato)

2. **2020-03-007 – Timothy J. Montgomery, agent for Barry Todd**………………88-98  
   7432 Hwy. 905 S., Longs (Council Member Hardee)

**Appeal**

1. **2020-03-008 – Enterprise Holdings, agent for Frankovitch Enterprises Inc**…99-109  
   925 Garden City Connector, Murrells Inlet (Council Member Servant)

**VII. Adjourn**
Communications
Minutes
STATE OF SOUTH CAROLINA  )  HORRY COUNTY ZONING BOARD OF APPEALS  
)  COUNTY OF HORRY  )  MINUTES – March 9, 2020

The Horry County Zoning Board of Appeals held its scheduled meeting on Monday, March 9, 2020 at 5:30 p.m. in the Horry County Government Center, Multi-purpose Room B, located at 1301 Second Avenue in Conway, South Carolina.

Board Members present: Drew Parks, Mark Gouhin, Mike Fowler, Marion Shaw, William Livingston, Bobby Page, and John Brown.

Board Members Absent: Johnny Brown and Kevin Doolittle

Staff present: Pam Thompkins, Marnie Leonard, John Danford, David Jordan, Jordan Todd, Jerry Mabry, and Tommy Smith.

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.

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

Marion Shaw swore in staff.

COMMUNICATIONS

REGULAR MEETING MINUTES - February 10th, 2020
Marion Shaw asked if there were any additions, deletions or changes to the minutes. Drew Parks made a motion to accept the minutes as written. Robert Page seconded. The motion carried unanimously. *The minutes for February 10th, 2020 were approved.*

REGULAR MEETING MINUTES - January 13, 2020
Marion Shaw asked if there were any additions, deletions or changes to the minutes. Drew Parks made a motion to accept the minutes as written. Robert Page seconded. The motion carried unanimously. *The minutes for January 13, 2020 were approved.*

OLD BUSINESS

The First case number was 2019-12-010 Ader Vindel who requested prior to the meeting to Pam Thompkins to defer the case to the April 13th, 2020 meeting. The applicant stated that he is still trying to get the letter from his HOA that is needed for the case.
Mark Gouhin made a motion to grant the deferral of the case to the April 13th, 2020 meeting. Drew Parks seconded the motion. The motion carried unanimously. The variance was moved to the April 13th, 2020 meeting.

NEW BUSINESS

Marion Shaw asked the board and the public if they had any objections moving case 2020-02-006 to be the first case due to the health concerns of the applicant. There were no objections and the hearing began.

Special Exceptions

The Second case number was 2020-02-006 Nick Muti, Harry Matarazzo, Chris Boyer agents for Craig & Katie Dierksheide. Pam Thompkins presented the case to the board. PIN number 382-04-03-0120 identifies the parcel located at 3505 Highway 544, Conway. The applicants are requesting special exception approval from on-site consumption of alcohol for a Restaurant/Bar in the Highway Commercial (HC) zoning district. (Please refer to the March 9, 2020 packet for further information.)

Marion Shaw swore in Nicholas Muti stated that he understood the required conditions set by the Zoning Board.

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

Variances

The Third case number was 2020-01-001 Edward & Donna Goodrich. Pam Thompkins presented the case to the board. PIN number 457-08-03-0016 identifies the parcel located at 353 Skyland Pines Drive, Myrtle Beach. The applicants are requesting a variance regarding the setback requirements in the Victoria Station PUD. 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'. (Please refer to the March 9, 2020 packet for further information.)

Marion Shaw swore in Edward Goodrich who explained how he did not realize the proposed 12' x 13' sunroom would go into his drainage ditch or easements.

Marion Shaw swore in Donna Goodrich who stated she just wanted a sturdy structure in her back yard and that she is the one that has been keeping the drainage ditch cleaned out.
John Danford asked about the erosion in the area and was told by Mr. Goodrich that there was not any he could see.

Marion Shaw presented his concerns about the flooding issues that could arise if we have another flood like the one we had last year.

Mark Gouhin made a motion to grant the variance with the conditions as stated by staff. William Livingston seconded the motion. The motion carried with 5/2 vote with Marion Shaw and Robert Page voting against. *The variance was approved with conditions.*

**The Fourth case number was 2020-01-002 Thomas & Kimberly Thorn II.** Pam Thompkins presented the case to the board. PIN number 428-16-03-0027 identifies the parcel located at 4147 Rose Bud Lane, Myrtle Beach. The applicant is requesting a variance from Article VII, Section 705 and Article VIII regarding setback requirements in the Residential (MSF20) zoning district. 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. *(Please refer to the March 9, 2020 packet for further information.)*

Marion Shaw swore in Thomas Thorn II who explained his need for the variance.

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

**The Fifth case number was 2020-01-003 Lee & Angela Edge.** Pam Thompkins presented the case to the board. PIN number 351-06-02-0024 identifies the parcel located at 236 Little River Neck Road, N. Myrtle Beach. 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. The applicants are requesting to subdivide the property so they may have one home located on each lot. They rezoned the property from CFA to SF10 in November 2019 under Ordinance 98-19. There are 4 variances needed to subdivide the property. Proposed lot 1 is 7,827 sq. ft. instead of the required 10,000 sq. ft. for a variance of 2,173 sq. ft. Lot 1 needs a left side setback of 9.5 instead of the required 10' for a variance of 0.5'. Lot 2 needs a right side setback of 9.5' instead of the required 10' for a variance of 0.5' and a variance from the lot frontage requirements. Proposed lot 2 has only 27' of street frontage instead of the required 50' for a variance of 23'.

The applicant is also requesting a variance for the existing home on lot 1 that is considered legal non-conforming, but would not allow the replacement in their current location. *Art. V Section 500.4 (Replacement of Structures) would allow staff to reduce the required front setback of 25'*
to 12.5' for structures of the same size or smaller. The applicant is requesting a variance to allow the home to be replaced in the future at the current location of 3.1' from the front property line instead of the required 12.5' for a variance of 9.4'. (Please refer to the March 9, 2020 packet for further information.)

Marion Shaw swore in Lee Edge who explained he has been taking care of home since his mother passed away and also that he allows his church to use the home for fellowship gatherings. He is asking for the variance so he can split the land between himself and his sister.

Marion Shaw asked if Mr. Edge understood the sizes the split parcels would be and Mr. Edge answered that he did.

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

The Sixth case number was 2020-01-004 Tim Alexander agent for Daniel & Gloria Smith. Pam Thompkins presented the case to the board. PIN number 462-16-03-0086 identifies the parcel located at 724 Mansion Court, Murrells Inlet. The applicant is requesting a variance regarding setback requirements in the General Residential (GR) zoning district. 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'. (Please refer to the March 9, 2020 packet for further information.)

Marion Shaw swore in Tim Alexander who stated that he is the agent and helps out the family. He said he got all the proper permits and was building when a survey showed the setbacks were not correct.

Mark Gouhiin made a motion to grant the variance with the conditions as stated by staff. John Brown seconded the motion. The motion carried unanimously. The variance was approved with conditions.

The Seventh case number was 2020-01-005 Joseph W. Fedourich with Fedo Enterprises LLC. Pam Thompkins presented the case to the board. PIN number 306-14-03-0006 identifies the parcel located at 3750 Cypress Drive, Little River. The applicant is requesting a variance regarding the minimum lot width at building site requirements in the Commercial Forest Agriculture (CFA) zoning district. 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. (Please refer to the March 9, 2020 packet for further information.)
Marion Shaw swore in Joseph Fedourich who explained the need for the variance.

Marion Shaw asked the size of the lots next door and Mr. Fedourich stated that they are ½ acre lots and he knew this because he used to own them.

