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

May 11, 2020

I. Call to Order – 5:30 p.m.

II. Invocation/Pledge of Allegiance

III. Communications .................................................................

IV. Minutes

April 13th, 2020 – Regular Meeting Minutes................................. 1-10

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

1. 2019-12-010 – Ader Vindel agent for Pedro & Carolina Miranda .......... 11-24
   883 Castlewood Drive, Conway, SC (Council Member Vaught)

2. 2020-03-006 – Plantation Lakes HOA ...........DEFERRED..................
   Carolina Forest Blvd & Shoreward Dr, Myrtle Beach (Council Member DiSabato)

VI. New Business

Variances

1. 2020-04-001 – John Jobson, agent for Alan B. Vereen, Trustee .......... 25-34
   337 Yucca Circle, Garden City (Council Member Servant)

2. 2020-04-002 – Garry Potts, Professional Permits, agent for Sunhouse Petroleum LLC.................................................................35-45
   3372 Hwy 378, Conway (Council Member Allen)
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<tr>
<th></th>
<th>Description</th>
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<tr>
<td>3</td>
<td>2020-04-003 – Cynthia Foley Sora, Mary Foley and Sebastian Sora</td>
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<td>1956 Pine Cone Lane, Longs (Council Member Prince)</td>
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<td>2020-04-004 – by Jonathan Yates, agents for Mara Holdings LLC</td>
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<td>4560 Socastee Blvd, Myrtle Beach (Council Member Crawford)</td>
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<td>5</td>
<td>2020-04-005 – CMH Homes Inc</td>
<td>70-79</td>
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<td>6950 Firehouse Rd, Conway (Council Member Allen)</td>
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<td>2020-04-006 – Joseph Brennand, Seaboard Signs, agent for</td>
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<td>Brock Holdings LLC</td>
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<td>7432 Hwy. 905 S., Longs (Council Member Vaught)</td>
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<td>7</td>
<td>2020-04-007 – Horry County Planning and Zoning agent for Virginia</td>
<td>92-103</td>
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<td>Biddle Etal.</td>
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<td>Postal Way, Conway. (Council Member Vaught)</td>
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VII. Adjourn
Communications
Minutes
STATE OF SOUTH CAROLINA  )  Horry County Zoning Board of Appeals  
)  
COUNTY OF Horry  )  MINUTES – April 13, 2020  
)  
The Horry County Zoning Board of Appeals held its scheduled meeting via WebEx on Monday, April 13, 2020 at 5:30 p.m. in the Horry County Government Center, located at 1301 Second Avenue in Conway, South Carolina.

Board Members present: Marion Shaw, William Livingston, Mark Gouhin, John D. Brown, John Brown, Robert Page, and Drew Parks.

Board Members Absent: Mike Fowler and Kevin Doolittle

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

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

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

Chairman Shaw swore in staff.

COMMUNICATIONS

Pam Thompkins presented a request to the Board concerning case 2020-03-006. Dan Olszewski agent for Plantation Lakes HOA requested a deferment of the case to the May 11th, 2020 meeting. Chairman Shaw called for a motion to defer the case, Mark Gouhin made the motion, and Drew Parks seconded the motion. The motion carried unanimously and the deferment was granted.

Chairman Shaw asked the Board to reconsider case 2020-02-005. The case was brought before the Board at the March 9th, 2020 meeting, where it failed with a 5:2 vote with Mark Gouhin, Marion Shaw, William Livingston, Bobby Page, and John Brown voting against. Chairman Shaw asked for a motion to reconsider, Drew Parks made the motion with Mark Gouhin seconding the motion. The motion carried unanimously and the case was presented.

The first 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 a variance regarding 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 providing 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, Article 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
April 13, 2020 packet for further information.)

Should the Board decide that this variance request satisfies all five required factors and grants
approval of the requested variance, staff recommends the following conditions:
1. All required documents shall be submitted to the Horry County Code Enforcement
   Department for review and approval and required permits obtained.
2. All future buildings and building additions must conform to Horry County regulations.
3. All other applicable County requirements shall be met.
4. Must provide a 25' cul-de-sac for Lot 2 to meet the lot frontage requirement of Article V
   Section 510.

Chairman Shaw swore in Bentley Thompson, Native Homes LLC, who explained the need for
the variance.

Chairman Shaw asked Mr. Bentley if a home was in any future plans for the property. Mr.
Bentley answered, "Yes".

William Livingston made a motion to grant the variance with the conditions as stated by staff.
Johnny Brown seconded the motion. The motion carried with a 6:1 vote with John D. Brown
voting against. The variance was approved with conditions.

REGULAR MEETING MINUTES - March 9, 2020

Marion Shaw asked if there were any additions, deletions or changes to the minutes. Mark
Gouhin made a motion to accept the minutes as written. Drew Parks seconded. The motion
carried unanimously. The minutes for March 9, 2020 were approved.

OLD BUSINESS

The second case number was 2019-12-010 Ader Vindel, agent for Pedro & Carolina
Miranda. Pam Thompkins presented the case to the Board. PIN number 400-09-04-0046
identifies the parcel located at 883 Castlewood Drive, Conway. The applicant is requesting a
variance regarding setback requirements in the Residential (SF10) zoning district. 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. (Please refer to the April 13, 2020 packet for further information.)

Should the Board decide that this variance request satisfies all five required factors and grants approval of the requested variance, staff recommends the following conditions:
1. All required documents shall be submitted to the Horry County Code Enforcement Department for review and approval and required permits obtained.
2. All future buildings and building additions must conform to Horry County regulations.
3. All other applicable County requirements shall be met.
4. Storage building cannot be converted to an accessory dwelling unit unless all zoning requirements are met.

Chairman Shaw swore in Ader Vindel who explained that he was the builder/contractor for the building and apologized stating he did know he was building it without a permit or approval from the HOA. Mr. Vindel stated that they have contacted an engineer for a letter to give to the County to obtain a building permit and Mr. Padron is trying to get the approval letter from the HOA.

Chairman Shaw swore in Rigoberto Padron who explained how the building started out as a storage building for his tools but then decided to put in a bathroom for his family and friends to use when they come to visit him. Mr. Padron stated that he is having a hard time getting in contact with the Castlewood HOA for the approval letter, and he also stated that he has signatures from his neighbors that are in favor of his building.