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

The Eighth case number was 2020-02-001 Leon Dale Green agent for Leeannason Jackson. Pam Thompkins presented the case to the board. PIN number 222-08-02-0002 identifies the parcel located at 988 Cedar Branch Road, Loris. The applicant is requesting a variance regarding minimum lot size requirements in the Forest Agricultural (FA). 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. (Please refer to the March 9, 2020 packet for further information.)

Marion Shaw swore in Leon Green who explained why a variance was needed. Mr. Green’s mother left the land to himself and his sister and he need the variance to be able to put a home on it.

Marion Shaw asked if the shed that is forward of the residence would be re-located to the side or back of property, Mr. Green answered that he would see to it that it will be relocated and would meet all setbacks.

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

The Ninth case number was 2020-02-002 Steve Powell. Pam Thompkins presented the case to the board. PIN number 2020-02-002 identifies the parcel located at 3290 Hwy 319, Conway. The applicant is requesting a variance regarding the Landscape buffer & tree protection ordinance. 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. (Please refer to the March 9, 2020 packet for further information.)

Marion Shaw swore in Steve Powell who explained the existing building and issues he had leaving him limited space.

John Danford asked about the live Oak tree on the property and possibly in the area that would be the driveway. Mr. Powell stated that he did not want to remove the tree and would design the driveway around it.

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

The Tenth case number was 2020-03-003 Michael A. Green Jr. agent for George Martin. Pam Thompkins presented the case to the board. PIN number 420-07-04-0007 identifies the parcel located at 889 Crystal Waterway, Myrtle Beach. The applicants are requesting a variance from the building separation requirements of the Waterway Palms PDD zoning district. 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'. (Please refer to the March 9, 2020 packet for further information.)

Marion Shaw swore in Michael Green Mr. Green explained that someone at some point messed up with the setbacks in his neighborhood and now he cannot build his house without a variance.

Marion Shaw asked how wide Mr. Greens home was and Mr. Green answered 29'.

John Danford explained the setbacks issues within the Waterway Palms PDD, there is a 12' setback in between each house with 7' on one side and 5' on the other.

Mark Gouhin stated that this is not the first time this subdivision has been before the board for a variance because of the unusual setbacks.

Karen Engelhardt stated that she purchased the home next to the Green's and was in fear of the limited space and if there were ever an emergency for her elderly mother, the first responders could not get to them. She is also concerned that with so many homes in a limited space it will make the value of the homes go down.

Michael Fowler made a motion to grant the variance with the conditions as stated by staff. William Livingston seconded the motion. The motion carried unanimously. The variance was approved with conditions.
The Eleventh case number was 2020-02-004 DDC Engineers Inc agent for Bay Tree Apartment. Pam Thompkins presented the case to the board. PIN number 313-00-00-0027 identifies the parcel located at Hwy 9 & Water Grand Blvd, Little River. The applicant is requesting a variance regarding the removal of a live oak specimen tree in the River Grand PDD. 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. (Please refer to the March 9, 2020 packet for further information.)

Marion Shaw swore in Jessica Wise agent for DDC Engineers who explained how the developer did their best to save as many trees as possible in their design of the apartment complex but were not able to save this last tree.

John Danford asked when the replacement trees would be planted if the variance was granted to remove the Live Oak. Ms. Wise did not have a time line on that at the moment.

Mark Gouhin recommended that the board would add to the conditions set forth by staff that the trees must be planted before the Building Department can release the CO on the final apartment building.

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

The Twelfth case number was 2020-02-005 Gaither Thompson II agent for Native Homes LLC. Pam Thompkins presented the case to the board. PIN number 458-09-01-0023 identifies the parcel located at 3835 Holmestown Road, Myrtle Beach. The applicants are requesting variances the setback requirements in the Residential (MSF10) zoning district. 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. (Please refer to the March 9, 2020 packet for further information.)
No one was present to speak on behalf of the need for the variance.

John Brown made a motion to grant the variance with the conditions as stated by staff. Mark Gouhin seconded the motion. The motion failed with a 5/2 vote with Gouhin, Shaw, Livingston, Page, and Brown voting against. *The variance was denied.*

The Thirteenth case number was 2020-02-007 Colby Rowe – Rowe Ventures Inc. Pam Thompkins presented the case to the board. PIN number 419-12-03-0037 identifies the parcel located at 896 Waterton Avenue, Myrtle Beach. The applicant is requesting a height variance in the Carolina Waterway Plantation PUD zoning district. 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”.

*(Please refer to the March 9, 2020 packet for further information.)*

Marion Shaw swore in Colby Rowe who explained that his plans were approved by our Code Enforcement Department but now code enforcement has put a stop work order on the property because of the mean height of the roof.

Tommy Smith was a representative of Horry County Code Enforcement Department that explained what roof mean height was and how it was measured.

Marion Shaw asked Tommy Smith how often this is an issue with building and Tommy Smith answered not very often in neighborhoods.

John Brown asked if there are other homes in this neighborhood that have the same problem with the mean roof height and was answered “yes” by Mr. Smith.

Bobby Page asked if Mr. Rowe had built any other homes in the same neighborhood. Mr. Rowe stated he had built 3 other home in the same area but they were in the Boardwalk on the Waterway neighborhood not in Carolina Waterway Plantation PUD.

Brendan Corra stated that he has been a builder for many years and wanted to build a similar home with the same roof mean height in the same neighborhood and was told he could not do it.

Joel Rowe stated that he lives in the same neighborhood and is on the HOA board and has no problem with the home that is being built.

Josh Marrow explained that he is the neighbor directly across from the home in question. He explained that even he understands what mean roof height is and that he did his research and asked the proper questions to be in compliance with his home. He did not want the board to grant the variance.
Mark Gouhin made a motion to grant the variance with the conditions as stated by staff. William Livingston seconded the motion. The motion carried 4/3 with Marion Shaw, William Livingston, and John Brown voting against. The variance was approved with conditions.

With no further business, a motion to adjourn was made and seconded. The meeting was adjourned at approximately 7:04 PM.
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><strong>Applicant</strong></td>
<td>Ader Vindel agent,</td>
</tr>
<tr>
<td><strong>Parcel Identification (PIN) #</strong></td>
<td>400-09-04-0046</td>
</tr>
<tr>
<td><strong>Site Location</strong></td>
<td>883 Castlewood Dr. Conway, SC 29526</td>
</tr>
<tr>
<td><strong>Property Owner</strong></td>
<td>Pedro &amp; Carolina Miranda</td>
</tr>
<tr>
<td><strong>County Council District #</strong></td>
<td>8 - Vaught</td>
</tr>
</tbody>
</table>

**Zoning Information**

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

**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.
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
010 Rear from Myrtle Ridge Dr
Jackson, Desiree

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
PVST- Fraud and Claims Management
Applicant Submittal
ZONING BOARD OF APPEALS APPLICATION

Date Filed 12/15/19 Request # 2019-12-010 Energov # A7738

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 Padron (843) 424-3051

PROPERTY ADDRESS: 833 Castlewood Dr Conway, SC 29526

PIN: AC00904446 TMS: 161251014

ACREAGE: 0 ZONING DISTRICT: 100 / District 8 (5E-10)

SUBDIVISION: Castlewood phase I Lot 31 PROJECT: Staging Building

PROPERTY OWNER(S) NAME(S): Pedro Miranda, Carolina Miranda

Address: 3534 Gonador Ct Riverside, CA 92503

Telephone: (H) 951-223-0601 (W) 951-223-0601 E-MAIL: pedro.miranda@email.com

Property Owner(s) Signature: Carolina Miranda DATE 1/2/19

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

Agents Name: Adam Windel

Address: 60413 Brierwood Blvd

Telephone: (H) 760-321-1653 (W) E-MAIL: adam.windel@email.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.

Property Owner(s) Signature: Carolina Miranda DATE 1/2/19

PLANNING AND ZONING DEPARTMENT USE ONLY

[Signature]

Property Owner(s) Have Sign: O X

Have Zoning License (If Applicable): O X

Have HOA Approval (If Applicable): O X

Commercial Review sheet (If Applicable): O X

Signatures of Zoning Administrator/Asst. Z.A./Deputy Planning Director:

Date 12/5/19

-NO HOA
VARIANCE REQUEST

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

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>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 (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)

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 pack 'n 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 Signature

Date: 11/29/19
Castlewood Ph. 1 final plat
Site Plan
New Business
Case # 2020-03-001
VARIANCE REVIEW SHEET

Property Information

<table>
<thead>
<tr>
<th>Variance Request #</th>
<th>2020-03-001</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant</td>
<td>Glenn A. Jordan, agent</td>
</tr>
<tr>
<td>Parcel Identification (PIN) #</td>
<td>372-05-03-0001</td>
</tr>
<tr>
<td>Site Location</td>
<td>5470 Hendricks Shortcut Road, Conway</td>
</tr>
<tr>
<td>Property Owner</td>
<td>Lora J. Merritt</td>
</tr>
<tr>
<td>County Council District #</td>
<td>11 - Allen</td>
</tr>
</tbody>
</table>

Zoning Information

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>FA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parcel Size (in acres)</td>
<td>1.89 acres</td>
</tr>
<tr>
<td>Proposed Use</td>
<td>Residential</td>
</tr>
</tbody>
</table>

Requested Variance(s)

The applicant is requesting a variance from Article VII, Section 702 and Article VIII regarding setback requirements in the Forest Agricultural (FA) 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</td>
<td>60'</td>
<td>39.3'</td>
<td>20.7'</td>
</tr>
</tbody>
</table>

Background/Site Conditions

The applicants are proposing to split this lot into two lots. The existing farm building was built in 2000 and will be located 39.3' from the front property line instead of the required 60' for a variance of 20.7'.

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 farm buildings 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 farm 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?)

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
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: Subdividing front parcel from back parcel, farm building does not meet front setback.

Required Front Setback: 60'  
Requested Front Setback: 37.3'

Required Side Setback:  
Requested Side Setback:  

Required Rear Setback:  
Requested Rear Setback:  

Required Bldg. Separation:  
Requested Bldg. Separation:  

Required Minimum Lot Width:  
Requested Min Lot Width:  

Required Min Lot Width/Bldg Site:  
Requested Min Lot Width/Bldg Site:  

Required Max Height of Structure:  
Requested Max Height of Structure:  

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

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

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

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

The farm building has been on the property for 20+ years. My dad passed away, July 2019 and at this request my brother and I want to subdivide it. The mobile home located on the front of (10A) the property sits back a good distance from the road and if the line is moved the 20 extra feet forward it will leave me with no place to later add any addition to my home in the back. My brother owns property joining this parcel on the side and the end and has access to it from there, also.

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: [Signature]  
Date: 2-10-20
Site Plan
Case # 2020-03-002
**VARIANCE REVIEW SHEET**

### Property Information

<table>
<thead>
<tr>
<th>Variance Request #</th>
<th>2020-03-002</th>
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<tbody>
<tr>
<td>Applicant</td>
<td>Davis Inabnit, agent</td>
</tr>
<tr>
<td>Parcel Identification (PIN) #</td>
<td>400-08-01-0022</td>
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<tr>
<td>Site Location</td>
<td>882 Camelia Ln, Conway</td>
</tr>
<tr>
<td>Property Owner</td>
<td>Thompkins Investments</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>MSF 10</th>
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<tbody>
<tr>
<td>Parcel Size</td>
<td>26,277 sq. ft.</td>
</tr>
<tr>
<td>Proposed Use</td>
<td>Residential</td>
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</table>

### Requested Variance(s)

The applicants are requesting a variance from Article VII, Section 706 and Article VIII regarding minimum lot size and width requirements in the Residential (MSF10) zoning district.

<table>
<thead>
<tr>
<th>Lots 259 &amp; 261</th>
<th>Requirement</th>
<th>Requested</th>
<th>Variance Needed</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Min. lot size</td>
<td>10,000 sq. ft.</td>
<td>5,516 sq. ft.</td>
<td>4,484 sq. ft.</td>
<td>45%</td>
</tr>
<tr>
<td>Min. lot width</td>
<td>70'</td>
<td>50'</td>
<td>20'</td>
<td>29%</td>
</tr>
</tbody>
</table>

| Lot 256         | Min. lot size  | 10,000 sq. ft. | 8,029 sq. ft. | 1,971 sq. ft. | 20%        |
| Min. lot width  | 70'         | 50.06'     | 19.94'         | 29%        |

| Lot 258         | Min. lot size  | 10,000 sq. ft. | 6,879 sq. ft. | 3,121 sq. ft. | 32%        |
| Min. lot width  | 70'         | 50.06'     | 19.94'         | 29%        |

### Background/Site Conditions

The applicants are requesting to subdivide this parcel within Gale Acres into four (4) lots. The plat for Gale Acres filed in July 1976 show these lots as separate lots. At some point these four (4) lots were combined by a deed into one lot. This subdivision is considered legal non-conforming because it existed before zoning in the County and does not meet the requirements of the MSF10 zoning that was adopted in 1987. To combine these lots the applicant needs the following variances. 1) Lots 259 & 261 are 5,516 sq. ft. in size instead of the required 10,000 sq. ft. for a variance of 4,484 sq. ft. for both lots. Also, both lots are 50' in width instead of the required 70' for a variance of 20'. 2) Lot 256 is 8,029 sq. ft. in lot size instead of the required 10,000 sq. ft. for a variance of 1,971 sq. ft. The lot is 50.06' in width instead of the required 70' for a variance of 19.94'. 3) Lot 258 is 6,879 sq. ft. in lot size instead of the required 10,000 sq. ft. for a variance of 3,121 sq. ft. The lot is 50.06' in width instead of the required 70' for a variance of 19.94'.

### 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?)

   These lots were established in 1976 but combined into one.

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

   There are other lots within this subdivision that are substandard in size and width.

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 lots not meeting the 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.
Applicant Submittal
VARIANCE REQUEST

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

Article(s) ___________________________ Section(s) ___________________________

Description of Request: ___________________________

<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 [ ] 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)

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

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

[Signature]
Applicant's Signature

[Date] 2-27-2020
1975 Map of Gale Acres
Case # 2020-03-003
VARIANCE REVIEW SHEET

Property Information

<table>
<thead>
<tr>
<th>Variance Request #</th>
<th>2020-03-003</th>
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</thead>
<tbody>
<tr>
<td>Applicant</td>
<td>Mike Kinsey - Carolina Home Exteriors agent for James &amp; Mary Tomb</td>
</tr>
<tr>
<td>Parcel Identification (PIN) #</td>
<td>469-02-03-0048</td>
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<tr>
<td>Zoning District</td>
<td>PUD</td>
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<tr>
<td>Parcel Size (in acres)</td>
<td>8,231 sq. ft.</td>
</tr>
<tr>
<td>Site Location</td>
<td>7935 Leeward Lane, Murrells Inlet</td>
</tr>
<tr>
<td>Proposed Use</td>
<td>Residential</td>
</tr>
<tr>
<td>Property Owner</td>
<td>James &amp; Mary Tomb</td>
</tr>
<tr>
<td>County Council District #</td>
<td>4 - Loftus</td>
</tr>
</tbody>
</table>

Requested Variance(s)

The applicants are requesting a variance from the requirements in the Cypress Keys PUD zoning district, located at 7935 Leeward Lane, Murrells Inlet, SC.