Chairman Shaw asked Mr. Padron if the property owner was his wife and Mr. Padron answered, “no, it was not his wife, but his sister”. Mr. Padron explained that his sister is the owner of the home but lives out of town and Mr. Padron rents and takes care of the home.

Chairman Shaw proposed to the Board that they give the applicant 30 days to get the letter from the Castlewood HOA, signatures from the neighbors in favor of the building, and any other paperwork that is needed for this variance to be considered.

Robert Page made a motion to except the proposal made by Chairman Shaw to give the applicants 30 days to get all there paperwork together. John D. Brown seconded the motion. The motion carried with a 6:1 vote with Mark Gouhin voting against.

*The deferment for 30 days was approved.*

NEW BUSINESS

Public Hearings

Variances

The Third case number was 2020-03-001 Glen A. Jordan, agent for Lora J. Merritt. Pam Thompkins presented the case to the Board. PIN number 372-05-03-0001 identifies the parcel located at 5470 Hendricks Shortcut Road, Conway. The applicant is requesting a variance
regarding setback requirements in the Forest Agricultural (FA) zoning district. The applicants are proposing to split this lot into two lots. The existing farm building built in 2000 will be located 39.3' from the front property line instead of the required 60' for a variance of 20.7'. (Please refer to the April 13, 2020 packet for further information.)

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

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

Chairman Shaw swore in Glenn Jordan who explained that the land was given to himself and his sister by their father. Mr. Jordan uses his portion of the land to farm with only a storage shed and has no intentions of living on the land.

Chairman Shaw swore in Lora Joe Merritt, who is the sister of Mr. Jordan, she stated that she agrees with everything her brother, Mr. Jordan, presented.

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

The variance was approved with conditions.

The fourth case number was 2020-03-002 Davis Inabnit, agent for Thompkins Investments. Pam Thompkins presented the case to the Board. PIN number 400-08-01-0022 identifies the parcel located at 882 Camelia Ln, Conway. The applicants are requesting a variance regarding minimum lot size and width requirements in the Residential (MSF10) zoning district. 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'. (Please refer to the April 13, 2020 packet for further information.)

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

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

Chairman Shaw swore in Davis Inabnit who explained the variance. Mr. Inabnit stated he would like for the land to be subdivided back to the way it was before the land was combined. Mr. Inabnit also stated that at least 70% of the lots in the Gale Acres also do not meet the requirements of the MSF10 zoning.

John Danford explained to the Board, the deed, that was used to transfer the property, used the wrong plat book reference. The reference showed it as one of the records. After speaking with the attorney, it was decided that the best course of action would be to go through the variance process. Had this deed referenced the 1975 plat, staff would have been able to proceed with the subdivision plat. Because the deed referenced a plat that showed the property as one parcel for tax purposes, a variance is needed.

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

*The variance was approved with conditions.*

The fifth case number was 2020-03-003 Mike Kinsey, Carolina Home Exteriors, agent for James and Mary Ellen Tomb. Pam Thompsons presented the case to the Board. PIN number 469-02-03-0048 identifies the parcel located at 7953 Leeward Lane, Murrells Inlet. This parcel is located within the Cypress Keys PUD. The applicants are requesting a variance from the requirements in the Cypress Keys PUD zoning district, located at 7935 Leeward Lane, Murrells Inlet, SC. 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'.

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

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

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

Chairman Shaw swore in Mike Kinsey who explained the need for the variance.

John D. Brown referenced page 50 of the meeting packet and asked if there would be any drainage issues caused by this variance. John Danford answered there would not be any drainage easement issues with this property.

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 sixth case number was 2020-03-004 Kenneth Moss/Wright, Worley, Pope, Ekster, & Moss, agent for Levi Bruce Robertson. Pam Thompkins presented the case to the Board. PIN number 307-11-02-0050 identifies the parcel located at 4309 Woodrow Shelley Drive, Little River. The applicants are requesting a variance regarding minimum lot size requirements in the Highway Commercial (HC) zoning district. 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. (Please refer to the April 13, 2020 packet for further information.)

Should the Board decide that this variance request satisfies all five required factors and grants approval of the requested variance, staff recommends the following conditions:
1. All required documents shall be submitted to the Horry County Code Enforcement Department for review and approval and required permits obtained.
2. All future buildings and building additions must conform to Horry County regulations.
3. All other applicable County requirements shall be met.

Chairman Shaw swore in Kenneth Moss who explained the need for the variance on this property. The property owner wants to subdivide the property so he can sell the parking lot portion of the property to the adjacent property owner that has been using this property as a parking lot for his business since 2008. Mr. Moss also stated that the street access to the parking lot would not change or affect the neighboring development next to it.

William Livingston asked to be recused from this case due to a conflict of interest with the agent of record.

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

The seventh case number was 2020-03-005 Thurman D & Elissa Woodle, Woodle Investments Co. Pam Thompkins presented the case to the Board. PIN number 399-12-01-0100 identifies the parcel located at 131 Gateway Road, Myrtle Beach. The applicants are requesting a variance regarding the parking requirements for a daycare in the Commercial Forest Agriculture (CFA) zoning district. 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. (Please refer to the April 13, 2020 packet for further information.)

Should the Board decide that this variance request satisfies all five required factors and grants approval of the requested variance, staff recommends the following conditions:
1. All required documents shall be submitted to the Horry County Code Enforcement Department for review and approval and required permits obtained.
2. All future buildings and building additions must conform to Horry County regulations.
3. All other applicable County requirements shall be met.

Chairman Shaw swore in Elissa Woodle who explained that she is asking for the variance for more parking spaces to add 8 more employees to her establishment. Mrs. Woodle then explained that her parking lot is not full all the time.

Chairman Shaw asked when the busiest time is for her parking lot. Mrs. Woodle explained that her daycare is open from 6:30 am – 6:00 pm, and the only times that are a little congested are in the morning from 6:45 am - 7:45 am and in the afternoon from 4:40 pm – 5:45 pm. Chairman Shaw then asked how many children are currently enrolled in her daycare. Mrs. Woodle responded that currently she has 50 children enrolled and has the capacity to have 204 and 12 employees.