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Requested</th>
<th>Variance Needed</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rear setback</td>
<td>13.5'</td>
<td>10'</td>
<td>3.5'</td>
</tr>
</tbody>
</table>

Background/Site Conditions

This parcel is located within the Cypress Keyes PUD. The applicants are proposing a 12' x 12' (144 sq. ft.) sunroom addition to the rear of the existing single family home. The PUD requires a 13.5' rear setback. The proposed sunroom will be located 10' from the rear property line instead of the required 13.5' for a variance of 3.5'.

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 parcel is unique due to its location between two streets.

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

   These setbacks apply to all parcel 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 sunroom as it does not meet 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 applicants have provided a letter of approval from the Cypress Keyes ARB.

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.
April 3, 1998

Horry County Planning Department  
Post Office Box 1236  
Conway, South Carolina 29526

Attention:  Ms. Mandy Todd

Reference: Kaminski Plantation PUD / Cypress Keyes S/D

Dear Ms. Todd:

The developers of the referenced project, Suntech ad, LLC, would like to request an amendment to the referenced Planned Unit Development.

The developer requests that the front, rear and side yards setbacks be reduced by 1.5 feet. This is to accommodate the building overhang of up to 31 inches. This is requested in order to accommodate the design style of the homes.

The approved and revised setbacks are as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Original Approval</th>
<th>Requested Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Exterior Property</td>
<td>25'</td>
<td>25'</td>
</tr>
<tr>
<td>Front</td>
<td>20'</td>
<td>18.5'</td>
</tr>
<tr>
<td>Special Lots 39-45 Ph. I Front</td>
<td>15'</td>
<td>13.5'</td>
</tr>
<tr>
<td>Special Lots 11-16, 76, 77 Ph. III Front</td>
<td>15'</td>
<td>13.5'</td>
</tr>
<tr>
<td>Special Lots 22-29, 40-42, 91 Ph. IV Front</td>
<td>15'</td>
<td>13.5'</td>
</tr>
<tr>
<td>Side</td>
<td>10'</td>
<td>8.5'</td>
</tr>
<tr>
<td>Corner Side</td>
<td>15'</td>
<td>12.5'</td>
</tr>
<tr>
<td><strong>Rear</strong></td>
<td><strong>15'</strong></td>
<td><strong>13.5'</strong></td>
</tr>
<tr>
<td>Rear @ Kaminski Boulevard</td>
<td>25'</td>
<td>23.5'</td>
</tr>
</tbody>
</table>
Rezoning Request Review Sheet
Kaminski Plantation PUD

Case Number: 96-12-012
Applicant: Suntech Ad, LLC.

Location: Located off of Highway 707
Council District: 5 (Chandler Prosser)

Present Zoning: Single Family Residential
Requested Zoning: R-7/PUD

Recommended Zoning: R-4/PUD
Present Land Use: Vacant

Lot Size: 67.75
Tax Map Number: 194-00-02-058

Surrounding Zoning:
General Area:

- North — Vacant
- South — Vacant & Residential/HC (Highway Commercial)
- East — Mobile Home/MHP (Mobile Home Park)
- West — Single Family/R-7 (Single Family Residential)

Analysis:

The applicant is requesting a PUD. The requested density is 3.69 units per acre. The requested density will limit the total number of units for the overall site to a maximum of 250 single family lots. The proposed density will be distributed throughout the development in four phases. Phase I consist of a 17.14 acre tract with 62 lots, Phase II is a 6.39 acre tract with 21 lots, Phase III is 21.57 acres with 90 lots and Phase IV is a 22.65 tract with 77 lots. The applicant is proposing a 20’ front setback for all phases but 15’ for Phase 1 lots 38-45, Phase III lots 11-16, 76, and 77, Phase IV lots 22-29, 40-42 and 91. 10’ side yard and 15’ rear yard is proposed for the entire development. The maximum building height is 35’ above finished grade.

Impacts:

Additional traffic will be generated on Highway 707 and McDowell Short-Cut road.

Community Facilities -
The area is adequately served by all utilities.

Adjoining Property -
A minimum of 25’ natural or planted vegetation would be required for all exterior sides of the proposal.

Compatibility with the Comprehensive Plan -
Area is covered by the Horry County Comprehensive Plan and is not consistent with its overall goals.

Staff Recommendation:
Staff recommends approval subject to Planning, Engineering, Zoning, Flood Control and Street Addressing comments.

Planning Commission Recommendation: Approval for R-4/PUD
Applicant Submittal
VARIANCE REQUEST

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

Article(s) 3  
Section(s) 17.7-32

Description of Request: The required setback is 13.5' from the rear property line. We are requesting a 10' rear setback to construct a solid roof pergola with sliding acrylic windows and screens. Cypress Keys HOA has approved the installation.

<table>
<thead>
<tr>
<th>Required Front Setback:</th>
<th>20'</th>
<th>Requested Front Setback:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Required Side Setback:</td>
<td>10'</td>
<td>Requested Side Setback:</td>
</tr>
<tr>
<td>Required Rear Setback:</td>
<td>13.5'</td>
<td>Requested Rear Setback: 10'</td>
</tr>
<tr>
<td>Required Bldg. Separation:</td>
<td></td>
<td>Requested Bldg. Separation:</td>
</tr>
<tr>
<td>Required Minimum Lot Width:</td>
<td></td>
<td>Requested Min Lot Width:</td>
</tr>
<tr>
<td>Required Min Lot Width/Bldg Site:</td>
<td></td>
<td>Requested Min Lot Width/Bldg Site:</td>
</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)

This is a single family home in the Cypress Keys subdivision. The homeowner would like to install a solid roof pergola with sliding acrylic windows and screens. Due to the required rear setback, no structure can be built without a variance. The solid insulated roof would block UVA and UVB rays as well as rain. The large sliding acrylic windows would protect against insects, rain, and both hot and cold weather. Because of the rear setback, the application of the ordinance to this particular property would effectively prohibit the use of the area. The authorization of a variance will have no impact or detriment to adjacent property owners or the public good. The character of the district will not be harmed in any way if the variance is granted. Cypress Keys subdivision has approved the installation.

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) Survey, HOA approval letter, Engineering, CAD, picture of property, picture of proposed structure, Letter of Authorization.

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: [Signature]
Applicant's Name: [Name]
Date: 3/1/20

[Signature]
Applicant's Signature: [Signature]
Applicant's Name: [Name]
Date: 3/1/20
December 16, 2019

James & Mary Ellen Tomb  
7935 Leeward Lane  
Murrells Inlet SC 29576

RE: Request for Architectural Change for...7935 Leeward Lane

Dear Homeowners,

Your Request(s) for architectural change has been approved. Specifically, you have been approved to proceed with the following:

Add a renaissance Contempo solid roof Pergola with acrylic enclosure to the back of the house over the patio, as submitted on your application. Please be sure to get all required permits from the county.

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 if you cannot follow the original plan.

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 the structural integrity of the change you propose.