John Danford addressed staff’s concerns with this variance request. Mr. Danford stated that in all of Horry County this is one of the most congested areas and it also has very heavy traffic due to Carolina Forest Elementary being located across the street. He stated that this congestion and traffic backups last throughout the school year. Additionally, staff worked with this site from the start to fit in as many parking spaces as possible.

John D. Brown made a motion to grant the variance with the conditions as stated by staff. William Livingston seconded the motion. The motion carried with the vote of 5:2 with Mark Gouhin and Marion Shaw voting against. The variance was approved with conditions.

The ninth case number was 2020-03-007 Timothy J. Montgomery. Pam Thompkins presented the case to the Board. PIN number 300-08-02-0002 identifies the parcel located at 7432 Hwy 905 S, Longs. The applicants are requesting special exception approval regarding on-site consumption of alcohol for a Restaurant/Bar in the Highway Commercial (HC) zoning district. 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. (Please refer to the April 13, 2020 packet for further information.)

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; No outdoor displays or tents on the property;
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;
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.

Chairman Shaw swore in Timothy Montgomery who explained the need for the Special Exception is a way for his business to grow in the community.

John Brown asked if the neighbor to the right of the property has any problems with the sale of alcohol. Mr. Montgomery answered that he is not aware of any problems with any neighbors. Mr. Brown also inquired about outdoor dining. Mr. Montgomery stated that there are two tables that are on the side of the building that can hold up to 8 people each but they are hardly used. Most of his customers use the indoor dining area.

Chairman Shaw informed Mr. Montgomery that adding additional outdoor seating would have to be approved by Horry County. Mr. Montgomery acknowledged that he understood.

William Livingston 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.

Appeals

The tenth case number was 2020-03-008 Enterprise Holdings, agent for Frankovitch Enterprises Inc. Pam Thompkins presented the case to the Board. PIN number 463-12-03-0004 identifies the parcel located at 925 Garden City Connector, Murrells Inlet. The applicants are appealing the decision made by the Zoning Administrator to not allow passenger vehicle leasing in a commercial strip center within the Highway Commercial (HC) zoning district. This parcel is in 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 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. (Please refer to the April 13, 2020 packet for further information.)

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.
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.

Chairman Shaw swore in Kelly Stuart who stated that she is the leasing agent for the property owner and wants Enterprise Holdings to be allowed to have a rent-a-car business at the 2100 sq. ft. shopping commercial center. Mrs. Stuart stated that no trucks will be on site and the rental cars would be parked in the back of the building using the 9 available parking spaces.

Chairman Shaw pointed out to the Board to reference pages 105 & 106 in the packet.

Chairman Shaw swore in Andrew Metze who is the project manager for Enterprise Holdings. Mr. Metze stated that he just wanted to be available to the Board to answer any questions that they may have.

Chairman Shaw then asked if this business layout was going to be the same as the rent-a-car business across from Conway High School. Mr. Metze said yes it will have between 10-15 cars on a regular basis.

Chairman Shaw swore in TJ Watkins who is the property development manager for Enterprise Holdings. Mr. Watkins just supported what Mr. Metze had already explained.

David Jordan, County Attorney who oversees the Zoning Board of Appeals, explained why this appeal is a very important decision for the Board to consider.

John Danford then explained to the Board that if this appeal is approved, they would not be able to put a limit on the parking spaces used. This decision would affect a lot more than just this case. It would affect used car lots, moped rentals, etc. Reversal of this decision would allow other rental businesses at commercial centers in Horry County.

Drew Parks made a motion to reverse the determination of the Zoning Administrator. John Brown seconded the motion. The motion failed with a vote of 6:1 with Drew Parks voting in favor. *The appeal was denied.*
With no further business, a motion to adjourn was made and seconded. The meeting was adjourned at approximately 7:05 pm.
Old Business
Case # 2019-12-010
VARIANCE REVIEW SHEET

Property Information

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<td>Ader Vindel agent,</td>
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<td>Parcel Identification (PIN) #</td>
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<td>Site Location</td>
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<td>Property Owner</td>
<td>Pedro &amp; Carolina Miranda</td>
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Zoning Information

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Requested Variance(s)

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

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<th>Requested</th>
<th>Variance Needed</th>
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<td>Left Side Setback</td>
<td>10'</td>
<td>5.5'</td>
<td>4.5'</td>
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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
Jackson, Desiree

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

To whom it may concern,

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

Lisa Munsey
Financial Crimes Specialist 3
PVS1- Fraud and Claims Management
Applicant Submittal
ZONING BOARD OF APPEALS APPLICATION

Date Filed: 1/29/19   Request #: 2019-12-010   Enegov #: 47738

1. Complete the application in its entirety (incomplete applications will not be processed).
2. If this is a commercial project a signed review sheet by the plans reviewer must be included with this application.
3. If a setback or dimensional variance is requested, an accurate, legible plot plan prepared by a registered architect, engineer, or surveyor, showing property dimensions and locations of all existing and proposed structures must be provided.
4. The property owner(s) as listed on the current tax records at the time of submission 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) 424-3651

PROPERTY ADDRESS: 888 Castlemont Dr, James Island, SC 29412

PIN: A009044446   TMS: 1612541014

ACREAGE: 0   ZONING DISTRICT: 10a / District: (SF-10)

SUBDIVISION: Castlemont Phase 1, Lot 31   PROJECT: St. John's Building

PROPERTY OWNER(S) NAME(S): Pedro M. Padron, Carolina Heredia

Address: 3334 Gainer Dr, Riviera Beach, CA 92278

Telephone: (H) 714-422-1931   (W) 760-525-1717   E-MAIL: pedro.padron@uci.edu

PROPERTY OWNER(S) SIGNATURE (If LLC or Corp. Please provide Authorization)

DESIGNATION OF AGENT (If the Property Owner wishes to appoint an agent to represent him or herself)

Agent Name: Ado. Vindel

Address: 3334 Gainer Dr

Telephone: (H) 714-422-1931   (W) 760-525-1717   E-MAIL: pedro.padron@uci.edu

I hereby appoint the person(s) listed above as agent to act on my behalf for the purpose of filing, reviewing, or approving any variance as he/she shall deem necessary and proper.

PROPERTY OWNER(S) SIGNATURE

PLANNING AND ZONING DEPARTMENT USE ONLY

Property Owner to Have Signature: X

Have HOA Approval if Applicable: X

Commercial Review Sheet if Applicable: X

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

Date: 12/5/19

21
VARIANCE REQUEST

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

Article(s): 
Section(s): 

Description of Request: Storage Building w/bathrooms

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

Are there Restrictive Covenants on this property that prohibit or conflict with this request? Y (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 & a trailer (the trailer is used to move material, tools etc).

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

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

Applicant's Signature: ___________________________ Date: 11/29/19
Castlewood Ph. 1 final plat
New Business
Case # 2020-04-001
# VARIANCE REVIEW SHEET
## TREE PRESERVATION

<table>
<thead>
<tr>
<th>Property Information</th>
<th>Zoning Information</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Variance Request #</strong></td>
<td>2020-04-001</td>
</tr>
<tr>
<td><strong>Applicant</strong></td>
<td>John Jobson, Park Manager, agent for Alan B. Vereen - Trust</td>
</tr>
<tr>
<td><strong>Parcel Identification (PIN) #</strong></td>
<td>470-00-00-0005</td>
</tr>
<tr>
<td><strong>Site Location</strong></td>
<td>337 Yucca Circle, Garden City</td>
</tr>
<tr>
<td><strong>Property Owner</strong></td>
<td>Alan B. Vereen - Trust</td>
</tr>
<tr>
<td><strong>County Council District #</strong></td>
<td>S - Servant</td>
</tr>
<tr>
<td><strong>Zoning District</strong></td>
<td>MHP</td>
</tr>
<tr>
<td><strong>Parcel Size (in acres)</strong></td>
<td>55.46</td>
</tr>
<tr>
<td><strong>Proposed Use</strong></td>
<td>Residential</td>
</tr>
</tbody>
</table>

## Requested Variance(s)
The applicants are requesting a variance from Article V, Section 527.3 regarding the removal of a live oak specimen tree in the Mobile Home Park (MHP) zoning district.

## Background/Site Conditions
The applicants are requesting approval to remove a live oak tree from their property located within Waterford Oaks subdivision. The live oak is 26.5" in diameter, which requires 16 replacement trees at 2.5" caliper or $2,400 fee in lieu. The applicant states the tree is dying and poses a threat to surrounding mobile homes. The applicants are also requesting relief from the mitigation requirements.

## Ordinance Requirements
Article V, Section 527.3 C states that it shall be unlawful to injure, participate in, authorize or cause the removal of any specimen live oaks 24" or greater. Authorization to do so shall require a variance from the Horry County Zoning Board of Appeals finding that the tree:

a) Presentation of a safety hazard to pedestrian or vehicular traffic, buildings, structures or utility structures;
b) Removal presented the only reasonable means to comply with appropriate agency requirements including parking, ingress or egress, or other required infrastructure such as stormwater;
c) Justification according to good urban forestry practices (i.e., to reduce competition among trees or to remove invasive species) or presence of dead, dying or diseased trees;
d) A planned grade cut placing the tree protection zone four (4) feet above final grade or introduction of fill twelve (12) inches or greater elevating the parcel above the required flood protection elevation; or
e) Reasonable use of the property will be significantly impaired.

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

## Proposed Order/Conditions
Should the Board approve removal of the Live Oak specimen tree, Staff recommends the following conditions:
1. The removed tree shall be replaced according to the mitigation and planting requirements or a fee in lieu as outlined in the Zoning Ordinance.
2. All future buildings and building additions must conform to Horry County regulations.
3. All other applicable County requirements shall be met.
26.5” Dbh Live Oak
Canopy of Live oak
Other live oaks in the vicinity
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: REMOVE A 1/2 DEAD AND DYING LIVE OAK THAT IS GROWING AGAINST AND DAMAGING A MOBILE HOME.

<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? Yes [X] No [ ]

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 CONDITION OF THE TREE IS THE ONLY REASON FOR REMOVAL.
A DYING LARGE TREE & BRANCHES POSE A THREAT TO LIFE & PROPERTY. SINCE THE TREE IS DYING WE ASK FOR RELIEF FROM MITIGATION REQUIREMENTS.

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]
March 25, 2006
Case # 2020-04-002
VARIANCE REVIEW SHEET

Property Information

<table>
<thead>
<tr>
<th>Variance Request #</th>
<th>2020-04-002</th>
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<tbody>
<tr>
<td>Applicant</td>
<td>Garry Potts, Professional Permits, agent</td>
</tr>
<tr>
<td>Parcel Identification (PIN) #</td>
<td>370-03-02-0003</td>
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<tr>
<td>Site Location</td>
<td>3372 Hwy. 378, Conway</td>
</tr>
<tr>
<td>Property Owner</td>
<td>Sunhouse Petroleum LLC</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>HC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parcel Size (in acres)</td>
<td>0.9</td>
</tr>
<tr>
<td>Proposed Use</td>
<td>Convenience Store</td>
</tr>
</tbody>
</table>

Requested Variance(s)

The applicants are requesting a variance from Article V, Section 537 regarding the setback requirements for a gas canopy 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>Front setback</td>
<td>25'</td>
<td>23.9'</td>
<td>1.1'</td>
</tr>
</tbody>
</table>

Background/Site Conditions

The applicants are requesting to enlarge an existing legal non-conforming gas canopy. The existing gas canopy will be enlarged on each side 6' x 24'. The expansion does not bring the canopy any closer to the front property line than it's current placement. Article V, Section 537 requires gas station pumps and canopies to meet a minimum of 25' from any right-of-way/easement line of the street. The canopy is located 23.9' from the front property line instead of the required 25' for a variance of 1.1'.

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 gas station canopies.

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. (Does this request serve the public good, or harm neighbors?)

The gas station has been here since 1980 according to the Tax Assessor’s file.

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
VARIA NCE REQUEST

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

Article(s): V

Section(s): 537

Description of Request: Petitioner requests approval to vary from the zoning ordinance to expand a legal non-conforming accessory structure by expanding the existing 24' x 38' to 24' x 48' to provide improved client coverage while fueling their vehicle.