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 BOARD & BOARD OF DIRECTORS

Sincerely,

[Signature]

Nancy Gardner  
Community Manager
LETTER OF AUTHORIZATION

Date: 10/17/19

I, Tombe of Mary Ed Tombe authorize CHE
Print—Property Owner/ HOA Rep Person Obtaining Permit
to obtain a building permit from HC Code Enforcement for Solid Roof Reroof
on behalf of myself or agency for property located at:
7935 Leonard Lane ME SC 8567
CHE will be responsible for the work listed.
Print—Property Owner or Licensed Contractor Name

James D. Tombe
Property Owner/ HOA Rep Signature

Mary Ed Tombe
X

Telephone Number
843-651-6514

Sworn before me this 17th day of October 2019
Notary of South Carolina

Janet Danenart Duffey
My Commission Expires
Aug 14-2020

My office will authorize

JANET DANENART DUFFEY
COM. EXPIRED 08/14/2027
SOUTH CAROLINA
Cypress Keyes, Ph. 4-C final plat
Site Plan
Case # 2020-03-004
VARIANCE REVIEW SHEET

Property Information

<table>
<thead>
<tr>
<th>Variance Request #</th>
<th>Zoning Information</th>
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</thead>
<tbody>
<tr>
<td>2020-03-004</td>
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<table>
<thead>
<tr>
<th>Applicant</th>
<th>Zoning District</th>
</tr>
</thead>
<tbody>
<tr>
<td>Moss/Wright, Worley, Pope, Ekster, &amp; Moss agents for Levi Bruce Robertson</td>
<td>HC</td>
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</tbody>
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<table>
<thead>
<tr>
<th>Parcel Identification (PIN) #</th>
<th>Parcel Size (in acres)</th>
<th>Proposed Use</th>
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<tbody>
<tr>
<td>307-11-02-0050</td>
<td>16,296 sq. ft.</td>
<td>Commercial parking lot</td>
</tr>
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<table>
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<tr>
<th>Site Location</th>
<th>Property Owner</th>
<th>County Council District #</th>
</tr>
</thead>
<tbody>
<tr>
<td>4309 Woodrow Shelley Drive, Little River</td>
<td>Levi Bruce Robertson</td>
<td>1 - Worley</td>
</tr>
</tbody>
</table>

Requested Variance(s)

The applicants are requesting a variance from Article VII, Section 716 and Article VIII regarding minimum lot size requirements in the Highway Commercial (HC) zoning district.

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Requested</th>
<th>Variance Needed</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Min. lot size</td>
<td>10,000 sq. ft.</td>
<td>5,393 sq. ft.</td>
<td>4,607 sq. ft.</td>
</tr>
</tbody>
</table>

Background/Site Conditions

The property owner is proposing to subdivide a portion of their property that is being used as a commercial parking lot. In 1999 this lot was originally used as a sales office for Heather Lakes subdivision. The parking lot is adjacent to an existing commercial building that is located in Brunswick County, NC. The proposed parcel is 5,393 sq. ft. in size instead of the required 10,000 sq. ft. for a variance of 4,607 sq. ft. The Attorney for the applicant states this lot does not appear to be subject to the Heather Lakes HOA restrictions.

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 commercial business is located within Brunswick County, NC and this portion of the parking lot is in Horry County.

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

The minimum lot size applies to all properties within the HC 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 lot not meeting the lot size requirements.
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?)

This lot has been used as a commercial parking lot since 2008.

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
VARIANCE REQUEST

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

Article(s) ___________________________ Section(s) ___________________________

Description of Request: A variance is sought from the strict application of the minimum lot size required in the HC district in order that an existing parking facility may be subdivide and sold with an adjacent and existing commercial building located in Brunswick County, NC.

Required Front Setback: ___________________________ Requested Front Setback: ___________________________

Required Side Setback: ___________________________ Requested Side Setback: ___________________________

Required Rear Setback: ___________________________ Requested Rear Setback: ___________________________

Required Bldg. Separation: ___________________________ Requested Bldg. Separation: ___________________________

Required Minimum Lot Width: ___________________________ Requested Min Lot Width: ___________________________

Required Min Lot Width/Bldg Site: ___________________________ Requested Min Lot Width/Bldg Site: ___________________________

Required Max Height of Structure: ___________________________ Requested Max Height of Structure: ___________________________

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

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

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

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

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.

[Signature] 3/2/2020
Applicant's Signature  Date
Continuation to Board of Appeals Application

The subject parcel is an unusual and triangularly shaped property that abuts the North Carolina/South Carolina state line. The eastern portion of the lot is currently improved and utilized as a portion of an existing parking area for a commercial building situate in Brunswick County, North Carolina. The western portion of the parcel is utilized as an existing single family residential structure. A plat or map of the subject property is included herewith for reference. As currently configured, both a commercial and residential use is ongoing on the same parcel. The intent of the owner is to subdivide and sell the portion of the subject property that is currently utilized for a commercial parking area to a third party who is also purchasing the commercial building situate in Brunswick County, North Carolina.

Attachments

1. Final Map of Heather Lakes, Phase IV, Heather Lakes which depicts Lot 228.
2. Proposed map prepared by Robert Bryan Pittman which shows the area to be conveyed to the purchaser of the commercial parcel. Said area is designated as 0.12 acre and is shown as “New Easement Area”; however, the final plat will depict the area for conveyance.
3. Google map which shows the residence as well as the area which is currently being used for parking on the commercial parcel situate in Brunswick County, North Carolina.
March 31, 2020

Pam Thompkins
Zoning Administrator
Horry County Planning and Zoning
1301 2nd Avenue, Suite 1D09
Conway, South Carolina 29526

RE: Levi Bruce Robertson
Lot 228, Heather Lakes, Phase IV
Case No.: 48621
Our File No.: 9148-001

Pursuant to your request in regard to restriction covenants for the above referenced property, I offer the following:

1. The Declaration of Restrictions and Protective Covenants for Heather Lakes recorded in Deed Book 1443 at Page 469 brought in Phase I as shown on plats recorded in Plat Book 112 at Page 173 and Plat Book 116 at Page 26, records of Horry County. Lot 228 is not shown on either plat for Phase I.

2. The First Amendment to Restrictions recorded in Deed Book 1549 at Page 281 brought in Phase IIA as shown on plat recorded in Plat Book 116 at Page 26, records of Horry County. Lot 228 is not shown on the plat for Phase IIA.

3. The Second Amendment to Restrictions recorded in Deed Book 1549 at Page 283 brought in Phase II as shown on plat recorded in Plat Book 119 at Page 198, records of Horry County. Lot 228 is now shown on the plat for Phase III.

4. There does not appear to be a Third Amendment to Restrictions.
5. The Fourth Amendment to Restrictions recorded in Deed Book 1647 at Page 370, records of Horry County does not appear to bring in an additional phase but only amends certain provisions of the restrictions.

6. The Amendment to Declaration of Restrictions recorded in Deed Book 1783 at Page 1146 (does not reflect an amendment number), records of Horry County does not appear to bring in an additional phase but only amends certain provisions of the restrictions.

7. The Amendments to Declaration of Restrictions recorded in Deed Book 2206 at Page 383 brought in Lots 201 through 207, Lots 209 through 225 and Lots 229 through 236, inclusive, Phase IV as shown on plat recorded in Plat Book 157 at Page 201, records of Horry County. Lot 228 is not included in the specific lots referenced in this amendment.

8. The Amendment to Declaration of Restrictions recorded in Deed Book 2448 at Page 1224, records of Horry County brought in Lots 226 and 227, Phase IV as shown on plat recorded in Plat Book 157 at Page 201, records of Horry County.

9. The Amended and Restated Declaration of Restrictions and Protective Covenant for Heather Lakes recorded in Deed Book 3542 at Page 908, records of Horry County amends certain provisions of the original restrictions as well as the amendments. Article II, Section I. Property references the property to be subject to the restrictions appear in Exhibit A, B and C. These exhibits are not attached; however property owners of lots within the subdivision, with the exception of Lot 228 appear to have signed consenting to the amendment and restatement.