- Required Front Setback: 25'
- Required Side Setback:
- Required Rear Setback:
- Required Bldg. Separation:
- Required Minimum Lot Width:
- Required Min Lot Width/Bldg Site:
- Required Max Height of Structure:
- Requested Front Setback: 23' - 9"
- Requested Side Setback:
- Requested Rear Setback:
- Requested Bldg. Separation:
- Requested Min Lot Width:
- Requested Min Lot Width/Bldg Site:
- Requested Max Height of Structure:

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

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

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

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

1. The existing structure is legal non-conforming and the layout of the pumps leaves the consumer exposed to the elements under the current layout.
2. The conditions do not generally apply to other property as other properties do not have such structures and the structure is unique that it does not extend all the way to the ground and thus does not impose any public safety concerns.
3. These conditions preceded the existence of such ordinance thus the application is unreasonable restricting utilization.
4. The authorization of the variance will not be a detriment the adjacent property and the public good will receive benefit if granted.
5. The granting of such variance will provide improved public safety of the general public by allowing better coverage from the weather elements while maintaining spacing between the fueling vehicles.

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)
property owner letter of authorization, plot plan, engineering drawings, Google streetview page, planning comments

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

Applicants Signature ____________________________

Date 03/23/2020
Sunhouse Petroleum LLC  
1270 Burcale Rd  
Myrtle Beach, SC 29579  
Phone – 843-236-8003

Date: January 29, 2020  
RE: Sunhouse Petroleum  
3372 US 378  
Conway, SC  29527

I, Sridhar Kamma, acknowledge Phillips Aluminum Co., Inc, as well as their agent, Professional Permits, and subcontractors to act on my behalf and execute all necessary municipal documents specific to the property located at 3372 US 378 Conway, SC  29527. This authorization also acknowledges the acting agents to sign all necessary variance and permit applications, meeting representation, obtain permits, and perform installations at the project site listed above.

Thank you

\[signature\]

01/29/2020  
Sridhar Kamma  
President
Site Plan

Canopy is 23.9' from front property line

HIGHWAY 378
Case # 2020-04-003
**VARIANCE REVIEW SHEET**

**Property Information**

<table>
<thead>
<tr>
<th>Property Information</th>
<th>Zoning Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Variance Request #</td>
<td>2020-04-003</td>
</tr>
<tr>
<td>Applicant</td>
<td>Cynthia Foley Sora</td>
</tr>
<tr>
<td>Parcel Identification (PIN) #</td>
<td>304-15-01-0042</td>
</tr>
<tr>
<td>Site Location</td>
<td>1956 Pine Cone Ln, Longs</td>
</tr>
<tr>
<td>Property Owner</td>
<td>Cynthia Foley Sora, Mary Foley and Sebastian Sora</td>
</tr>
<tr>
<td>County Council District #</td>
<td>9 - Prince</td>
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</table>

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>PUD</th>
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</thead>
<tbody>
<tr>
<td>Parcel Size</td>
<td>10,674 sq. ft.</td>
</tr>
<tr>
<td>Proposed Use</td>
<td>Residential</td>
</tr>
</tbody>
</table>

**Requested Variance(s)**

The applicants are requesting a variance from Article V, Section 512 b (7) regarding pool requirements in the Lakes at Plantation Pines PUD.

<table>
<thead>
<tr>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Art. V, Section 512 b (7) Above-ground and in-ground pools may meet a 6' minimum setback in any zoning district; provided there is a principal use or structure on the land and that the pool is not located forward of the principal structure or on a street/corner side</td>
</tr>
</tbody>
</table>

**Background/Site Conditions**

This parcel is located within the Lakes at Plantation Pines PUD and is located at the intersection of two streets. The PUD building setbacks are 15' front, 5' side, 7.5' corner side and 10' rear, the pool would meet all of these setbacks. Art. V, Section 512 b (7) does not allow pools on a street/corner side. The applicants are requesting a variance to allow a pool on the street/corner side of their property.

**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?)

   This lot is located at the intersection of two streets.

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

   These conditions apply to all pools located on a street/corner side.

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 pool in the proposed location. The lot is an odd shape given the radius of the intersection and there is very little rear yard as a result.
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 Lakes at Plantation Pines ARC.

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

### Proposed Order/Conditions

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

1. All required documents shall be submitted to the Horry County Code Enforcement Department for review and approval and required permits obtained.

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

3. All other applicable County requirements shall be met.
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) | 517 |

Description of Request: **Pool on side lot**

- **Yard to Put in Pool:** No back yard or other

<table>
<thead>
<tr>
<th>Required Front Setback:</th>
<th>Requested Front Setback:</th>
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</thead>
<tbody>
<tr>
<td>Required Side Setback:</td>
<td>Requested Side Setback:</td>
</tr>
<tr>
<td>Required Rear Setback:</td>
<td>Requested Rear Setback:</td>
</tr>
<tr>
<td>Required Bldg. Separation:</td>
<td>Requested Bldg. Separation:</td>
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<tr>
<td>Required Minimum Lot Width:</td>
<td>Requested Min Lot Width:</td>
</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? **Yes**

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

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

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

- See attached letter - Answering all questions
- Attached HOA Approved for Pool and Fence
- Attached - Pool Style and 21st Elko Pools
- Attached Orig Survey
- Attached - Pool Drawings on Survey

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**

5/24/20
TO ZONING BOARD OF APPEALS

Re: APPLYING FOR VARIANCE REQUEST FOR ABOVE PROPERTY FOR IN-GROUND POOL AND FENCE

ANSWERS BELOW ARE TO YOUR 2ND PAGE OF VARIANCE REQUEST QUESTIONS. ANSWERS ARE NUMBERED TO MATCH THE NUMBERED QUESTION:

1. THERE ARE EXTRAORDINARY AND EXCEPTIONAL CONDITIONS, AT ABOVE ADDRESS THERE IS NO BACK YARD. WE ONLY HAVE THE SIDE YARD. YOU CAN SEE THAT FROM THE ORIGINAL SURVEY FROM THE BUILDER, RON PARKER.