Based on my review of the restrictions and amendments it does not appear that Lot 228 is subject to the restrictions. Further, based on information from my client he is not required to pay dues to the homeowners association.

If you have any questions or need additional information or documentation, please do not hesitate to contact my office.

Yours truly,

[Signature]

Kenneth R. Moss, Attorney
Case # 2020-03-005
VARIANCE REVIEW SHEET

Property Information

<table>
<thead>
<tr>
<th>Variance Request #</th>
<th>2020-03-005</th>
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<tbody>
<tr>
<td>Applicant</td>
<td>Woodle Investments Company</td>
</tr>
<tr>
<td>Parcel Identification (PIN) #</td>
<td>399-12-01-0100</td>
</tr>
<tr>
<td>Site Location</td>
<td>131 Gateway Road, Myrtle Beach</td>
</tr>
<tr>
<td>Property Owner</td>
<td>Thurman D &amp; Elissa Woodle / Woodle Investments Co</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>CFA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parcel Size (in acres)</td>
<td>1.73 acres</td>
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<tr>
<td>Proposed Use</td>
<td>Commercial</td>
</tr>
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</table>

Requested Variance(s)

The applicants are requesting a variance from Article XI, Section 1104 regarding the parking requirements for a daycare 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>Requirement daycare parks</td>
<td>56 parks</td>
<td>48 parks</td>
<td>8 parks</td>
</tr>
</tbody>
</table>

Background/Site Conditions

The applicant has recently opened Creative Beginnings CDC of Carolina Forest. Article XI, Section 1104 requires 1 parking space per teacher and employee and 1 space per 6 children. As shown on the approved site plan there are a total of 48 parking spaces which will accommodate 204 children and 12 employees. The applicant needs to hire 8 more employees and does not have space available to add parks. The applicant is requesting a variance on 8 parking spaces.

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 daycare centers.

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 daycare center not meeting the parking 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.
Applicant Submittal
VARIANCE REQUEST

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

Article(s) Articles of variance 5 Section(s) 525-4

Description of Request: Currently 48 parking places. Variance on 8 parking places (56 parking spaces) for staff.

<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 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 allow the variance for parking spaces. Our parents drop their children off at different times of the month as well as throughout the different times of the day. At some times we've packed our parking lot for a very short time. However, allow the variance to accommodate for more staff. Thank you, Elissa Wardle

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

3-5-20

Date
Planning and Zoning Department

Business Name: CREATIVE BEGINNINGS CHILD DEV. CENTER
Business Type: CHILD CARE CENTER

Site Address: 131 Gateway Rd
Myrtle Beach, SC

Unit #: 131 Gateway Rd
Site Address: 39912010100
Tax Map Number: CFA
Zoning Classification:

Applicant: ELISSA WOODLE
Mailing Address: CREATIVE BEGINNINGS CHILD DEV
Unit #: (843) 333-6131
Phone Number:

Description: CREATIVE BEGINNINGS CHILD DEV. CENTER OF CAROLINA FOREST
CHILD CARE CENTER
NEW BUILDING CONSTRUCTION CO ISSUED 1/28/2020
Approved for 204 Children and 12 employees

The use of the building(s) and/or land as shown above conforms to the requirements of the zoning ordinance of Horry County. This is subject to the following conditions, restrictions, and limitations:

Condition(s):

1. No sweepstakes and/or internet gaming permitted at any time.

2. No display of merchandise to be located within the right of way.

3. No nuisance any greater than that usually experienced in the district.

4. No on-site consumption of alcohol without receiving special exceptions.

5. No change of use without a review.

6. Applicant must comply with all state and local laws.

7. No outdoor displays of merchandise permitted.

8. No adult entertainment, or temporary adult entertainment permits.

9. No outside storage is allowed.

10. All signage must be permitted through Zoning.

I hereby make application for a Zoning Compliance Certificate for this property to be used as shown above. All statements are true and have been verified by me. This Certificate is subject to cancellation if any misrepresentations have been made or if any changes are made which violate any Zoning Ordinance provisions. Failure to comply with the above stated condition(s) could result in a revocation of this Zoning Compliance.

This Certificate is based on the above application.

ELISSA WOODLE

[Signature]

Date Signed: 2/25/2020

DESIREE JACKSON

[Signature]

Date Signed: 2/25/2020

Tuesday, February 25, 2020
Case # 2020-03-006
Thompskins, Pam

From: Dan Olszewski <DanO@waccamawmanagement.com>
Sent: Wednesday, April 8, 2020 6:37 PM
To: Thompskins, Pam
Cc: Jordan, David; Leonard, Marnie; Danford, John; Schwerk, David; Ainsley Tillman
Subject: RE: Plantation Lakes HOA - Boat Storage

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

Pam,

I request deferring the case in accordance with our council's recommendation.

Please let me know the case has been deferred until it can be heard in person.

Sent from my T-Mobile 4G LTE Device

-------- Original message --------
From: "Thompskins, Pam" <Thompkp@HorryCounty.org>
Date: 4/8/20 4:24 PM (GMT-05:00)
To: Dan Olszewski <DanO@waccamawmanagement.com>
Cc: "Jordan, David" <Jordan.David@horrycounty.org>, "Leonard, Marnie" <Leonard.Marnie@horrycounty.org>, "Danford, John" <danfordj@HorryCounty.org>, "Schwerk, David" <SchwerkD@HorryCounty.org>, Ainsley Tillman <ainsley.tillman@fordwallace.com>
Subject: Plantation Lakes HOA - Boat Storage

Mr. Olszewski,

I received the email below from Attorney Tillman deferring your case until such time it can be presented in person. Since you are the applicant I will need you to send me a confirmation email that this is your desire.

Also, could you please send out a community wide email notifying the residence of this deferral.

Thanks,

Pam Thompskins | 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
Hi, again, Pam,

I am sorry to overwhelm you with email. However, having considered the logistics and ramifications of a telephone hearing on the Plantation Lakes HOA's Special Exception Application for Boat Storage, I hereby request to defer the hearing (currently scheduled for April 13) until such time as we can participate and make our presentations in person.

Please let me know if the BZA will allow us this continuance.

Best regards,
Ainsley

**Ainsley Fisher Tillman**
Ford Wallace Thomson LLC
715 King Street
Charleston, S.C. 29403

T. 843.266.1289
E. Ainsley.Tillman@FordWallace.com
W. www.FordWallace.com

On Wed, Apr 8, 2020 at 3:04 PM Ainsley Tillman <ainsley.tillman@fordwallace.com> wrote:
Hello, Pam,

I am writing in regards to the Special Exception Request that has been submitted by Plantation Lakes HOA, which was filed on March 5, 2020.

I represent the HOA, and I plan to appear on its behalf at the meeting on April 13. I have read the notice about virtual meetings, and dialing in. However, could you please advise as to how that will work from a practical perspective?

Many thanks,
Ainsley

**Ainsley Fisher Tillman**
Ford Wallace Thomson LLC
715 King Street
Charleston, S.C. 29403
Case # 2020-03-007
SPECIAL EXCEPTION REVIEW SHEET

Property Information

<table>
<thead>
<tr>
<th>Special Exception Request #</th>
<th>2020-03-007</th>
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<tbody>
<tr>
<td>Applicant</td>
<td>Timothy J Montgomery</td>
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<tr>
<td>Parcel Identification (PIN) #</td>
<td>300-08-03-0002</td>
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<tr>
<td>Site Location</td>
<td>7432 Hwy 905 S., Longs</td>
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<tr>
<td>Property Owner</td>
<td>Barry Todd</td>
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<td>County Council District #</td>
<td>10 - Hardee</td>
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Zoning Information

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<th>Zoning District</th>
<th>LFA</th>
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<tbody>
<tr>
<td>Parcel Size (in acres)</td>
<td>3.3 acres</td>
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<tr>
<td>Proposed Use</td>
<td>Restaurant/Bar</td>
</tr>
</tbody>
</table>

Distance from Residential

Abutting property to the left is zoned Limited Forest Agriculture (LFA) with a single family home.

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 requesting special exception approval to allow on premise consumption of alcohol at the Pizza Kitchen. There is a single family home located on the parcel to the left. The hours of operation are 12:00 PM until 9:00 PM, Tuesday thru Sunday. The applicants are requesting to have two (2) tables for outdoor dining on the existing patio area.

Ordinance and Analysis

Article V, Section 534 (B) of the Zoning Ordinance states: Owning 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 parcel was developed in 2000 and met zoning requirements 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 in this location since 2000.
SPECIAL EXCEPTION REVIEW SHEET

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 Neighborhood Commercial (NC) 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 Pizza Kitchen 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 - 12:00 PM until 9:00 PM, Tuesday thru Sunday; (as requested by the applicant)
9. Any changes in character or hours shall result in the suspension of this approval and a rehearing of the ZBA shall be required;
10. Applicant will comply with all State and local laws;
11. All future buildings and building additions must conform to Horry County regulations;
12. No sweepstakes and/or internet gaming permitted at any time.
Applicant Submittal
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: Pizza Kitchen

Type of Business: Pizza Bar Restaurant

Hours of Operation: 12 PM (AM/PM) until 9 PM (AM/PM)

Days of the Week: Tues - Sun

*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 attachment(s)):

We are a restaurant that want to provide full service dining. Outdoor seating is requested for.

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.

[Signature]

Applicant/Agent's Signature

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

[Date] 03/10/20
Pizza Kitchen

7432 Hwy 905 S. - (843) 369-1020

Cheese Pizza:
sm 10" (7.5) / med 14" (11.99) / lg 18" (15.99)
*10" (8.5) - unlimited toppings

Sauce:
Red - White - Pesto - Garlic Butter

Cheeses: (med- 1/ lg- 1.5)
- Shredded Mozzarella - Fresh Mozzarella - Bleu Cheese
- Crumbles - Goat Cheese - Cheddar - Farm Ricotta
- Grated Parmesan - Shredded Parmesan

*Veggie Toppings: (med- 1/ lg- 1.5)
- Red Tomatoes - Green Tomatoes - Red Onion - Green Pepper - Mushroom - Baby Spinach - Black Olives
- Caramelized Onion - Zucchini - Pickles - Cucumber
- Roasted Red Pepper - Jalapeños - Celery - Artichoke Hearts
- Hard Boiled Eggs - Banana Peppers - Fresh Basil - Broccoli
- Carrots - Green Peas - Green Apple - *subject to change

*Proteins: (med- 1.5 / lg- 2.25)
- Pepperoni - Ground Sausage - Meatball - Bacon - Ham - Chicken - Steak - *subject to change

Baked Pasta
Bakes w/ Mozzarella and Ricotta
Small - 7.99 / Large - 10.99

Classic Spaghetti and Meatballs
Spaghetti, Red Sauce, Meatballs, Parmesan

Chicken & Broccoli Alfredo
Penne, White Sauce, Broccoli, Chicken, Parmesan

Pesto Perfect
Angel Hair, Pesto, Red Peppers, Red Onions, Tomato, Broccoli

Cheesy Cheesy Ravioli
House Red Sauce, Side salad, garlic knots

Build Your Own
Pick 1 Pasta - Spaghetti, Penne, Angel Hair, Fettuccine
Pick 1 Sauce - Red, White, Pesto, Vodka, Butter
Pick 1 protein - Meatball, Chicken, Steak, Bacon, Ham, Sausage
Add Veggies - .25 each (see above)

Specialty Pizza

10" ($9) / 14" ($13) / 18" ($18)

Fried GTF (Fried Green Tomato)
- White - mozzarella - goat cheese - bacon - farm ricotta - spinach
OMG CHEESE!
- fresh mozzarella - mozzarella - bleu cheese - parmesan - cheddar - house ricotta - goat cheese

Baked Philly Cheese
White - mozzarella - Steak - caramelized onion - green peppers - mushrooms

Prime Fry
Honey sriracha cream - mozzarella - steak - bleu cheese - caramelized onion - pickles - jalapeños - French Fries (not a type-o)

Meat & Green
Pesto - mozzarella - FGT - mushrooms - jalapeños - spinach - basil

Bacon BBQ Chicken
BBQ - mozzarella - chicken - bacon - red onion - jalapeños - tomato

Hawaiian Heat
Red - mozzarella - pineapple, ham, bacon, jalapeño, red onion,

Buffalo Chicken Pizza
Tossed Fried Chicken - Bleu Cheese - Mozzarella - Red Onion

Meat Lovers - (5.5 - 15.99 - 22.99)
- pepperoni, sausage, ham, bacon

Veggie Lovers - (5.5 - 14.99 - 21.99)
- Tomato, mushroom, green pepper, onion, zucchini, black olives

PH Supreme - (5.5 - 16.99 - 24.5)
- Pepperoni, sausage, tomato, green pepper, onion, banana pepper, black olives

Calzones
*Includes house made ricotta, mozzarella and side marinara
Sm - 8.5 / Med - 13.99 / Lg - 19.99

Additional Toppings -
Sm - .50 / Med - 1 / Lg - 1.25 each

Chicago Deep Dish
Pizza
Small - $10.99 / LARGE - $21.99

Additional Toppings
Small - $1 / LARGE - $2
Pizza Kitchen

7432 Hwy 905 S. - (843) 369-1020

**Burgers**
- comes w/ Chips & pickle spear
- Hamburger - $8.5
  - lettuce, tomato, onion, pickle
  - (add cheese - $0.50)
- Wren's Nest Burger - $9.5
  - Potato fries, lettuce, egg, Garlic Aioli
  - Any additional topping - $0.25

**Subs & Sandwiches**
- *Sub Roll 6" - $7.5*/ Sub Roll 12" - $9.75
- Flat Bread - $8
  - comes w/ pickle spear and house chips

**F.G.T. / B.L.T.**
- Fried Green Tomato- Bacon- Lettuce- Tomato- Ricotta- Mozzarella

**Buffalo / Chicken**
- Buffalo-tossed Fried Chicken- Bleu Cheese- Mozzarella- Provolone- Lettuce

**Oven-Baked / Cheesesteak**
- Steak- White- Mozzarella- Roasted Onions and Peppers- Mushroom

**Meat / Ball**
- Mozzarella- Provolone- Ricotta- Shaved Parmesan- Mozzarella

**Chicken / Parmesan**
- Mozzarella- Provolone- Ricotta- Shaved Parmesan- Mozzarella

**Turkey / Bacon**
- Jalapeno- Tomato- Lettuce- Onion- Mozzarella

**PK / Italian Deli**
- Salami- Ham- Pepperoni- Banana Peppers- Fresh Mozzarella- Roasted Red Peppers- Fresh Basil- Lettuce

**Pesto / Chicken**
- Basil Pesto- Chicken- Fresh Mozzarella- Tomatoes- Red Onion- Red Pepper- Spinach

**Milkshakes**
- Vanilla - Chocolate - Strawberry - $4

**Wings**
- 5 wings - 6.25 / 10 wings - 11.99
- 20 wings - 21.99

**Sauces:**
- Teriyaki, Hot, Med, BBQ, Honey BBQ, Dry Rub, Chipotle Lime, Jalapeno Jerk, Hot Honey, Lemon Pepper, Honey Mustard,
  - (subject to change)