2. CORRECT THESE CONDITIONS DO NOT APPLY TO OTHER PROPERTIES IN THE LAKES AT PLANTATION PINES.

3. BECAUSE OF THE WAY THE LOT WAS LAYED OUT WITHIN THE DEVELOPMENT, WE ARE BEING UNREASONABLE RESTRICTED TO UTILIZE OUR PROPERTY.

4. THE APPROVAL OF THE VARIANCE WOULD NOT BE A SUBSTANTIAL DETERIMENT TO ANY ADJACENT PROPERTY. THERE IS NO OTHER PROPERTY ON THE SIDE OF OUR PROPERTY. THE DISTRICT WOULD NOT BE HARMED BY ALLOWING THE APPROVAL OF THIS VARIANCE REQUEST. THE BUILDER R.S. PARKER HAS APPROVED BOTH THE POOL AND THE FENCE, BEING THAT OUR PROPERTY IS LIKE NO OTHER PROPERTY WITHIN THE LAKES OF PLANTATION PINES.

5. NO CHANGES NEED TO BE MADE TO THE OFFICIAL ZONING MAP.

WE ARE ALSO ATTACHING THE APPROVAL FROM THE LAKES OF PLANTATION PINES HOA FOR THE IN-GROUND POOL AS WELL AS THE FENCE.

WE ARE ATTACHING THE ORIGINAL SURVEY COPY FROM RS PARKER, WHICH WAS ALREADY GIVEN TO THE COUNTY BUILDING DEPARTMENT WHEN ELO POOLS WERE APPLYING FOR THE PERMIT FOR THE IN-GROUND POOL. BUILDER RON PARKER HAS APPROVED BOTH OF THE ABOVE, AS HE STILL RETAINS THE MAJOR VOTING.

Thank you for your time in this very important matter.

Sincerely yours,

[Signature]

Cynthia Foley-Sora
ARC APPLICATION FOR APPROVAL OF IMPROVEMENTS

The Lakes at Plantation Pines

Date Requested: 3/14/20  Name: Cyndia + Sebastian Sosa

Telephone Numbers: Cell: 845-206-6081

Email address: 14SFoley80@qmail.com

Address for improvement: 1936 Pine Conely Lane, Longs SC 29568

Project Start Date: Approval Date: Approv. Completion Date: 5/2020 or before

Please allow 30 days for the ARC to process your application

Category of Improvement: (One category per application)  
__ Fencing  __ Home Exterior Change/Addition  __ Lighting  __ Satellite Dish Installation  
__ Tree Removal  __ Other: Inground Swimming Pool Project

Description of work to be completed: Inground Fiberglass Pool, Concrete Landscape, Fence Approved by HOA + RS Parker

Contractor Name: ELKO POOLS  Phone: Cell: Kimberly Ellis 843-585-3001

Address: 4178 Hwy 17 Bypass Sault + Northlake Blvd  

Myrtle Beach, SC 29588

Documents to be attached for all applications:
__ Plat Plan showing location of installation relevant to property/building layout  
__ Brochure of product(s) from manufacturer: Alaglas Fiberglass Pools  
__ List of Materials and/or Plants to be used: Existing plants/Concrete/Fiberglass Pool

Site section of Covenants that pertains to improvements

Missing applicable documentation will require re-submission

Homeowner Signature: Cyndia + Sebastian Sosa

Please mail to: LITUS" To Let, PO Box 9000, Myrtle Beach, SC 29578-9000, or you may fax to 843.826.0101,

Or email to kclark@litustolet.com

ARC Use Only:

Approved: Yes  No:  Reason(s):

ARC Signature:  Date: 3/19/2020

The HOA approval does not include any approval required by municipalities for permits and/or other requirements necessary from DHEC or Building or Zoning Departments. The location of any improvements cannot change the drainage patterns. Any fences or landscaping installed in the setbacks or drainage easements are at the homeowner's risk. In the event these areas need repair within the easements. The Lakes at Plantation Pines or RS Parker cannot warrant drainage issues where fences or landscaping has obstructed the flow of the drainage.
Cynthia Foley-Sora  
Sebastian Sora  
Mary L Foley

RE: 1956 Pine Cone Lane

Your Request for Architectural Change Appeal has been reviewed and approved by the Board. Specifically, you have approval to proceed with the following:

- **Installation of privacy fence on side of property**

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

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

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

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

Sincerely,

Karen Clark  
Community Manager  
843-448-9000 ext. 129  
kclark@litustolet.com

cc: Owner File
Case # 2020-04-004
**VARIANCE REVIEW SHEET**

**Property Information**

<table>
<thead>
<tr>
<th>Variance Request #</th>
<th>2020-04-004</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant</td>
<td>Jonathan L. Yates, agent</td>
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<tr>
<td>Parcel Identification (PIN) #</td>
<td>440-05-04-0003</td>
</tr>
<tr>
<td>Site Location</td>
<td>4560 Socastee Blvd, Myrtle Beach</td>
</tr>
<tr>
<td>Property Owner</td>
<td>Mara Holdings, LLC</td>
</tr>
<tr>
<td>County Council District #</td>
<td>6 Crawford</td>
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</table>

**Zoning Information**

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>HC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parcel Size (in acres)</td>
<td>0.47</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 V, Section 513 regarding setback 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>Front setback - Socastee Blvd</td>
<td>50'</td>
<td>16'</td>
<td>34'</td>
</tr>
<tr>
<td>Corner Side setback - Thomas St.</td>
<td>50'</td>
<td>10'</td>
<td>40'</td>
</tr>
</tbody>
</table>

**Background/Site Conditions**

The applicants are requesting a variance to allow the existing legal non-conforming structures to be replaced in their current location. The telecommunications tower was permitted in 2018 and is conforming. The building located on Socastee Blvd has been there since 1958 according the the Tax Assessor files. Art. V, Section 500.4 a & b allows the replacement of existing non-conforming buildings that are not enlarged or expanded to the extent that the structure or structures exceed the gross square footage that existing on the lot before enactment of this ordinance. In addition, no reconstruction of a nonconforming building may encroach more than 50% into required setbacks. Any replacements of this building would have to meet a 25' setback along Socastee Blvd. The building is located 16' from the front property line instead of the required 50' for a variance of 34'. The three mobile homes show up on google earth in the 1990's and could have been there even longer. Mobile homes are not an allowed use in the Highway Commercial zoning district. However, Art. V, Section 500.4 as stated above would allow the replacement as long as it is not enlarged. In 2008 Art. V, Section 513 was adopted to require a corner lot adjacent to a collector or arterial street to meet the front yard setback from both streets. Socastee Blvd is an arterial street. The applicants are also requesting a variance on the corner side setback off Thomas St. to be 10' instead of the required 50' for a variance of 40'.

**Ordinance and Analysis**

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

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

There are none.
**VARIANCE REVIEW SHEET**

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

| These conditions apply to all properties located on a major arterial roads. |

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 reduced setbacks requested. |

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

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

**Proposed Order/Conditions**

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

1. All required documents shall be submitted to the Horry County Code Enforcement Department for review and approval and required permits obtained.

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

3. All other applicable County requirements shall be met.

4. Storage building in front of mobile home on Thomas Street will need to be removed or moved to the rear of the home meeting the required setbacks.
Applicant Submittal
VARIANCE REQUEST
Applicant hereby appeals for a variance from the requirements of the following provisions of the Zoning Ordinance:

Description of Request: We are requesting relief from the setback requirements for this property which is zoned HC as shown below. The property abuts both Socastee Boulevard and Thomas St.

Required Front Setback: 50 ft.
Requested Front Setback: 16 ft.
50 ft. (from Thomas St. & 10 ft. from western side)
Requested Side Setback: 10 ft. (from Thomas St. & 10 ft. from western side)
Required Rear Setback: 15 ft.
Requested Rear Setback: 15 ft.
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 subject property in this variance request is only 85 ft. 11 inches wide. Consequently, if buildings are to be setback 50 ft. from Thomas St. and 10 ft. along the western side of the property, we are only left with a 25 ft. wide buildable area. Obviously, the ordinance did not intend to create this type of extreme hardship on the property. The approval of this request by the Horry County Zoning Board of Appeals will not be detrimental to adjacent property or to the public good and the character of the district will not be harmed as it will simply allow the property to have legal conforming utilization of its present use.

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)
Please see attached plot plan by South Carolina Professional Engineer Christopher J. Warren.

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]
4-1-2020

Existing building setbacks
Proposed building setbacks
Case # 2020-04-005
VARIANCE REVIEW SHEET

Property Information

<table>
<thead>
<tr>
<th>Variance Request #</th>
<th>2020-04-005</th>
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<tbody>
<tr>
<td>Applicant</td>
<td>Bill King - CMH Homes Inc.</td>
</tr>
<tr>
<td>Parcel Identification (PIN) #</td>
<td>40603020011</td>
</tr>
<tr>
<td>Site Location</td>
<td>6950 Firehouse Rd, Conway</td>
</tr>
<tr>
<td>Property Owner</td>
<td>CMH Homes Inc.</td>
</tr>
<tr>
<td>County Council District #</td>
<td>11 - Allen</td>
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Zoning Information

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>FA</th>
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<tbody>
<tr>
<td>Parcel Size (in acres)</td>
<td>1.3</td>
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<tr>
<td>Proposed Use</td>
<td>Residential</td>
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</table>

Requested Variance(s)

The applicants are requesting a variance from Article VII, Section 702 and Article VIII regarding minimum lot width requirements in the Forest Agriculture (FA) 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 width</td>
<td>90'</td>
<td>76.86'</td>
<td>13.14'</td>
</tr>
</tbody>
</table>

Background/Site Conditions

The applicants have submitted a lot line adjustment survey plat on this parcel. The survey submitted will correct the encroachment of the mobile home on Lot 1 so that it meets the required 10' side setback. In correcting this encroachment it reduces the minimum lot width for Lot 2 to 76.86'. The required minimum lot width is 90' for a 13.14' variance. The mobile home was issued a permit on Jan. 29, 2020 and is awaiting final inspection.

Ordinance and Analysis

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

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

   There are none.

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

   The 90' minimum lot width is required for all residential lots in 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.

   Staff cannot approve a survey plat that does not meeting the minimum lot width of the zoning district.
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:

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

Description of Request: We are requesting a variance in regard to the 90 feet of required distance between property lines down to 80 feet.

<table>
<thead>
<tr>
<th>Required Front Setback:</th>
<th>25</th>
<th>Requested Front Setback:</th>
<th>no change</th>
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<tbody>
<tr>
<td>Required Side Setback:</td>
<td>10</td>
<td>Requested Side Setback:</td>
<td>no change</td>
</tr>
<tr>
<td>Required Rear Setback:</td>
<td>15</td>
<td>Requested Rear Setback:</td>
<td>no change</td>
</tr>
<tr>
<td>Required Bldg. Separation:</td>
<td></td>
<td>Requested Bldg. Separation:</td>
<td></td>
</tr>
<tr>
<td>Required Minimum Lot Width:</td>
<td></td>
<td>Requested Min Lot Width:</td>
<td></td>
</tr>
<tr>
<td>Required Min Lot Width/Bldg Site:</td>
<td>90</td>
<td>Requested Min Lot Width/Bldg Site:</td>
<td>85</td>
</tr>
<tr>
<td>Required Max Height of Structure:</td>
<td></td>
<td>Requested Max Height of Structure:</td>
<td>no change</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)

Granting the variance would not cause substantial detriment to the adjacent property or the public good. The adjacent property owner is in agreement with the variance request.

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]
3-30-2020

CMH HOMES, INC.
WRITTEN CORPORATE CONSENT

Be it known that Larry Carter, Asst. Secretary of CMH Homes, Inc., having been duly authorized and empowered by the Board of Directors does hereby designate that Bill R. King General Manager of CMH Homes, Inc. DBA Clayton Homes #295 as authorized and empowered to sign documents related to the transfer of ownership and take action necessary to complete the sale of that certain real estate located at Firehouse Rd Lot 2 Bucks Township Conway, SC 29527. The manager is not authorized to enter into any Guarantee Agreement or any other contract that would require CMH Homes Inc. to assume responsibility for any loan balances or payments owed by a consumer if they default on their home loan with their lender.