**Salads**
- *add chicken(2) or steak(2)
  - Chef $8
  - ham- turkey- cheddar- tomato- red onion- green pepper- almonds
  - Wedge $7
  - Ice Berg Wedges- red tomato- Bacon- Bleu Cheese- Pesto-
  - Ranch-
  - Anti- Pasta $8
  - ham- pepperoni- banana peppers- artichokes- black olives-
  - roasted red pepper
  - Spinach $8.5
  - Spinach- goat cheese- red onion- pecans- bacon
  - House $7
  - red tomato- cucumber- green peas- carrots- red onion

**Dressings:**
- Ranch- Bleu Cheese- Balsamic Vinaigrette- Orange Sesame-
  - Italian- Honey Mustard- Apple Mustard Vinaigrette- 1000
  - Island- (subject to change)

**Starters and Sides**
- House Cut Fries - $3
- Cheese Fries - $5
- Zucchini Fries - $5
- Garlic Cheese Bread - $6
- Garlic Parmesan Nuts - $5
- Side House Salad - $4
- Bleu Cheese Pesto Chips - $5
- Beer Battered Pickle Spears - $7
- Jumbo Fried Ravioli - $5

**Drinks**
- 2 Liters - $3 / 16oz bottles - $1
Floor Plan
Case # 2020-03-008
# APPEAL REVIEW SHEET

## Property Information

<table>
<thead>
<tr>
<th>Appeal Request #</th>
<th>Zoning Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020-03-008</td>
<td></td>
</tr>
<tr>
<td>Applicant</td>
<td>Zoning District</td>
</tr>
<tr>
<td>Enterprise Holdings, agent</td>
<td>HC</td>
</tr>
<tr>
<td>Parcel Identification (PIN) #</td>
<td>Parcel Size (in acres)</td>
</tr>
<tr>
<td>463-12-03-0004</td>
<td>5.49 acres</td>
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<tr>
<td>Site Location</td>
<td></td>
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<tr>
<td>925 Garden City Connector, Murrells Inlet</td>
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<tr>
<td>Property Owner</td>
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<tr>
<td>Frankovitch Enterprises Inc.</td>
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<tr>
<td>County Council District #</td>
<td></td>
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<tr>
<td>5 - Servant</td>
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</table>

## Requested Appeal

The applicants are appealing the decision made by the Zoning Administrator to not allow a passenger vehicle leasing business in a commercial strip center within the Highway Commercial (HC) zoning district.

## Background/Site Conditions

This parcel is the location of the Food Lion Shopping Center. The center has eight (8) total tenant spaces including Food Lion. The applicant is requesting approval to run a small car rental/leasing service from one of the units within the commercial center. They are proposing to stripe 9 parking spaces behind the center for the cars to be stored.

In 2011 a former Zoning Administrator made the interpretation that sales, rental and leasing of auto, boats, motorcycles, RV’s and farm equipment was not compatible within a commercial center. That decision was amended in 2017 by the Planning Director to allow this use if it met the following conditions:

1. The zoning district allows both uses,
2. The zoning district allows multiple commercial structures/uses on the same property,
3. They are located in a separate approved commercial structure,
4. The site must have adequate area for the vehicles/trailers for display, rent or lease in addition to the required parking for the existing commercial use/s on site. Must have a minimum of 2,000 sf of display area which can be combination of interior and exterior.
5. Prior to issuance of a certificate of zoning compliance, a site plan drawn to scale showing existing structure/s, parking and landscaping, the proposed sales/display area and proposed building/s must be submitted for review and approval.

## Proposed Order/Conditions

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

To: Planning and Zoning Staff
From: Rennie Mincey, Assistant Zoning Administrator
Date: 4/6/2011
Re: Uses Allowed Within a Commercial Strip Center

Typically uses allowed within the zoning district in which the commercial center is located are approved to locate within the center. However, there are uses such as auto sales, auto rental and leasing business (such as Hertz, U-Haul, etc.) and taxi cab/limo companies that are not compatible uses to be located within a commercial center. These uses require an outdoor sales/parking area of some type for the service/rental vehicles or equipment in addition to the required parking for customers and employees.

The zoning ordinance does not specify that these type uses are prohibited within a commercial center. However, due to the additional outdoor sales/parking area requirement for uses of this type I have made the following interpretation:

Uses such as auto sales, auto rental and leasing business (such as Hertz, U-Haul, etc.) and taxi cab companies shall not be permitted within a commercial strip center. This does not apply to a self-employed independent taxi cab/limo driver who is required to have a commercial office location.

In zoning districts in which these type uses are allowed, they may be permitted on the same parcel as a commercial strip center in zoning districts which allow multiple commercial uses on the same parcel provided they are located in a separate structure and all other applicable county requirements are met such as parking and landscaping. Also, there shall be adequate area provided for the outdoor sales, display or storage area meeting all applicable zoning requirements.
REVISED

Memorandum

To: Planning Staff

From: David Schwerd, Deputy Director

Date: June 27, 2017

Re: Sale/rental/lease of Auto/boat/motorcycle/recreation vehicle/truck/construction & farm equipment

Sale/rental/lease of Auto/boat/motorcycle/recreation vehicle/truck/construction & farm equipment is not compatible to be located within a strip shopping center due to the additional outdoor sales/display area necessary for uses of this type and the parking for customers and employees.

Sale/rental/lease of Auto/boat/motorcycle/recreation vehicle/truck/construction & farm equipment can be allowed on the same parcel as a strip shopping center provided:

- The zoning districts allows both uses
- The zoning district allows multiple commercial structures/uses on the same property.
- They are located in a separate approved commercial structures.
- The site must have adequate area for the vehicles/trailers for display, rent, lease) in addition to the required parking for the existing commercial use/s on site. Must have a minimum of 2,000sf of display area which can be combination of interior and exterior.
- Prior to issuance of a certificate of zoning compliance, a site plan drawn to scale showing existing structure/s, parking and landscaping, the proposed sales/display area and proposed building/s must be submitted for review and approval.

Dealers of Auto/boat/motorcycle/recreation vehicle/truck/construction & farm equipment may have overflow or inventory extension lots on properties that are located adjacent to the main parcel with the approved office location. The overflow display area may not be separated by a street or roadway or any other physical obstructions.

- Dealers must provide a copy of the lease if not in the same name as property where the office is located.
- The vehicle display or overflow area must meet all the same landscaping and other developments requirements as the main parcel.
- Customer and employee parking cannot be located on adjacent lots.
Applicant Submittal
APPEAL REQUEST

The Board of Zoning Appeals shall hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination by the Zoning Administrator.

Article(s) ____________________________ Section(s) ____________________________

To the best of your ability explain how the aforementioned applies to your request (may include attachments):

This property is currently zoned HC "Highway Commercial", which expressly provides for retail automobile usage up to full size car dealerships. Enterprise would like to open a small car rental branch at this location. Vehicles available for rental will be mostly located in the non-exclusive tenant parking lot which is adjacent to the main open lot in front of Food Lion. Box trucks will not be rented at this location. Enterprise has existing locations in many multi-tenant properties, including nearby North Myrtle Beach, Conway, and Georgetown, and enjoys great relationships with the landlords and tenants. We believe, and the owners agree, that this will be a welcome addition to the center as it will increase visibility and foot traffic for the existing tenants.

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.

[Signature]
Applicant’s Signature
(If in LLC or Corp. name please provide authorization to sign)

3-5-2020 Date