I hereby certify that I am the duly qualified Asst. Secretary of the aforesaid Corporation and that I am authorized to make the aforementioned designation.

Dated this 30th day of March, 2020.

Larry Carter
Asst. Secretary

TENNESSEE
COUNTY OF BLOUNT

The 24th day of March, 2020 personally came before me, Kim Dyer, a Notary Public for the said County and State, Larry Carter who, being by me duly sworn, says that he is Asst. Secretary of CMH Homes, Inc., a corporation, and that said writing was signed and sealed by him in behalf of said corporation by its authority duly given.

Witness my hand and official seal, this the 30th day of March 2020

Kim Dyer
Notary Public

My commission expires: September 26th, 2020
Case # 2020-04-006
VARIANCE REVIEW SHEET

Property Information

<table>
<thead>
<tr>
<th>Variance Request #</th>
<th>2020-04-006</th>
</tr>
</thead>
</table>

Applicant: Joseph Brennan and agent for Brock Holdings LLC

Parcel Identification (PIN) #: 399-15-03-0027

Site Location: 200 Whitty Drive, Myrtle Beach SC 29579

Property Owner: Brock Holdings LLC

County Council District #: 8 - Vaught

Zoning Information

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>HC</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Parcel Size (in acres)</th>
<th>2.64 Acres</th>
</tr>
</thead>
</table>

| Proposed Use | Commercial |

Requested Variance(s)

The applicants are requesting a variance from Article X, Section 1009 (b) regarding sign height in the Highway Commercial (HC) zoning district.

<table>
<thead>
<tr>
<th>Allowed</th>
<th>Requested</th>
<th>Variance Needed</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sign height</td>
<td>8'</td>
<td>30'</td>
<td>22'</td>
</tr>
<tr>
<td>Max Sign Area</td>
<td>160 sq. ft.</td>
<td>170 sq. ft.</td>
<td>10 sq. ft.</td>
</tr>
</tbody>
</table>

Background/Site Conditions

The applicants are proposing to place signage at the new Brock Self Storage facility. This facility is located within the Water Station Commercial subdivision. Art. X, Section 1009 (b) states out-parcels that are part of a commercial subdivision development are allowed an 8’ sign when the length of the corridor frontage is less than 400 ft. and 1 sq. ft. of sign area for each linear ft. of road frontage. There is a total of 160’ of road frontage on West Perry Road. The proposed sign is 30’ in height instead of the allowed 8’ for a variance of 22’. The proposed sign area is 170 sq. ft. instead of the allowed 160 sq. ft. for a 10 sq. ft. variance.

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 sign requirement apply to all commercial subdivision developments.

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 sign as requested.
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.
Water's Station Commercial Signage
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)  1009

Description of Request: **We request that the overall height of the sign be 30 feet from grade**

<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: 8'</td>
<td>Requested Max Height of Structure: 30'</td>
</tr>
</tbody>
</table>

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

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

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

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

Compliance with the zoning laws would cause undue hardship on the landowner. Brock Storage is located at the intersection of Whitty Drive and West Perry Road which is approximately 286 yards from the intersection of Hwy 501. The proposed sign is necessary for the reasonable use of the property and would not alter the character of the surrounding area. The proposed sign caters to a less intrusive solution yet assists the general public in finding the destination in a safe manner. The reason for this request is due to the unforeseen ramifications from a commercial sub division sign.

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:  
Joseph Brennand  
Date:  April 1st, 2020
Case # 2020-04-007
VARIANCE REVIEW SHEET

Property Information

<table>
<thead>
<tr>
<th>Variance Request #</th>
<th>Zoning District</th>
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<tbody>
<tr>
<td>2020-04-007</td>
<td>HC</td>
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<tr>
<td>Applicant</td>
<td>Horry County Planning &amp; Zoning, agent</td>
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<tr>
<td>Parcel Identification (PIN) #</td>
<td>Parcel Size (in acres)</td>
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<td>399-00-00-0394</td>
<td>77.35</td>
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<td>Site Location</td>
<td>Proposed Use</td>
</tr>
<tr>
<td>off Postal Way, Myrtle Beach</td>
<td></td>
</tr>
<tr>
<td>Property Owner</td>
<td>Virginia M. Biddle, etal</td>
</tr>
<tr>
<td>County Council District #</td>
<td>8 - Vaught</td>
</tr>
</tbody>
</table>

Requested Variance(s)

The applicants are requesting a variance from Article VIII regarding setback requirements for any zoning district.

Front setbacks: 35% reduction for parcels fronting on Postal Way - existing or newly created

Background/Site Conditions

Horry County’s Ride 3 program is proposing to construct an extension of Postal Way from its current terminus near Carolina Forest Blvd. to Waccamaw Pines Dr. The future right of way for Postal Way extension will split the subject parcel in half creating a significant amount of new road frontage. Horry County staff is requesting a variance to reduce the front setbacks from the proposed Post Way right of way for any existing or newly created parcels.

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 impact of the extension of Postal Way will uniquely impact this property by dividing the parcel in half.

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

These conditions do not apply to other parcels in the general 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.

The creation of the new road will create additional setbacks on this property that currently do not exist. The front setbacks along the Postal Way extension would decrease the buildable footprint of the property.
**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 road is being sized according to proposed growth in traffic. There should be no need to expand the right of way in the future. The reduced setback will positively impact the public good as it will allow the creation of a needed road.

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.
Postal Way at Publix Supermarket
Applicant Submittal
VARIANCE REQUEST

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

Article(s) VIII

Section(s)

Description of Request: 35% Reduction for front setbacks along Postal Way.

<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>X Requested Rear Setback:</td>
</tr>
<tr>
<td>Required Bldg. Separation:</td>
<td>X 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>X Requested Min Lot Width/Bldg Site:</td>
</tr>
<tr>
<td>Required Max Height of Structure:</td>
<td>X 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)

The condition is the creation of Postal Way Raw across the parcel.

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

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

Applicants Signature: [Signature] Date: 1/24/20
Proposed Postal Way Extension
Intersection of Postal Way Ext & Waccamaw Pines Dr.